

The Impact of Disciplinary Action for Crime Prevention

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Abstract

The objective of the research is to analyze if the change of disciplinary action has any impact in the number of disciplinary cases within the Swedish international operations. In the period between the two Swedish international operations in Congo (1960's) and Bosnia (1990's), the law changed from being able to place errant soldiers under arrest to being able to punish only by payroll deduction. The results show that the number of cases decreased in Congo but increased in Bosnia.

KEY WORDS: *Swedish international operations, peacekeeping operations, Military Police, disciplinary action, crime prevention, Congo, Bosnia.*

1. Introduction

The Swedish Armed Forces has changed its stance on punishment through disciplinary action in disciplinary cases. In the beginning, punishments in the form of physical beatings, hanging or other retribution were carried out to keep the soldiers in order. During the 18th century, a reform was taking place in Europe that changed the philosophical point of view. The cruelest philosophical point of view - physical punishments were replaced with time in jail [1]. Furthermore, the 1970's saw further disciplinary reformation through deductions in salary. This form of punishment is the most common in today's Swedish Armed Forces.

Since peacekeeping operations aim to create and preserve peace and stabilize the area from a conflict, it thus becomes problematic if the peacekeeping force itself commits crime [2]. In Sweden, the legislation was changed during the latter part of the 20th century to remove the possibility of containing military personnel who commit punishable acts in custody or extra duty, and was replaced with mainly salary deductions [3]. This study investigates whether there is any connection between the choice of disciplinary punishment and the number of disciplinary cases during Swedish peacekeeping operations. The peacekeeping operations compared in the study are parts of the Swedish efforts in Congo (1960–1964) and Bosnia (1993–2000). The aim of the study is to investigate whether there is any difference in the number of disciplinary cases during each operation and whether there are any crime-prevention effects of the possibility of imposing different disciplinary sanctions. These differences may have an impact on the trust that the Armed Forces seek to establish with the country and its population when participating in peacekeeping operations.

The study's contribution to the research gap is primary to establish a unique data set regarding disciplinary cases and actions taken. Secondary is to investigate whether the change in disciplinary measures has led to any change in the number of disciplinary cases within the Swedish Armed Forces. The study is conducted to increase understanding of the effect of the different disciplinary measures and then to discuss the different results to reduce the research gap. The main question this research aims to answer is:

“Has the distribution of the number of disciplinary cases changed in Swedish peacekeeping operations since the conversion of possible disciplinary measures?”

2. Method of Investigation

To answer the research question, a comparative case study is conducted with two different cases. By comparing two cases with different disciplinary options, the impact of the different disciplinary measures on the cases will be examined. The study uses a quantitative method as the study aims to map and identify differences between the different disciplinary measures and whether they have any effect on the number of disciplinary cases. Analysis was conducted with the IBM SPSS Statistics 27v software. The study uses part of the data from the Swedish operations in Congo carried out between 1960-1964 and in Bosnia carried out between 1993-1997. In Congo, the punishment was

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largely focused on arrest and extra duty, while in Bosnia the punishment was almost exclusively salary deduction. The availability of data from each intervention is mainly open source, providing an easily accessible asset for the study. However, there is still some residual confidentiality protection for the Bosnia operation, which made some collection difficult.

The material on which the study is based has been gathered primarily through visits to the Swedish War Archives, which is an integral part of the Swedish National Archives in Stockholm. The archive contains the physical documents established by the Military Police in their respective areas of operation. The documents are divided into different files and the relevant documents are primarily found in military police investigations, disciplinary punishments (see Table 1), and personnel logs. The scope of the material has been limited to the first year of each operation, which means that it is not possible to generalize the results for each operation but only for the start-up period. In total, 724 cases were established in the first year of both operations. The cases are divided between operations as follows: Congo – 252, Bosnia – 472.

The cases were processed by the organization and resulted in a total of 529 disciplinary cases, while no further action was taken in the other 195 cases. The cases are divided between operations as follows: Congo – 252 (see Table 2), Bosnia – 277 (see Table 3). The disciplinary cases are divided in this study into four major categories: *misconduct penalty*, *alcohol-related*, *traffic violations* and *other*. *Misconduct penalty* cases include a wide variety of errors, for example late arrival, bad behavior, AWOL, contraband. *Alcohol-related* cases includes instances of suspects being intoxicated. *Traffic violation* includes cases in which vehicles were involved, including acts of driving under the influence of alcohol and/or other drugs. The data set also includes *Other*, which includes cases that do not fit the other categories, for example cases of sexual harassment and gross negligence.

Table 1.

Disciplinary categories description.

Disciplinary categories	Case examples
Misconduct penalty	Late arrival, violated rules, AWOL, contraband
Alcohol-related	Intoxication, bar fights
Traffic violation	Car accident, DUI, driving without a valid license
Other	Sexual harassment, gross negligence

Table 2.

Disciplinary cases in Congo.

Category	Specific	Cases
Alcohol-related		54
Misconduct penalty	Improper conduct/Inappropriate area	41
	Late arrival	45
	Abandon post	7
	Order refusal	1
	Violated rules	72
	Inappropriate behavior	21
	Unknown reason	2
Other		9
Total		252

Table 3.

Disciplinary cases in Bosnia.

Category	Specific	Cases
Alcohol-related		51
Misconduct penalty	Improper conduct/Inappropriate area	7
	Late arrival	1
	Contraband	36
	Order refusal	1
	Violated rules	60
	AWOL	13
	Unknown	1
	Other reasons	11
Traffic violation	Reckless in traffic	73
	Driving without a valid license	4
	DUI	4
	Lack of procedures with cargo manifest	1
Other		14
Total		277

The most common type of case in which personnel were subject to disciplinary action, both in Congo and Bosnia, was misconduct penalty. As shown in Fig. 1, 195 cases (77.3% of all cases) of cases in Congo were classified as misconduct penalty. The corresponding figure in Bosnia (Fig. 2), is 155 cases (56.6% of all cases) of misconduct penalty. Traffic-related violations in Bosnia also stood out in terms of the number of cases established, 82 cases (29.9 per cent of all cases).

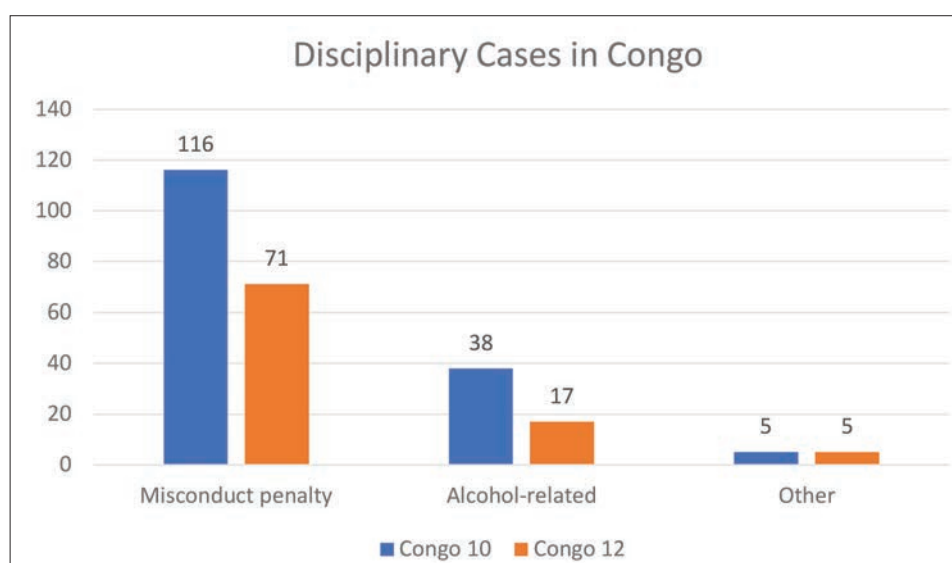


Fig. 1 The stacks show the number of disciplinary cases in the first and second mission in Congo.

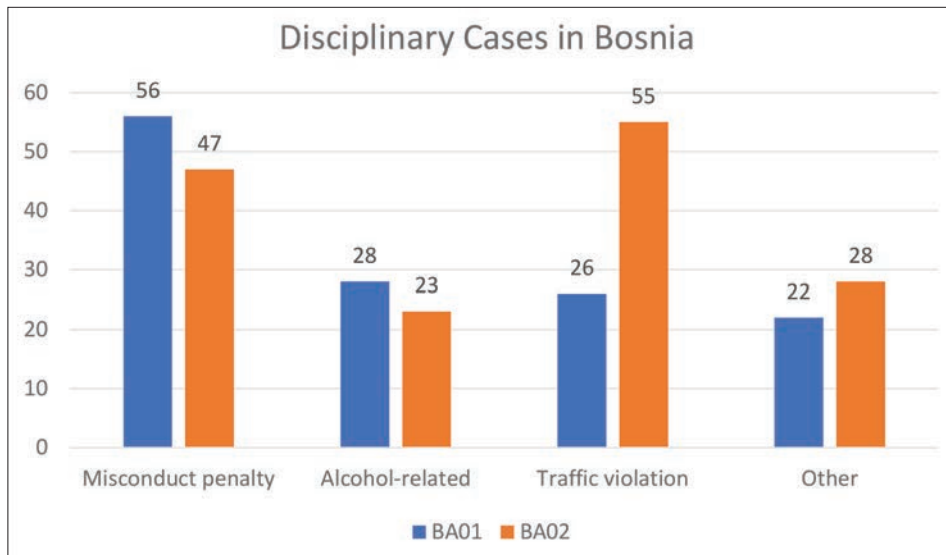


Fig. 2 The stacks show the number of disciplinary cases in the first and second mission in Bosnia.

The disciplinary action is divided into six categories: imprisonment, extra duty, salary deduction, warning, dismissal and other.

In the data from the operations, the number of days and the number of disciplinary actions vary between the different categories. In the arrest category, sanctions range from three days up to 15 days on the penalty scale. In the extra service category, sanctions range from one day up to six days. In the category of deduction of wages, sanctions ranged from two days up to 80 days in Congo, while in Bosnia, the number of days varied from five days up to 30 days. In addition, there are occasional disciplinary fines in both operations which were punished with a lump sum. These are included as salary deduction.

A marked difference between the operations is the number of disciplinary cases dismissed. In the first year in Congo, just over 10% of cases were dismissed compared to the number of cases dismissed in Bosnia, which is just over 32%.

Disciplinary action in Congo

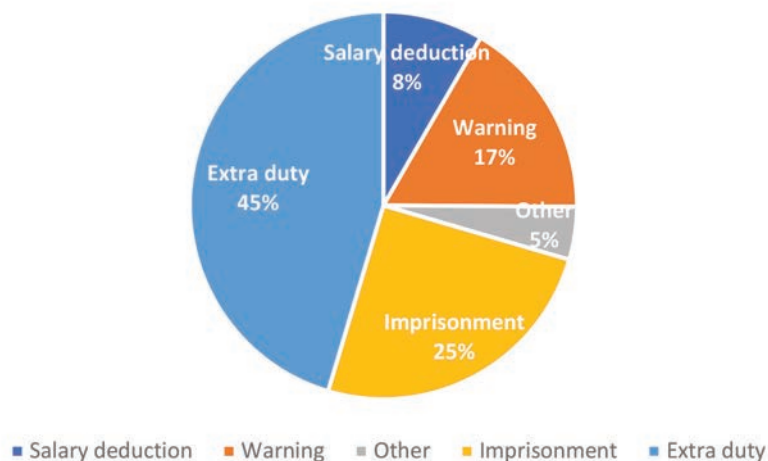


Fig.3 The diagram shows the percentage of the variation in disciplinary action in Congo. The number of cases that were dismissed are 25.

Disciplinary action in Bosnia

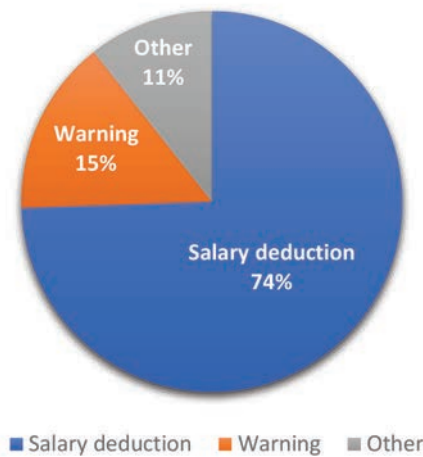


Fig 4 The diagram shows the percentage of the variation in disciplinary action in Bosnia. The number of cases that were dismissed are 87.

3. Investigation Results.

To make the comparison clearer, crimes per person are presented to demonstrate the relationship between the size of the operations. Reporting only the number of disciplinary cases may give a false picture if not put in context with the size of the population. It is likely that a larger population commit more crimes than a smaller population.

The results show that with the possibility of disciplinary measures such as arrest or extra duties, the number of disciplinary cases between the first and second missions in Congo decreased. Disciplinary actions taken per person dropped from 0,300 to 0,163 in the first year. Meanwhile, in Bosnia, when salary deductions were the main disciplinary action, an increase in the number of disciplinary cases was noted between the first and second mission. Disciplinary actions taken per person rose from 0,150 to 0,163 in the first year. However, the study found that the number of disciplinary cases had a drastic decrease during the operation in Congo and the increase of disciplinary cases in Bosnia, but it can't prove that the choice of disciplinary action was the reason of the result.

The number of disciplinary cases is presented in Fig. 3.

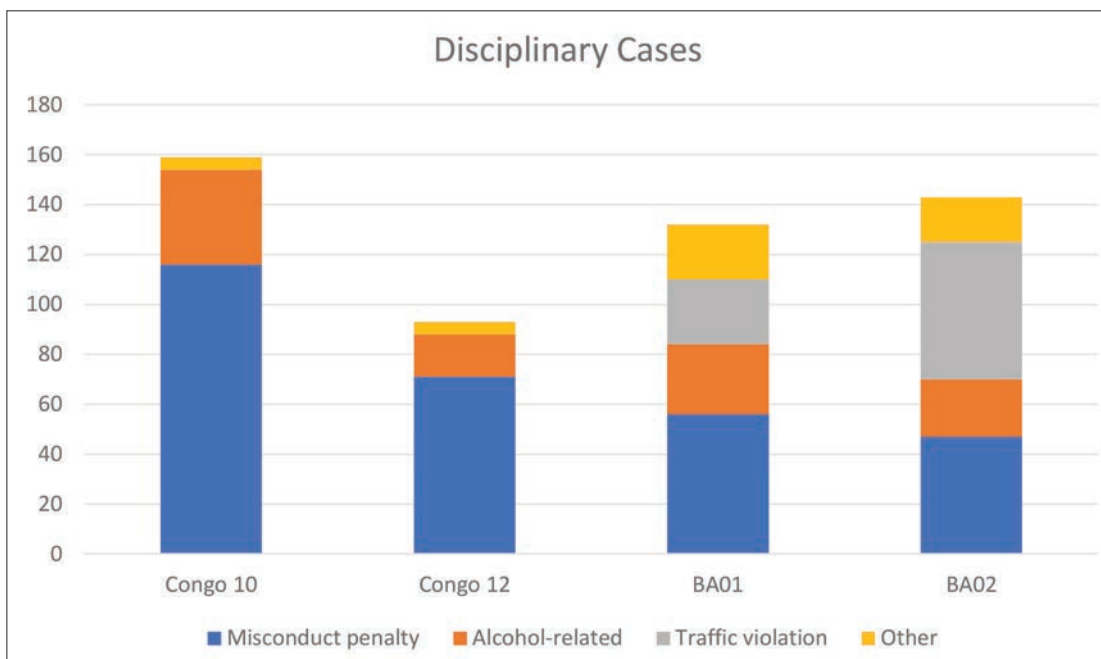


Fig. 3 The first two stacks show the number of disciplinary cases in the first and second mission in Congo, and the last two stacks show the number of disciplinary cases in the first and second mission in Bosnia.

4. Conclusions.

By comparing two peacekeeping operations that had different ways of punishing disciplinary offenders, the aim of the study was to investigate whether the choice of disciplinary action had an impact on the number of disciplinary cases.

The analysis shows that the number of cases both increased and decreased with the disciplinary sanction of salary deduction. This is because the number of military police cases drawn up between missions decreased. The 472 investigations were divided into 277 investigations in the first mission and then decreased to 195 investigations in the second mission. However, the number of disciplinary cases increased by more than 8% between missions, from 131 to 143. In relation to the size of the personnel on duty, the ratio of offences per person increased from 0.150 to 0.163 between missions. Furthermore, the analysis indicates that the number of convictions for disciplinary cases shows a decrease, from 105 to 83 in the first year of the operation. The result thus presents a paradox where the number of disciplinary cases increases but the number of disciplinary actions decreases between missions. As there is a lack of clarity as to why the number of disciplinary cases is dismissed in greater numbers between missions (from 27 to 60 dismissed disciplinary cases), no clear conclusion can be made.

In the first year in Congo, 252 disciplinary cases were established, but there is a marked difference between missions. In the first mission, 159 disciplinary cases were opened, while in the second only 93 were opened. There was a 40 percent decrease in the number of disciplinary cases between missions. In relation to the number of staff on duty, the ratio of offences per person decreased from 0.300 to 0.163 between missions. The number of cases dismissed also decreased. During the first mission, 18 cases were dismissed while during the second mission only 7 were dismissed.

From a generalizing perspective, it is difficult to give a clear picture as only some of the interventions were compared. A more comprehensive study would have been needed to provide a clear generalizability. However, it can be observed that the number of disciplinary cases decreases with arrest and extra duty as a possible disciplinary measure, while the number of disciplinary cases increases where salary reduction constituted most of the disciplinary measures. As shown in the analysis, there was a 41.5% decrease in the number of disciplinary cases between the first and second missions in the Congo, while the number of disciplinary cases increased by 8.4% between the first and second missions in Bosnia.

Although the analysis shows differences in the frequency of disciplinary cases between operations, the study cannot answer whether the choice of disciplinary sanction is the variable underlying the phenomenon. There are many other variables that may influence the outcomes that were not included in the study.

In conclusion, on one hand the change of disciplinary action does not contribute to a crime prevention effect. On the other hand, having soldiers detained disturbs the harmony within the unit due to the burden of unequal working hours.

Limitations. Further research is warranted to gain a more nuanced understanding of the phenomena. The study proposes the following avenues of research:

- Extended surveys to ensure the outcome of each operation.
- Deeper research of the personnel regarding cohesion and social constructs.
- Deeper research into differences in legislative changes.
- Further research into the empirical data to enable statistical tests.
- Deeper research on possible directives and working methods.
- Comparisons to other peacekeeping operations.

Acknowledgements. The author is thankful for the input provided by supervisor Professor Jan Ångström from the Swedish Defense University, supervisor Dr. Svajonė Bekešienė from General Jonas Žemaitis Military Academy of Lithuania and Second Lieutenant Markus Rönnlund of the Swedish Armed Forces

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