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## The development of crime and its impact on the educational and ethical processes in Europe

### Summary

The development of crime in the current world is taking unprecedented proportions. This is the reason why in our article we want to point out which types of crime have been developing and affecting the countries of Europe and the educational process particularly of the young generation in them. At the same time, we are focusing on the ways by which prevention of organized crime should be developed and how helpful bringing up and education of young people – e.g. in the field of Ethical Education, but also Lifelong Learning of people can be. Through Ethical Education we point out to the fact how much bringing up and education should influence the young generation and its preparation for life.

**Keywords:** crime, ethical education, educational process

The development of crime in the current world is taking unprecedented proportions. This is the reason why in our article we want to point out which types of crime have been developing and affecting the countries of Europe and the educational process particularly of the young generation in them. At the same time, we are focusing on the ways by which prevention of organized crime should be developed and how helpful bringing up and education of young people – e.g. in the field of Ethical Education, but also Lifelong Learning of people can be. Through Ethical Education we point out to the fact how much bringing up and education should influence the young generation and its preparation for life. The current world is facing the task to crucially solve a whole complex of problems. Some of them have been inherited from the past, others have emerged as a consequence of the current development. The most difficult situation is in the sphere of the solution of so-called *global processes* that operate across the world. It can be said that a further development of the quality of human life to a great extent depends on the quality and methods of these processes' solution. "The main trends which

dictate the current global security environment are:

- 1, globalization;
- 2, development disparity.

These decisive tendencies, along with the positive impact such as elimination of bipolarity and threat of military conflict, acceleration of the economic, technological, cultural and political convergence of the subjects of international relations, also bring with them phenomena and processes that go beyond the control of individual states and coalitions. New security challenges and threats which represent a threat to human security, peace and stability have appeared<sup>1</sup>.

Solution of global processes requires prepared people who are both at high professional and moral levels. We often witness statements that while the human race have achieved exceptional results in education, we are still at the beginning in terms of upbringing. Unfortunately, to this day significantly positive results have not been achieved, although several analyses in this area are available. Also there exist several projects but their implementation is only insufficiently reflected in the life standards of people. Although people are aware of the problems in the field of relationships and a number of measures have been adopted in the systemic preparation of young generation (by introducing subjects such as Ethics, Citizenship Education, etc.), the outputs are not yet very convincing because in the preparation there still exists a lot of formality and search for ready-to-use schemes how to solve complex life problems. As it is the duty of educational institutions of all levels to participate not only in education but also in upbringing, they have to think about options how to increase the level of moral consciousness of citizens with the emphasis on the preparation of young generation for their future life. Possibilities and experience of the present society are sufficient; however it is necessary for those who are responsible to think more deeply about the efficiency and effectiveness of these processes in the practical life.

In this part, we want to deal with the problem which is relatively new in our society. We came across it and its actions in the conditions of a democratic society in the early nineties. Even though a short time period has elapsed since then, it can be said that it has found a solid place in the life of our society and settled in it. It is also becoming more and more intense and its consequences are more and more obscure – we can notice coming of *criminality* and, in particular, an *organized crime* into the life of our society.

We are aware of the fact that we can make a variety of inaccuracies in our opinions. The reason is that, while in the developed countries this process has a long history, including the ways of solution, in the countries of Central and Eastern Europe it is rather actual. But it must be also said that in some areas the problems are significantly close to those which are characteristic for the countries where they have been being formed for centuries.

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<sup>1</sup> L. Hofreiter, *Bezpečnostný manažment*, Žilina 2002, p. 12.

At present we are witnessing a nearly uncontrolled increase in *criminality in general* and *an organized crime in particular*. Liberalization of a political life, the freedom of decision-making in less transparent economic conditions, opening of borders and liberalization of law make a free movement of people, goods and capital possible. A new political and economic reality which can also be used by criminal elements for their aims has been created. They have international ties and contacts and gain experience that can be further developed in their own countries, where, in many cases, this activity carries the scourge of an organized crime. Penetration of an organized crime into legal state structures and corruption of representatives of economic, bank and state sectors and police and judicial authorities are extremely dangerous. Under new conditions of the organization of a social life, these groups also use a partial anarchy that accompanies formation of new social conditions. This kind of crime is heavily manifested in the smuggling of various kinds of goods, such as cigarettes and alcohol, in organized thefts of motor vehicles, in drugs, weapons, stolen art and antique objects trafficking, in situations where money is demanded for so-called protection, when kidnapping and human beings trafficking exist, in the development of gambling, in trading with fake money and in illegal keeping of things of all kinds. From the former Eastern Bloc countries, this is primarily the case of Russia and the former Soviet Union countries where these activities are flourishing. Although a general crime is becoming more and more intense in the economic sphere, its impact on the social development is very disproportionate. The objects of the interest of criminal gangs are primarily weapon and drug trafficking, vehicle theft and trade, monopoly on gambling, the transfer of people to Western Europe, money laundering, and other criminal activities. Authorities in the criminal proceedings and administrative authorities are heavily corrupted; a considerable part of enterprises is affected by corruption as well. Corruption helps illegal bank business, illegal trafficking with industrial products, foreign currency frauds and tax cuts<sup>2</sup>.

Similar development is typical also for other Central and Eastern European countries. Although each of the countries of the former Eastern bloc has its own specificities, some analogous trends and forms of an organized crime can be observed. An organized crime cannot be considered to be as a product of the 20th and 21st centuries. It has its own, in some countries several centuries old, history. To explore this social phenomenon, it is necessary to look into the past centuries and also into the different continents and to different countries of the world. Already in ancient times, secret organizations have been characterized by the classical features of a contemporary organized crime, including its hierarchical structure, conspiracy, strict discipline, secrecy, cruel retaliation for betrayal, etc. Although primordial reasons for the formation of secret societies and clans were not exactly criminal motives but rather motives of social, political, economic,

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<sup>2</sup> M. Němec, *Organizovaný zločin*, Praha 1995, p. 8.

national, religious, ethnic, or other character, a criminal activity was often an accompanying phenomenon when providing necessary material means. In some cases, these organisations, after they had lost original reasons of their creation, were completely transformed into exclusively criminal ones.

The most significant decrease in recorded criminal offences between 2005 and 2008 occurred in Poland and Slovakia. Surprisingly, until 2004, the crime rate in Slovakia and Poland had a rising tendency. Regarding violent crimes, the highest index was assigned by Eurostat to the Nordic countries – Denmark, Sweden and Finland. Since 2005, however, the number of violent crimes in the eastern part of the EU, especially in Lithuania, Slovakia, Poland, Bulgaria and the Czech Republic, has declined significantly, lowering the total number of cases in the European Union by about six % over the three year period. In Denmark, the number of thefts has doubled in three years. In Greece, on the other hand, there has been a significant decline in the number of thefts. In general, the number of thefts in the EU has declined, even in the countries where the number of violent crimes has risen. From the V4 countries, the number of thefts has fallen mainly in Poland (since 2002 by almost a half) and Slovakia. In Hungary, theft has been on the rise since 2006. In the European Union, the number of reported crimes has fallen by about 10% between 2005 and 2008. According to Eurostat, in the EU member states, for about 100,000 people there are estimated to be around 123 adult and juvenile prisoners, including detainees. The highest ratio – more than 150 people per 100,000 inhabitants – is in the new member states. This is particularly the case of the Baltic countries, Poland, the Czech Republic and Slovakia. The lowest ratio, with less than 80 people per 100,000 inhabitants, is in the Nordic countries, Ireland and Slovenia. For comparison, in the US, the average number of prisoners per 100,000 inhabitants is 775<sup>3</sup>.

History proves that an organized crime can perfectly use political and social twists exactly when the state power is weakened. Evidence is seen in the interconnection of many fascistically corrupted and rejected from the society politicians, soldiers and policemen with an organized crime in Japan and Italy after the Second World War. Only in Germany they managed to hit the other road that has for many years protected the country from the rapid development of Mafia-style criminal syndicates. However, such dangerous development seems to be looking for appropriate conditions and space even today.

*Organized crime* can be defined in several ways. Our focus will be on the concept that characterizes it as: “Planned and with aspiration for profit or power motivated committing of a particularly serious crime or committing – longer or indefinitely – crimes which are in total particularly serious and if more than two persons who participate in these criminal acts behave in the following way:

<sup>3</sup> *Kriminalita v únii klesá*, <https://euractiv.sk/section/zahranicie-a-bezpecnost/news/kriminalita-v-unii-klesa-016397/> [2017–29–12].

- they have distributed tasks among themselves,
- they act conspiratorially,
- they use structures similar to trade or business,
- they use violence or other means of intimidation or they influence at least one of the following spheres: economy, politics, mass media, state or public administration, justice system and police”<sup>4</sup>.

From the above definition it is clear that an organized crime is not usually defined by one fixed definition of a criminal offence or as a summary of individual facts but it is only defined as a complex form of unlawful and highly socially dangerous behaviour. From the point of view of the facts of the offences, an organized crime is heterogeneous, that means it is inhomogeneous. According to Hofreiter<sup>5</sup>, we can talk about an organized international crime and terrorism. “Drug trade, increasing impact of mafia on politics and economy, weapons trafficking, promotion of illegal migration, etc. are particularly worrying. Humanity is subjected to terrorist attacks, in which both the guilty and the innocent die and where a large portion of material wealth is often destroyed. In addition to it there is information terrorism today which enables, through information and media (soft or audiovisual media), to control not only groups of people but also whole nations and states. It helps to manipulate and promote power interests much more efficiently and in an easier way than any other means (army, laws...). Controlling and guiding the flow of information has become a strategic tool for power goals and interests achievement.” In recent years, internationalization of an organized crime has been strongly on the rise. This means that the groups operate on the territory of several countries, making profits abroad and hiding themselves there. It is only natural that the spread of an organized crime to global dimensions requires creation of appropriate conditions, including:

- increasing liberalization of living conditions, in particular limitation of social control,
- growing anonymity supported by the right to protection of information,
- untouchable banking and tax secrecy,
- increasing internationalization of economic and social relations,
- increased mobility of a rising number of people due to the improvement of telecommunications, transport routes and willingness to finance business and private trips,
- abolition of border controls in the countries of the European Community whose importance has not been appreciated,
- expanding non-cash payment transactions allowing inexhaustible possibilities for manipulation,
- implementation of almost all of the trades with the help of computing which often creates insurmountable problems in providing evidence,

<sup>4</sup> M. Němec, *Organizovaný...*, op. cit., pp. 30–31.

<sup>5</sup> L. Hofreiter, *Bezpečnostný...*, op. cit., p. 14.

- ever stronger links between business and economic sectors due to the movement of capital and capital participation allowing low level of transparency to the outsiders,
- the European Community's internal market which provides international criminal organizations with a wide range of uncontrolled closures and money laundering,
- the overuse of criminal prosecution bodies where investigation of economic crime offences presupposes a high level of expertise in the economic, financial, tax and computerized field,
- a legal definition for deploying hidden policemen according to the law of organized crime threat<sup>6</sup>.

“An organized crime usually goes through four phases:

1, Phasing-in phase in which organized groups use legal weaknesses and lack of experience of police and security authorities and they start to operate. At this stage an organized group is rather hidden; it does not show its existence.

2, Stabilization phase. At this stage, an organized crime already has its field of action and tries to maximize its profits. It is much more visible and shows up with its actions.

3, Consolidation phase is characterized by large scale transactions, often with international participation, as well as a strong attack on the state structures. The murders of public officials are the most radical manifestations.

4, In an integration phase an organized crime tries to legalize its income through extensive investments<sup>7</sup>.

Criminal organizations predominantly focus on the continuous and long-term perpetration of a professional crime, which is the sense of their existence. They deliberately plan and prepare their crimes, and leave nothing to chance. The best and most dangerous are the mafia-style criminal organizations operating mainly in Italy and the USA. In essence, criminal syndicates monopolize the entire industry in the form of a criminal industry and trade. A criminal activity is masked by trade and business structures, and the violence of these organizations is mainly focused against:

- competing criminal organizations,
- members of their own criminal organization,
- police and judicial authorities, in particular through the intimidation of their families<sup>8</sup>.

Violence does not avoid the sphere of an organized economic crime where internationalization of an organized crime is considered to be a very dangerous phenomenon. This trend is likely to continue to deepen as a result of unified

<sup>6</sup> R. Ruprecht, *Die Kunst, Aufgaben sinnvoll zu teilen. Krim.* Verlag Heidelberg 1993, „Kriminalistik“ No 2.

<sup>7</sup> L. Hofreiter, *Bezpečnostný...*, op. cit., p. 27.

<sup>8</sup> M. Němec, *Organizovaný...*, op. cit., pp. 33–34.

internal markets creation in the countries of the European Community, in North and Central America and after the fall of the Iron Curtain, also in the countries of Eastern Europe. An organized crime in Western European countries focuses mainly on drug trafficking, running the sphere of nightclubs (prostitution, human beings trafficking, gambling), financial extortion (legal and dirty money), illegal immigration from abroad, fraudulent capital investments and subsidy frauds, production and distribution of counterfeit money, thefts of luxury motor vehicles and goods from trucks and boats, illegal arms trade, fraud in the insurance sector, etc.

A new quality of crime is increasing. Offenders have the opportunity to professionally use their knowledge of technical and economic development and make extraordinary profits. The main danger lies not in the scope of the shadow economy, but in the way how it manifests itself within the official institutions of the state. The existence of illegal money used for investments ultimately leads to a political corruption, to the decomposition of the social institutions of individual countries, and in some cases it can become also a brake of the economic life. However, the situation in post-communist countries is diametrically different. These countries are often used to launder “dirty money” or as transit areas to the west as well as to the east. Criminal activity is mainly organized by criminal organizations from East European countries that are trying to form organized criminal groups and settle in these countries both temporarily and permanently. Some organized groups and criminal organizations have already used social destabilization of the relations and obsolete legislation of post-communist countries to settle there. Since large personnel changes have also affected public administration, police and judicial system, the employees of these institutions have neither sufficient experience nor material and technical equipment to be an equivalent opponent to an organized crime. The criminal environment has benefited and will benefit for a certain period of time, from the fact that, after experience of the functioning of the totalitarian regime, neither the police nor the justice systems have the necessary authority or sufficient public support. On the other hand, it must be admitted that an organized crime responds very flexibly to changes (taken into consideration organizational and technical conditions).

Due to fundamental changes in the economic system of majority of post-communist countries, foreign criminal organizations create opportunities to enter these unstable and poorly protected economic structures and find ways to hide capital coming from illegal sources. Unstable business environment and the lack of experience of the administrative bodies can be exploited in various types of economic fraud and in the broader possibilities of an economic crime.

Some sectors of an organized crime have depleted their traditional markets, which have been active for many years and now they need new, “virgin” territories. In our territory, this is especially true for drug trafficking, whose offer in the traditional outlets of the West exceeds the demand. As the currency in Eastern European countries becomes convertible and strong enough, these spaces are no

longer just transitory, but they are becoming more and more consumer friendly areas for the sale of soft but especially hard drugs.

It should be stressed that an *organized crime* cannot be considered to be a phenomenon isolated from the other (ordinary) crime because they are partly interconnected. But the fight against an organized crime is extremely hard and difficult because:

- an organized crime is committed primarily by organized criminal groups;
- an organized crime is committed professionally and with extraordinary engagement;
- perpetrators often have international ties that guarantee them space for the preparation of activities, shelter and escape, as well as unrestricted possibilities of their illegal actions concealing;
- due to the link between the legal and illegal worlds, the possibilities of usage of spoils and money laundering are without a bigger risk<sup>9</sup>.

Based on this analysis, it is clear that combating this dangerous phenomenon must have more dimensions, as only police and the judiciary cannot handle it. There is a need for consistent and in particular, responsible behaviour of people in the economic sphere which ensures that criminal groups in individual countries cannot be established. Weaknesses can be seen also in public administration. From this we can conclude that the importance of protection against organized crime is all-societal, but police and the judiciary will always have a dominant position in its repression. Therefore, these law enforcement bodies need to have a science-based methodology of detection, investigation and prevention. Without it, the success of the fight will be ineffective. This methodology should respect in particular the relationship between professional authorities and public participation.

Is it even possible to successfully combat organized and ordinary crime at the same time or do we have to set certain priorities? The answer must obviously be sought at the professional and political levels, but emphasis should also be placed on strengthening the moral consciousness of the whole society. So the moral consciousness of not only the certain representatives of society, but of every single citizen. Perhaps the argument that “the best crime policy is a good social policy,” is still true, says a German lawyer von Liszt. It may be expected that in future it will be necessary to combine forms of traditional criminological work with the development of various civic activities with a focus on prevention. World experience indicates that unilateral measures – focusing on the growth of police officers numbers or on the citizens’ initiatives do not produce the expected results. Even in the developed countries (like the USA), the existing system of combating an organized crime has appeared to fail<sup>10</sup>.

<sup>9</sup> R. Ruprecht, *Die Kunst...*, op. cit.

<sup>10</sup> M. Němec, *Organizovaný...*, op. cit., pp. 77–79.

What forms of an organized crime are currently at the forefront, or what are their developmental trends for the future?

The main forms of organized crime are considered to be:

- 1) illegal drug trafficking;
- 2) national and international terrorism;
- 3) organized economic crime;
- 4) other forms of organized crime:
  - bank and postal robbery,
  - thefts of motor vehicles,
  - thefts of art and antiques,
  - smuggling and human trafficking,
  - blackmailing for so-called protection (racket),
  - illegal trade with weapons and explosives,
  - computer crime,
  - corruption of a different kind,
  - money laundering, but also others<sup>11</sup>.

*Illegal drug trafficking* is characterized by a relatively high degree of internationalization, a high degree of professionalism, conspiracy, seemingly unlimited financial means and also with partially less effective sanctioning systems in individual countries. Production, trade and drug trafficking take place at a high organizational level, and therefore it is necessary to talk about a typical organized crime. The struggle for a market place is becoming more and more brutal. Criminal profits are becoming an increasing danger to society, because on the one hand they are invested in various legal transactions, but on the other hand, they have an extraordinary potential for corruption. A criminal profit also serves to support, expand and stabilize a criminal power.

The number of drug addicts is still growing, every year more drug addicts die in the world, general crime is more and more influenced by the increase in an indirect crime (i.e. addicts receive means to buy drugs through various criminal activities), social and health extortion of addicts, including children. The drug situation is getting worse not only in Western Europe but also in the countries of the former Eastern Bloc. It can be argued that this trend has global tendencies.

Western Europe has long been a united market for drugs of all kinds. In recent years, the trade in cocaine, cannabis (hemp) and heroin has grown. We are also witnessing development of new types of drugs that are more difficult to identify. Hemp products are smuggled in containers from Near and Middle East and also from Africa. Heroin is being smuggled through the “Middle East Balkan Road” from the Middle East. Transit countries are mainly Hungary, Slovakia and the Czech Republic. Cocaine arrives in Europe by air and sea from South America. Amphetamine comes mainly from the North of Europe. It gets to Germany main-

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<sup>11</sup> B. Hulan, J. Dzuriaková, *Sociálna etika*, Žilina 2007.

ly through the Scandinavian countries and the Netherlands. We may also be afraid of further development in the former USSR countries, which is already reaching terrible dimensions.

Drug offenders are highly professionalized; they are making use of the opening of borders in the East and the internal market in the countries of the European Community.

An organized crime in the international dimension is the most visible in the import, export and transport of drugs. All the projects that should have limited this type of trade have not yet been convincing (United Nations Narcotics Fund, etc.) and the results are not sufficiently transparent. It should be obvious that the problem of the fight against drug trafficking is of an international dimension, and so it is also necessary to approach it in this way. No country is able to solve it alone and in isolation, even if it has all the institutions ready (political, legal, medical and social institutions and police). In addition, there appears to be a lack of drug use prevention, as is shown in sport cases where drugs in the form of doping substances are growing uncontrollably.

*Terrorism.* Its characteristic features were profiled many hundred years ago when assassins hired in Persia and Syria for money or social advantage murdered anyone who was labeled by powerful people because he did not want to change his opinions or attitudes. Often, the belief of religious fanatics has been exploited for this activity.

At present, terrorism retains its basic attributes, but its political objectives set the boundary between terrorism and banditry. In recent years, as a result of the polarization of political forces and changes in views on the social and political doctrines of countries, the number of terrorist actions has increased disproportionately.

Various definitions of terrorism are provided in the technical literature and describe terrorism as “premeditated, politically motivated violence against non-combatant targets through unofficial groups or secret agents, generally aimed at influencing public opinion. International terrorism is affecting citizens or territories of more than one country.”<sup>12</sup>

Of course, there is a larger amount of such and similar definitions, but most of them accept the basic features of the above definition. What is important is that not every act of terrorism has the characteristics of an organized crime (e.g. terrorism of an individual perpetrator, a rare terrorist attack).

Terrorism can be internal (domestic) or international. The purpose of international terrorism is most frequently internationalization and publicity of political issues. For international terrorism, attempts of national terrorist groups to establish contacts with equally-minded forces abroad, i.e. to create a sort of “Internationality in terrorism” are also typical. International terrorism is often presented

<sup>12</sup> M. Němec, *Organizovaný...*, op. cit., p. 96.

as a “continuation of politics by other means”, as a substitution to a war. The effectiveness of such solutions can be illustrated by terrorist attacks against international air transport. Terrorist attacks using explosive systems predominate in the international terrorism. An extraordinary one still remains a terrorist attack on the US state symbols on 11.9.2001. It marks a new stage in the development of terrorism as well as the fight against it.

A particular form of terrorism is *state terrorism* (e.g. Libyan, Syrian, Iranian), which manifests itself either as direct terrorist violence against hostile lands that aggressors do not dare to attack openly, or as the persecution of hostile forces and dissidents abroad<sup>13</sup>.

Although terror is classified in developed countries as an organized crime, it is now being said that it represents rebellious behavior, while a modern organized crime is characterized in particular by behaviour of some type of innovation, which also corresponds to the different typology and motivation of perpetrators. However, we cannot agree that violence is not indicative of a modern, higher type of an organized business-management crime, which is organized in the form of an international or multinational trade and industrial companies, and which in the most advanced economies gradually ejects a classical mafia-style organized crime. Although a fashionable type of an organized crime focuses rather on gaining unjustified advantages in the form of corruption of economic and state officials, or on the infiltration of its own people into significant and influential spheres, and it exploits the crimes of “white collars”, it does not resort to violence only as to a means of ultima ratio but non-corrupted and uncomfortable subjects are being disposed of systematically, though not only by classical shooting

As you can see, terrorist actions are thought through and their disclosure is not easy. The fact is, however, that a thorough investigation of each act that has any or all the signs of terrorism is of utmost importance for dealing with terrorism. In such cases, it is often necessary to work with other workplaces, e.g. sociological, criminological, psychological, psychiatric ones, etc., especially when compiling offenders' profiles.

*Organized economic crime.* If we try to define this process, it should be emphasized that it includes a set of offences which misuse the confidence necessary for the functioning of economic life, and so damage or jeopardize the whole economic order.

In all countries of the world uncertainty can be observed while trying to determine at least roughly the material extent of economic delinquency. In USA, many years ago, a project has been developed to ensure that the interdisciplinary basis of economic crime is examined in future in a complex, and not isolated way – not only in terms of legal, sociological, criminological or criminalistic aspects.

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<sup>13</sup> M. Němec, *Organizovaný...*, op. cit., p. 131.

It would be optimal if the concept of an economic crime was judged in the same way by legislation, criminology and criminalistics. Legislation should play an important role by affecting an objective reality, or major trends in development. In order to solve this significant problem, several methodologies were proposed. Current authors – K. Lindenman, I. Otto, I. Winner, K. Tiedeman and others claim that the main conceptual features of an economic crime are:

- efforts to achieve undue profits,
- attacks on individual and collective rights,
- attacks against the economic system and its individual institutes,
- latent negotiations.

In developed countries, it is understood that the basic characteristic of an economic crime in a market economy is the fact that economic offences (fraud, insolvency, crimes against state and municipal property, against competition, corruption, bankruptcy, computer crime, etc.) are committed mostly “from the economic sphere to the economic sphere”.

From the point of view of merits, an economic crime (including its organized form) is a diversified activity. In particular, it is a criminal offence against the economic mechanism, the system of economic relations and property.

It can be said that an *organized economic crime* is a type of crime that shows signs of *an economic crime* and also the features of *an organized crime*. It should be stressed that the damage caused by an organized economic crime is many times higher than the damage caused by a general crime. E.g. in Germany an annual damage caused by an organized economic crime is estimated to be much higher than the damage caused by a general crime. Indeed, perpetrators have the extraordinary ability to search and exploit favorable opportunities and conditions for their business to maximize their profits. An economic crime is extremely non-transparent, confidential, and many factual relationships cannot be traced at all.

The sphere of an organized economic crime has a different *modus operandi* than the other scene of an (so-called “illegal”) economic crime. It is socially much more damaging and it is harder to discover and prove it. It is difficult to find the border between the crime and behavior in the spirit of the law.

The most well-known forms of an organized economic crime include:

- trade with illegally obtained goods,
- trade with nuclear and toxic waste,
- counterfeiting of goods and its brands (so-called manufacturing and commercial piracy),
- subsidy fraud,
- fraudulent competition proceedings,
- land fraud,
- bank fraud,
- money counterfeiting<sup>14</sup>.

<sup>14</sup> B. Hulan, J. Dzuriková, *Sociálna...*, op. cit.

It can be seen that they are not just concepts, but that all these forms have their content as well as the internal structure that contributes to the increase of their danger.

*Other forms of an organized crime.* With the development of an organized crime the whole criminal activity increases and its structure is more complicated. The most well-known and most frequent types of criminal activities include:

a) *Bank and postal thefts.* They are the results of an organized crime because they have to be well prepared and an organized group consisting of multiple people has to be involved. Although the used safety devices are already at a relatively high level, these thefts are in some cases still very successful. In addition, more and more violent means (weapons, explosives, etc.) are used in committing these crimes.

b) *Motor vehicle thefts.* They are particularly widespread in developed countries. Criminal organizations are focused on luxury cars and those that have not changed for many years and can therefore be used for spare parts and components as well. Even complex vehicle safety systems do not mean an absolute certainty. The main cause of the fast rise in vehicle thefts is certainly the opening of borders that not only allow the free movement of vehicles but also an international trade of stolen vehicles has become a source of extraordinary profits. At the same time, the clarification of these crimes is relatively low, making this action even more effective. This type of crime is focused on by specialized groups, and some thefts are executed at the order of foreign customers who designate the brand, type and color of the vehicle while the ways how the thefts are committed, can be different. Even thefts of trucks or goods from these trucks are not unusual while the coverage of these actions is often provided by members of security services.

c) *Thefts of artistic and antique objects.* They are realized in a global dimension. The value of the world spoil of these goods represents about US \$ 2 billion per year. Famous works cannot be sold by offenders on the legal market and therefore they often demand a ransom for returning stolen items. Some works are stolen by professional groups of perpetrators to satisfy the order from rich collectors. Professional offenders are only threatened by a fairly high clarification of this crime. Organized groups often focus on:

- thefts from museums and exhibitions,
- thefts of art objects from churches,
- works of art and antiques from private ownership<sup>15</sup>.

d) *People smuggling and human trafficking.* It is a global phenomenon that has its specific form in different parts of the world. Especially refugees become human goods, the victims of internationally operating smuggling organizations, which not only exterminate but also criminalize them, e.g. by forcing women to

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<sup>15</sup> I. Zoubková, J. Suchánek, *Kriminalistická prevence – účinný článek v nové koncepci prevence kriminality*, Praha 1993, „Kriminalistika“, p. 4.

prostitution, men to drug dealing, vehicle thefts, distribution of smuggled vehicles, etc. Especially in recent years, smuggling of people has a massive and extremely dangerous dimension.

Human trafficking does not only affect refugees, but also young women who are being trafficked by force or through fraudulent promises into developed countries for the purpose of prostitution. Most of the profits must be passed on to the criminal organization. It is possible to prevent this crime from happening by timely informing the public of ways which offenders use, by a rigorous control of people crossing state borders, by checking possible hiding places, and various means of transport, or by preventing the crossing the state border outside the border crossings.

In order to combat refugee situation and the associated crime, an effective prevention policy is needed. The people in crisis regions of the world cannot see their life perspectives in leaving their homeland on the basis of fraudulent promises of smugglers. Inhabitants in these countries should be objectively informed about the real conditions in Western Europe and the world, so that they do not believe in promises of smugglers. Educational systems in individual countries (especially Ethics, or Ethical education) should be focused on this issue.

e) *Blackmailing for so-called protection (racket)*. This criminal activity is done by organized groups of offenders and criminal organizations that use violence and other intimidation means. In Western European countries, foreigners from the former Yugoslavia and the former USSR are often members of such groups and organizations. Overseas, therefore, investigating of this activity is done by the most renowned security forces (e.g. in the USA it is the FBI), which use all available offensive methods of detection and investigation.

f) *Illegal trade with weapons and explosives*. It is not a new or temporary issue, since it has existed since the creation of firearms and explosives. It is generally known how wealthy the weapon industry became during the Second World War, especially due to an illegal weapon trade and taxes and customs cuts.

Criminal organizations who are dealing with illegal weapons and explosives trade exist all over the world. After the disappearance of the Eastern Bloc, the trade with the weapons from the former USSR army and also from different countries has appeared. These weapons are often smuggled into the countries where national, ethnic, racial, religious and other local wars and conflicts are being held, or they are sold to various extremist and terrorist forces.

At present Mafia-type organizations deal with such a trade; they have close contacts with weapon industry and business in some countries. Due to international competition, criminal organizations have similar interests, in particular they want to eliminate competition, often sell at any price, even in contradictions with the law and political interests of their own country. Illegally exported weapons do not go directly to the country of destination, rather they are sold from country to country until the origin of weapons disappears. Preventing these kinds

of trade means creating conditions where weapons cannot be stolen and respecting international agreements adopted in these areas of interest.

g) *Computer crime*. It exists in direct and indirect forms. Direct forms of a computer crime are the following one:

- illegal production of computer hardware, copying foreign designs,
- illegal copying of programmes (software), i.e. computer piracy,
- unauthorized use of computer work (theft of machine time),
- destruction and damage of computers and programmes (sabotage),
- unauthorized retrieval of information from databases.

Indirect computer crimes are the following ones:

- inserting incorrect data into the computer system,
- changing computer data processing results,
- programme changes.

Some forms of cybercrime are also practiced by criminal organizations to take into account their own criminal activity, creating conditions for money laundering and other criminal activities. Computers can also be an important means of an economic crime. Given that there are still new opportunities to exploit these resources, it is necessary to follow developmental trends in this area and create both legislative and technical prerequisites to lead a successful fight against this type of crime.

h) *Corruption*. It is practiced by criminal organizations and does not represent an objective but a means of their criminal activity. Experience from both Western European and other countries shows that most of the corruption cases have been implemented in the area where civil works were assigned by the public administration to private companies as well as in the area of administrative actions related to the charging of fees. Corruption, which penetrates into public administration structures, generally penetrates also into the police and justice system and does not avoid the political sphere. It is a phenomenon that can shake even the foundations of the legal state. However, the fight against corruption cannot be only a matter of the police. Anti-corruption measures must be a part of the country's anti-corruption policy, whose key role is to address the corruption climate, as well as resolve the relationship between the state administration and social groups and people susceptible to corruption. Even with security officers, it is possible to assume the principle of individual honesty and correctness, but it cannot be based on "corrupt immunity per se". As German sociologist W. Burghard emphasizes on this issue – everything can be bought. The fight against corruption cannot only be of a verbal nature but must become an integral part of the preparation of the younger generation for life so that the methods related to the corruption behavior do not become a part of their lifestyle. In order to increase its effectiveness, necessary organizational measures and application of the forms of thoughtful and rigorous control activity in the state administration institutions, including the police, must be taken.

i) *Money laundering*. Under this concept we can understand the transformation of illegally obtained money into legal assets, which later in the sphere of the economy appear to be lawfully acquired. So far, two anti-money laundering systems – English and American ones – have been accepted. The essence of the English system is to investigate suspicious bank transfers of funds by the banking authorities and to report these cases to the competent investigating authorities. In the US system, the reporting obligation applies to each financial transaction over \$ 10,000. It is clear from the experience of developed countries that the basic prerequisite for a successful fight against this form of crime is perfect legislation and a hard action of the responsible authorities against such practices; especially education of people in the spirit of humanistic values that prefer honesty and justice in interpersonal relations.

As it could be seen, the extent of the crime is extremely wide and the fight against this dangerous social phenomenon is becoming more and more complicated as it is gradually transforming into various social structures. What developments can be expected in the future?

Although our country did not recognize the concept of “organized crime” until the early nineties, the present situation is different. In Slovakia we can find practically all aspects of crime, with its considerable quantitative and qualitative increase. In addition, scenarios in this area are generally very pessimistic. An increase in both economic and organized crimes is expected. The highest rise is likely to be recorded in thefts of non-cash means of payment, robbery and thefts in and out of the living quarters. The highest possibilities for this form of crime need to be seen in the internal market, which mainly involves car thefts and non-cash means of payment. Within individual streams, predominantly transport of goods for criminal activity will be used<sup>16</sup>. In property crime, the police records decrease from 63,077 registered criminal offences in 2006 and a clarification rate of 23.47 % to 27,440 offences in 2016, with a clarification rate of 38.41 %. In 2006, 1594 robberies were detected (48.18 % clarification rate); in 2016 there were only 526 robberies (67.49 percent clarification rate). However, compared with 2015, the number of extremist crimes has increased. In 2015, there were 30 extremist crimes were recorded with a clarification rate of 56.67 %; in 2016 there were even 58 of them (clarification rate 36.21 %). The long-lasting trend in Slovakia is the decline in the crime – it is caused by legislative measures, the activities of the police corps, but also by factors such as the rise in the standard of living or the ability of citizens to better protect their property by technologies such as CCTV or central protection counters. “Exceptions to this trend, however, are extremist crimes, including their virtual dimension”, said Jaroslav Málik, a vice-president of the police corps, in the Tablet.tv 1 discussion<sup>17</sup>.

<sup>16</sup> I. Zoubková, J. Suchánek, *Kriminalistická...*, op. cit., p. 373.

<sup>17</sup> J. Málik, *Kriminalita na Slovensku dlhodobo klesá, výzvou je extrémizmus*, <http://www.teraz.sk/slovensko/malik-kriminalita-klesa-extremizmus-rast/246899-clanok.html> [2017–29–12].

According to Hofreiter, the risks in Slovakia can include, among others, the following ones:

- international organized crime and terrorism – activities such as weapons and drugs trade, children and women trafficking and money laundering;
- criminalization of social relations – violent crime, including extortion, robbery and murder.

State stability affects the rise in an economic crime (fraud, property fraud, tax fraud) along with a property crime. A growing tendency can be identified with the violent forms of crime, gun crime, extortion, crimes committed by young people, juvenile delinquency, social criminality, corruption, abuse of power and the status of public officials and other;

- failure or targeted disruption of information systems through information piracy and information terrorism;
- environmental threats – industrial and technological accidents, natural disasters and disasters which represent a permanent threat to life and property to a large extent<sup>18</sup>.

*Fraud.* It will also grow in the near future. The expert scenario foresees an increase of about 25%, and this increase will be driven by an increase in a general crime. Capital fraud as well as non-cash means of payment represent the highest increase in this area of crime. For non-cash means of payment, thefts of credit cards and theft of cash machines are the most frequent. Fraudulent frauds as well as various capital frauds must naturally be included in the area of fraud.

As you can see, this is an extremely broad area, which places more and more demands and requirements on the police authorities.

An organized crime will continue to pay extra attention to *information technology*. Experts believe that there will be an increase of around 30%, which is also naturally driven by an increase in a general crime. The prediction is primarily based on software piracy, which is a fraud made through unlawfully acquired programs. Effectiveness of this criminal activity is raised by a relatively small possibility of its clarification, and therefore this activity will gradually increase in individual regions. It turns out that extraordinary forces and resources will have to be deployed to liquidate this kind of crime.

The development of *environmental crime* is a serious issue as it is on the significant increase. Our environment is endangered by the amount of waste, especially nuclear and toxic one. Specific chemical attacks by Japanese fanatics have indicated that it is also possible to sell this material around the world.

Pessimistic scenarios are also built for other criminal activities. The most frequent predicted criminal activities are blackmailing for so called protection, illegal human trafficking, black market with vehicles and trade and business with weapons. A special chapter is naturally drug trafficking.

<sup>18</sup> L. Hofreiter, *Bezpečnostný...*, op. cit., pp. 24–25.

Are there any solutions for this difficult situation? In the first place, it seems necessary to improve the quality of work of all those involved in organizing the life in society. This applies in particular to public employees, staff in police and judicial bodies, and their internal human qualities. Making police work more effective requires a broader use of an active anti-crime strategy in any form, with special attention paid to prevention. Setting of goals must consist of enhancing the competencies of police forces. This naturally presupposes a demanding selection of people who have professional, moral and human prerequisites for this work. This would make it possible to create optimal organizational structures of these forces and effective forms of their activities. According to the strategy, from the year 2010 crime prevention in the Slovak republic should focus on the following five areas: the first one is the prevention and reduction of criminality of children and youth, in which the government should intensively develop criminology as a leading discipline at universities or increase the professional preparedness of current and future teachers during their training. Another priority is to increase the safety of cities. Focusing on the vulnerable groups of the city, the use of clubs and leisure activities, community centres and the organization of voluntary organizations would be helpful, too. In the future, the government should also focus on the prevention and elimination of violence against women and families where it is important to inform women from specifically threatened and disadvantaged groups about the inadmissibility of violence against their person and the possibility of assistance for them. The fourth priority is prevention of human trafficking. Various preventive activities such as information campaigns, fieldwork, assisting victims of trafficking and, last but not least, high-quality of clarification of such crimes represent the main tasks. The last domain is help to victims of crime, where the proposal to develop service standards for victims, in particular regarding their compensation, as well as in actions of criminal justice or treatment of drug dependency, is required<sup>19</sup>.

Naturally, all these measures require systemic changes in the preparation of a human factor, especially in the area of education. It turns out that even if people are professionally prepared, they often fail morally and humanly. Although society is aware of the importance of education, there is still a lot of formalism and indifference in this process, which reduces the outcomes of educational activities in families and schools. This can be later negatively reflected in the quality of civic attitudes and social life.

It is natural that a society cannot rely only on security forces when addressing security issues. All citizens have to understand that they are obliged to contribute to the safe functioning of society. Therefore, these issues cannot stand on the pe-

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<sup>19</sup> *SR by mala do roku 2010 vynaložit' na prevenciu proti kriminalite 120 miliónov Sk.* <https://domov.sme.sk/c/3439241/sr-by-mala-do-roku-2010-vynalozit-na-prevenciu-proti-kriminalite-120-milionov-sk.html#ixzz52GPTYfHG> [2017–29–12].

riphery of a social concern. They must be tailored for the educational institutions which have to prepare, in particular, the younger generation for their life. Then young people will feel responsibility for the quality of their life in society and can prove it by concrete actions. We cannot ignore actions that clearly violate the principles of legal state as well as interpersonal relations whose consequences negatively affect the functioning of the whole society and its name in the international dimension.

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## **Rozwój przestępczości i jej wpływ na procesy edukacyjne i etyczne w Europie**

### **Sbstraktné**

Vývoj kriminality v súčasnom svete naberá nebývalé rozmery. Preto chceme v našom článku poukázať na to aké druhy kriminality sa najviac rozvíjajú a ovplyvňujú aj krajiny Európy a v nich aj výchovno-vzdelávací proces najmä mladej generácie. Zároveň sa venujeme tomu, ako by sa mala rozvíjať prevencia v oblasti organizovanej kriminality a ako jej môže pomôcť výchova a vzdelávanie mladých ľudí, napr. v oblasti Etickej výchovy, ale aj celoživotné vzdelávanie ľudí. Cez etickú výchovu poukazujeme na to ako by mala ovplyvniť mladú generáciu a jej prípravu na život.

**Kľúčové slová:** kriminalita, etická výchova, výchovno-vzdelávací proces