

UDK 37

ISSN 2545 - 4439
ISSN 1857 - 923X

INTERNATIONAL JOURNAL

Institute of Knowledge Management

KNOWLEDGE



Scientific Papers

SOCIAL SCIENCES

Vol. 45. 5.

KIJ

Vol. 45

No. 5

pp. 929 - 1186

Skopje 2021

KNOWLEDGE



INTERNATIONAL JOURNAL

**SCIENTIFIC PAPERS
VOL. 45.5**

April, 2021

**INSTITUTE OF KNOWLEDGE MANAGEMENT
SKOPJE**



KNOWLEDGE

International Journal Scientific Papers Vol. 45.5

ADVISORY BOARD

Vlado Kambovski PhD, Robert Dimitrovski PhD, Siniša Zarić PhD, Maria Kavdanska PhD, Venelin Terziev PhD, Mirjana Borota – Popovska PhD, Cezar Birzea PhD, Veselin Videv PhD, Ivo Zupanovic, PhD, Savo Ashtalkoski PhD, Zivota Radosavljević PhD, Laste Spasovski PhD, Mersad Mujevic PhD, Milka Zdravkovska PhD, Drago Cvijanovic PhD, Predrag Trajković PhD, Lazar Stosic PhD, Krasimira Staneva PhD, Nebojsa Pavlović PhD, Daniela Todorova PhD, Baki Koleci PhD, Lisen Bashkurti PhD, Zoran Srzentić PhD, Sinisa Opic PhD, Marija Kostic PhD

Print: GRAFOPROM – Bitola

Editor: IKM – Skopje

Editor in chief

Robert Dimitrovski, PhD

KNOWLEDGE - International Journal Scientific Papers Vol. 45.5

ISSN 1857-923X (for e-version)

ISSN 2545 – 4439 (for printed version)

INTERNATIONAL EDITORIAL BOARD

President: Academic, Prof. Vlado Kambovski PhD, Skopje (N. Macedonia)

Vice presidents:

Prof. Robert Dimitrovski PhD, Institute of Knowledge Management, Skopje (N. Macedonia)

Prof. Sinisa Zaric, PhD, Faculty of Economics, University of Belgrade, Belgrade (Serbia)

Prof. Venelin Terziev PhD, University of Rousse, Rousse (Bulgaria)

Prof. Mersad Mujevic PhD, Public Procurement Administration of Montenegro (Montenegro)

Prof. Tihomir Domazet PhD, President of the Croatian Institute for Finance and Accounting, Zagreb (Croatia)

Members:

- Prof. Azra Adjajlic – Dedovic PhD, Faculty of criminology and security, Sarajevo (Bosnia & Herzegovina)
- Prof. Aleksandar Korablev PhD, Faculty of economy and management, Saint Petersburg State Forest Technical University, Saint Petersburg (Russian Federation)
- Prof. Anita Trajkovska PhD, Rochester University (USA)
- Prof. Aziz Pollozhani PhD, Rector, University Mother Teresa, Skopje (N.Macedonia)
- Prof. Anka Trajkovska-Petkoska PhD, UKLO, Faculty of technology and technical sciences, Bitola (N. Macedonia)
- Prof. Aneta Mijoska PhD, Faculty of Dentistry, University “St. Cyril and Methodius”, Skopje (N. Macedonia)
- Prof. Alisabri Sabani PhD, Faculty of criminology and security, Sarajevo (Bosnia & Herzegovina)
- Prof. Artan Nimani PhD, Rector, University of Gjakova “Fehmi Agani” (Kosovo)
- Prof. Ahmad Zakeri PhD, University of Wolverhampton, (United Kingdom)
- Prof. Ana Dzumalievova PhD, South-West University “Neofit Rilski”, Blagoevgrad (Bulgaria)
- Prof. Ali Hajro, PhD, Military Academy “Mihailo Apostolski”, Skopje (N. Macedonia)
- Prof. Branko Sotirov PhD, University of Rousse, Rousse (Bulgaria)
- Prof. Branko Boshkovic, PhD, College of Sports and Health, Belgrade (Serbia)
- Prof. Branimir Kampl PhD, Institute SANO, Zagreb (Croatia)
- Prof. Baki Koleci PhD, University Hadzi Zeka, Peja (Kosovo)
- Prof. Branislav Simonovic PhD, Faculty of Law, Kragujevac (Serbia)
- Prof. Bistra Angelovska, Faculty of Medicine, University “Goce Delcev”, Shtip (N.Macedonia)
- Prof. Cezar Birzea, PhD, National School for Political and Administrative Studies, Bucharest (Romania)
- Prof. Cvetko Andreevski, Faculty of Tourism, UKLO, Bitola (N.Macedonia)
- Prof. Drago Cvijanovic, PhD, Faculty of Hotel Management and Tourism, University of Kragujevac, Vrnjacka Banja (Serbia)
- Prof. Dusan Ristic, PhD Emeritus, College of professional studies in Management and Business Communication, Novi Sad (Serbia)
- Prof. Darijo Jerkovic PhD, Faculty of Business Economy, University “Vitez”, (Bosnia & Herzegovina)
- Prof. Daniela Todorova PhD, “Todor Kableshev” University of Transport, Sofia (Bulgaria)
- Prof. Dragan Kokovic PhD, University of Novi Sad, Novi Sad (Serbia)
- Prof. Dragan Marinkovic PhD, High health – sanitary school for professional studies, Belgrade (Serbia)

- Prof. Daniela Ivanova Popova PhD, Faculty of Public Health and Sport, SWU Neofit Rilski, Blagoevgrad (Bulgaria)
- Prof. Dzulijana Tomovska, PhD, Faculty of Biotechnical sciences, Bitola (N.Macedonia)
- Prof. Evgenia Penkova-Pantaleeva PhD, UNWE -Sofia (Bulgaria)
- Prof. Fadil Millaku, PhD, University “Hadzi Zeka”, Peja (Kosovo)
- Prof. Fatos Ukaj, University “Hasan Prishtina”, Prishtina (Kosovo)
- Prof. Georgi Georgiev PhD, National Military University “Vasil Levski”, Veliko Trnovo (Bulgaria)
- Prof. Halit Shabani, PhD, University “Hadzi Zeka”, Peja (Kosovo)
- Prof. Halima Sofradzija, PhD, University of Sarajevo, Sarajevo (Bosnia and Herzegovina)
- Prof. Haris Halilovic, Faculty of criminology and security, University of Sarajevo, Sarajevo (Bosnia and Herzegovina)
- Prof. Helmut Shramke PhD, former Head of the University of Vienna Reform Group (Austria)
- Prof. Hristina Georgieva Yancheva, PhD, Agricultural University, Plovdiv (Bulgaria)
- Prof. Hristo Beloev PhD, Bulgarian Academy of Science, Rector of the University of Rousse (Bulgaria)
- Prof. Hristina Milcheva, Medical college, Trakia University, Stara Zagora (Bulgaria)
- Prof. Izet Zeqiri, PhD, Academic, SEEU, Tetovo (N.Macedonia)
- Prof. Ivan Marchevski, PhD, D.A. Tsenov Academy of Economics, Svishtov (Bulgaria)
- Prof. Ibrahim Obhodjas PhD, Faculty of Business Economy, University “Vitez”, (Bosnia & Herzegovina)
- Doc. Igor Stubelj, PhD, PhD, Faculty of Management, Primorska University, Koper (Slovenia)
- Prof. Ivo Zupanovic, PhD, Faculty of Business and Tourism, Budva (Montenegro)
- Prof. Ivan Blazhevski, PhD, Institute for Sociological, Political and Juridical Research, Skopje (N.Macedonia)
- Prof. Isa Spahiu PhD, AAB University, Prishtina (Kosovo)
- Prof. Ivana Jelik PhD, University of Podgorica, Faculty of Law, Podgorica (Montenegro)
- Prof. Islam Hasani PhD, Kingston University (Bahrein)
- Prof. Jamila Jaganjac PhD, Faculty of Business Economy, University “Vitez”, (Bosnia & Herzegovina)
- Prof. Jova Ateljevic PhD, Faculty of Economy, University of Banja Luka, (Bosnia & Herzegovina)
- Prof. Jonko Kunchev PhD, University „Cernorizec Hrabar“ - Varna (Bulgaria)
- Prof Karl Schopf, PhD, Akademie fur wissenschaftliche forchung und studium, Wien (Austria)
- Prof. Katerina Belichovska, PhD, Faculty of Agricultural Sciences, UKIM, Skopje (N. Macedonia)
- Prof. Krasimir Petkov, PhD, National Sports Academy “Vassil Levski”, Sofia (Bulgaria)
- Prof. Kamal Al-Nakib PhD, College of Business Administration Department, Kingdom University (Bahrain)
- Prof. Kiril Lisichkov, Faculty of Technology and Metallurgy, UKIM, Skopje (N.Macedonia)
- Prof. Krasimira Staneva PhD, University of Forestry, Sofia (Bulgaria)
- Prof. Lidija Tozi PhD, Faculty of Pharmacy, Ss. Cyril and Methodius University, Skopje (N.Macedonia)
- Prof. Laste Spasovski PhD, Vocational and educational centre, Skopje (N.Macedonia)
- Prof. Larisa Velic, PhD, Faculty of Law, University of Zenica, Zenica (Bosnia and Herzegovina)
- Prof. Łukasz Tomczyk PhD, Pedagogical University of Cracow (Poland)

- Prof. Lujza Grueva, PhD, Faculty of Medical Sciences, UKIM, Skopje (N.Macedonia)
- Prof. Lazar Stosic, PhD, Association for development of science, engineering and education, Vranje (Serbia)
- Prof. Lulzim Zeneli PhD, University of Gjakova “Fehmi Agani” (Kosovo)
- Prof. Lisen Bashkurti PhD, Global Vice President of Sun Moon University (Albania)
- Prof. Lence Mircevska PhD, High Medicine School, Bitola, (N.Macedonia)
- Prof. Ljupce Kocovski PhD, Faculty of Biotechnical sciences, Bitola (N.Macedonia)
- Prof. Marusya Lyubcheva PhD, University “Prof. Asen Zlatarov”, Member of the European Parliament, Burgas (Bulgaria)
- Prof. Marija Magdinceva – Shopova PhD, Faculty of tourism and business logistics, University “Goce Delchev”, Shtip (N. Macedonia)
- Prof. Maria Kavdanska PhD, Faculty of Pedagogy, South-West University Neofit Rilski, Blagoevgrad (Bulgaria)
- Prof. Maja Lubenova Cholakova PhD, Faculty of Public Health and Sport, SWU Neofit Rilski, Blagoevgrad (Bulgaria)
- Prof. Mirjana Borota-Popovska, PhD, Centre for Management and Human Resource Development, Institute for Sociological, Political and Juridical Research, Skopje (N.Macedonia)
- Prof. Mihail Garevski, PhD, Institute of Earthquake Engineering and Engineering Seismology, Skopje (N.Macedonia)
- Prof. Misho Hristovski PhD, Faculty of Veterinary Medicine, Ss. Cyril and Methodius University, Skopje (N.Macedonia)
- Prof. Mitko Kotovchevski, PhD, Faculty of Philosophy, UKIM, Skopje (N.Macedonia)
- Prof. Milan Radosavljevic PhD, Dean, Faculty of strategic and operational management, Union University, Belgrade (Serbia)
- Prof. Marija Topuzovska-Latkovikj, PhD, Centre for Management and Human Resource Development, Institute for Sociological, Political and Juridical Research, Skopje (N.Macedonia)
- Prof. Marija Knezevic PhD, Academic, Banja Luka, (Bosnia and Herzegovina)
- Prof. Margarita Bogdanova PhD, D.A.Tsenov Academy of Economics, Svishtov (Bulgaria)
- Prof. Mahmut Chelik PhD, Faculty of Philology, University “Goce Delchev”, Shtip (N.Macedonia)
- Prof. Mihajlo Petrovski, PhD, Faculty of Medical Sciences, University “Goce Delchev”, Shtip (N.Macedonia)
- Prof. Marija Mandaric PhD, Faculty of Hotel Management and Tourism, University of Kragujevac, Vrnjacka Banja (Serbia)
- Prof. Marina Simin PhD, College of professional studies in Management and Business Communication, Sremski Karlovci (Serbia)
- Prof. Miladin Kalinic, College of professional studies in Management and Business Communication, Sremski Karlovci (Serbia)
- Prof. Marijan Tanushevski PhD, Macedonian Scientific Society, Bitola (N. Macedonia)
- Prof. Mitre Stojanovski PhD, Faculty of Biotechnical sciences, Bitola (N.Macedonia)
- Prof. Miodrag Smelcerovic PhD, High Technological and Artistic Vocational School, Leskovac (Serbia)
- Prof. Nadka Kostadinova, Faculty of Economics, Trakia University, Stara Zagora (Bulgaria)
- Prof. Natalija Kirejenko PhD, Faculty For economic and Business, Institute of Entrepreneurial Activity, Minsk (Belarus)
- Prof. Nenad Taneski PhD, Military Academy “Mihailo Apostolski”, Skopje (N.Macedonia)
- Prof. Nevenka Tatkovic PhD, Juraj Dobrila University of Pula, Pula (Croatia)
- Prof. Nedžad Korajlic PhD, Faculty of criminal justice and security, University of Sarajevo (Bosnia and Herzegovina)

- Prof. Nikola Sabev, PhD, Angel Kanchev University of Ruse, Ruse (Bulgaria)
- Prof. Nonka Mateva PhD, Medical University, Plovdiv (Bulgaria)
- Prof. Nikolay Georgiev PhD, “Todor Kableshkov” University of Transport, Sofia (Bulgaria)
- Prof. Nishad M. Navaz PhD, Kingdom University (India)
- Prof. Nano Ruzhin PhD, Faculty of Law, AUE-FON University, Skopje (N.Macedonia)
- Prof. Oliver Dimitrijevic PhD, High medicine school for professional studies “Hipokrat”, Bujanovac (Serbia)
- Prof. Paul Sergius Koku, PhD, Florida State University, Florida (USA)
- Prof. Primoz Dolenc, PhD, Faculty of Management, Primorska University, Koper (Slovenia)
- Prof. Petar Kolev PhD, “Todor Kableshkov” University of Transport, Sofia (Bulgaria)
- Prof. Pere Tumbas PhD, Faculty of Economics, University of Novi Sad, Subotica (Serbia)
- Prof. Rade Ratkovic PhD, Faculty of Business and Tourism, Budva (Montenegro)
- Prof. Rositsa Chobanova PhD, University of Telecommunications and Posts, Sofia (Bulgaria)
- Prof. Rossana Piccolo PhD, Università degli studi della Campania - Luigi Vanvitelli (Italy)
- Prof. Rumen Valcovski PhD, Imunolab Sofia (Bulgaria)
- Prof. Rumen Stefanov PhD, Faculty of public health, Medical University of Plovdiv (Bulgaria)
- Prof. Rumen Tomov PhD, University of Forestry, Sofia (Bulgaria)
- Prof. Sasho Korunoski PhD, UKLO, Bitola (N.Macedonia)
- Prof. Snezhana Lazarevic, PhD, College of Sports and Health, Belgrade (Serbia)
- Prof. Stojan Ivanov Ivanov PhD, Faculty of Public Health and Sport, SWU Neofit Rilski, Blagoevgrad (Bulgaria)
- Prof. Stojna Ristevska PhD, High Medicine School, Bitola, (N. Macedonia)
- Prof. Suzana Pavlovic PhD, High health – sanitary school for professional studies, Belgrade (Serbia)
- Prof. Sandra Zivanovic, PhD, Faculty of Hotel Management and Tourism, University of Kragujevac, Vrnjacka Banja (Serbia)
- Prof. Shyqeri Kabashi, College “Biznesi”, Prishtina (Kosovo)
- Prof. Temelko Risteski PhD, Faculty of Law, AUE-FON University, Skopje (N. Macedonia)
- Prof. Todor Krystevich, D.A. Tsenov Academy of Economics, Svishtov (Bulgaria)
- Prof. Todorcka Atanasova, Faculty of Economics, Trakia University, Stara Zagora (Bulgaria)
- Prof. Tzako Pantaleev PhD, NBUniversity, Sofia (Bulgaria)
- Prof. Violeta Dimova PhD, Faculty of Philology, University “Goce Delchev”, Shtip (N. Macedonia)
- Prof. Vojislav Babic PhD, Institute of Sociology, University of Belgrade (Serbia)
- Prof. Volodymyr Denysyuk, PhD, Dobrov Center for Scientific and Technological Potential and History studies at the National Academy of Sciences of Ukraine (Ukraine)
- Prof. Valentina Staneva PhD, “Todor Kableshkov” University of Transport, Sofia (Bulgaria)
- Prof. Venus Del Rosario PhD, Arab Open University (Philippines)
- Prof. Vjollca Dibra PhD, University of Gjakova “Fehmi Agani” (Kosovo)
- Prof. Yuri Doroshenko PhD, Dean, Faculty of Economics and Management, Belgorod (Russian Federation)
- Prof. Zlatko Pejkovski, PhD, Faculty of Agricultural Sciences, UKIM, Skopje (N.Macedonia)
- Prof. Zivota Radosavljevic PhD, Faculty FORCUP, Union University, Belgrade (Serbia)
- Prof. Zorka Jugovic PhD, High health – sanitary school for professional studies, Belgrade (Serbia)

REVIEW PROCEDURE AND REVIEW BOARD

Each paper is reviewed by the editor and, if it is judged suitable for this publication, it is then sent to two referees for double blind peer review.

The editorial review board is consisted of 63 members, full professors in the fields 1) Natural and mathematical sciences, 2) Technical and technological sciences, 3) Medical sciences and Health, 4) Biotechnical sciences, 5) Social sciences, and 6) Humanities from all the Balkan countries and the region.

CONTENTS

BULGARIA'S MEMBERSHIP IN THE EUROPEAN UNION: ESTIMATION AND EXPECTATIONS	945
Petрана Stoykova	945
MUNICIPAL HEADQUARTERS FOR PROTECTION AND RESCUE IN CONDITIONS OF THE EPIDEMIC.....	953
Marjan Nikolovski	953
Maksim Dimitrievski	953
COMMON LAW MARRIAGE PARTNER AS A LEGAL HEIR IN THE REGULATIONS OF EX-REPUBLICS OF SOCIALIST FEDERAL REPUBLIC OF YUGOSLAVIA	961
Jelena Rakić	961
COMPARATIVE ANALYSIS OF MULTICULTURALISM IN AZERBAIJANI AND MACEDONIAN SOCIETY	969
Jordanka Galeva	969
STATE SOVEREIGNTY IN INTERNATIONAL RELATIONS	975
Aneta Stojanovska-Stefanova	975
Hristina Runcheva Tasev	975
Marija Magdinceva-Sopova	975
STRATEGIC PLANNING FOR THE PURPOSES OF NATIONAL INFRASTRUCTURE PROTECTION.....	981
Theodora Gechkova.....	981
PANDEMIC AS A CAUSE OF VIOLENCE AGAINST WOMEN IN THE REPUBLIC OF NORTH MACEDONIA	987
Drita Memeti.....	987
Hiriet Ziberi	987
Ardita Abduli	987
Hana Saliu	987
MIGRATION PERIODS IN MACEDONIAN HISTORY (XX CENTURY)	993
Olivera Pasterk	993
Oliver Cackov.....	993
WOMEN'S PROPERTY AND INHERITANCE RIGHTS IN THE REPUBLIC OF KOSOVO	997
Julinda Elezi	997
INFLUENCE OF ORGANIZED CRIME ON THE ECONOMIC DEVELOPMENT OF THE COUNTRIES OF THE EUROPEAN UNION	1001
Kristian Angelov.....	1001
LOCAL SELF-GOVERNMENT AS A VALUE OF LIBERAL DEMOCRACY: A SPECIFIC OVERVIEW IN KOSOVO	1009
Petrit Hajdari.....	1009
Durim Hoxha	1009
Dardan Lajqi.....	1009
THE CARETAKER GOVERNMENT IN THE REPUBLIC OF BULGARIA	1013
Vesela Mircheva.....	1013
PREVENTION OF MARITIME PIRACY AS A MAIN PRIORITY OF MODERN MARITIME LAW	1019
Miroslava Yordanova	1019
THE BENEFIT OF A GOVERNMENT LOAN AT A BELOW-MARKET INTEREST RATE: ACCOUNTING FOR AND DISCLOSURE IN COMPLIANCE WITH THE INTERNATIONAL FINANCIAL REPORTING STANDARDS	1023
Hristina Oreshkova	1023

COMPARATIVE ANALYSIS OF BUSINESS MODELS APPLIED IN THE ENTERTAINMENT INDUSTRY AND THE FACTORS AFFECTING THEM.....	1031
Roksandra Shtereva	1031
OPPORTUNITIES FOR PUBLIC PROCUREMENT OUTSOURCING.....	1037
Stefan Radev.....	1037
FDI AS A CATALYST FOR ECONOMIC DEVELOPMENT.....	1045
Jovica Palashevski.....	1045
ARCHEOLOGICAL SITES IN SKELANI, GENESIS OF CREATION AND POSSIBILITIES OF TOURIST VALORIZATION.....	1049
Vidomir Obradovic.....	1049
Aleksandar Đurić.....	1049
TREATMENT OF YOUNG TOURISTS AS CONSUMERS	1055
Sanja Krnche.....	1055
TOURIST POTENTIAL OF THE VLASINA LAKE.....	1061
Miodrag Šmelcerović	1061
BANKING PERFORMANCE ACTIVITY IN KOSOVO	1067
Bajram Hasani	1067
FDI MOVEMENT – INFLOW AND OUTFLOW	1071
Jovica Palashevski.....	1071
MODERN INSURANCE DISTRIBUTION CHANNELS	1077
Gazmore Rexhepi	1077
Bratislav Milosevic.....	1077
Stevcho Mecheski.....	1077
CARE DEVELOPMENT OF BANK PERSONNEL.....	1081
Bajram Hasani	1081
MOTIVATION AS A FACTOR OF EFFICIENCY INCREASE.....	1085
Kushtrim Qamili.....	1085
MANAGEMENT AND NETWORK MARKETING	1089
Pavle Trpeski.....	1089
Vesna Korunovska.....	1089
Samir Ajdini	1089
SECURITIES EXCHANGES	1095
Bajram Lamaj.....	1095
Redon Koleci.....	1095
THE IMPACT OF THE CORONA VIRUS PANDEMIC ON ECONOMY AND CLIMATE CHANGE	1101
Miodrag Šmelcerović	1101
Pavle Trpeski.....	1101
Tamash Dutshai	1101
DIGNITY AS THE FOUNDATION OF HUMAN RIGHTS	1107
Alexandra Yovcheva Valcheva	1107
ANCIENT EAST RHETORIC	1113
Robert Dauti	1113
CONTRIBUTION TO THE RESEARCH ON PSYCHOLOGY OF EVIL.....	1119
Elvira Čekić.....	1119
CONCEPT AND ESSENCE OF SOCIAL CONFLICTS AND ANDRAGOSIC SUPPORT FOR THEIR SOLUTION.....	1129
Hatidža Beriša.....	1129
Jasmina Milošević Stolić.....	1129

DISINFORMATION - MANIPULATIVE PRACTICE ON THE INTERNET FOR THE THREAT OF NATIONAL SECURITY	1141
Kaloyan Ivanov.....	1141
CHALLENGES IN CYBERSECURITY AND PUBLIC INTERNATIONAL LAW	1149
Ivaylo Iliev.....	1149
IMPLEMENTATION OF THE CYBER ATTACKS FOR EAVESDROPPING AND MONITORING OF CONFIDENTIAL INFORMATION IN THE COMPUTER NETWORKS OF GOVERNMENT AGENCIES, PRIVATE ORGANIZATIONS AND ACADEMIC INSTITUTIONS	1155
Yonko Dimitrov.....	1155
POLICING DURING THE PANDEMIC SITUATION WITH COVID-19	1161
Kenan Idrizaj	1161
ALIGNMENT OF THE INSTRUCTIONAL CONTENT AND STANDARD-BASED ASSESSMENT IN ACCORDANCE WITH STANAG 6001 TEST	1167
Elena Trajanovska	1167
Maja Gjurovik.....	1167
22 YEARS OF NATO BOMBING OF THE REPUBLIC OF SERBIA AND CONSEQUENCES ON HUMAN HEALTH	1173
Miodrag Šmelcerović	1173
Pavle Trpeski	1173
Tamash Dutshai	1173
A HISTORICAL OVERVIEW OF THE CONFLICT IN KOSOVO.....	1183
Dimitar Spaseski.....	1183

STATE SOVEREIGNTY IN INTERNATIONAL RELATIONS

Aneta Stojanovska-Stefanova

Goce Delcev University – Stip, N. Macedonia, aneta.stojanovska@ugd.edu.mk,

Hristina Runcheva Tasev

Ss. Cyril and Methodius University -Skopje, N. Macedonia, h.runchevatasev@pf.ukim.edu.mk

Marija Magdinceva-Sopova

Goce Delcev University - Stip, N. Macedonia, marija.magdinceva@ugd.edu.mk,

Abstract: The aim is to present the significance of state sovereignty through a theoretical overview and analysis of the important concept in the realm of political theory - the notion of sovereignty.

Also the paper will seek to create a comprehensive but easily understandable definition of sovereignty and its importance in international relations, especially in recognition of states. In this respect, the paper will clarify the concept of sovereignty, taking into consideration the transformations and challenges of the international security environment at the beginning of the 21st century.

The paper presents the issue of state sovereignty in the field of international relations, where states, although theoretically equal among themselves, are hierarchically ranked according to their national performances which are eventually converted into power at the international level. It is analyzed, based on exploring the existing literature in the area of interest and with the help of direct observation, how the independent and sovereign states are able to integrate themselves into the international political context.

Keywords: states; international politics; international law; foreign affairs.

1. INTRODUCTION

The state, in its full meaning is established after the three-year war in Europe and signing of the Westphalia Peace Treaty in 1648 that put the end of it. Since that date onwards, the creation and further development of the state has begun, as a whole that has the following characteristics: (a) constant population; (b) defined territory; (c) authority and (d) ability to establish relations with other countries. The rules that regulate the relations between citizens established with this kind of system, i.e. their rights and obligations towards the country were determined. Different forms of organization of the state authority are established depending on the historic tradition, realities in life, political events and general tendencies in that area. For every democratic country it is equally important to regulate and develop its national and international relations.

The basic sources of international relations are the compulsory norms of the international law (*Jus Cogens*) and the legal principles recognized by the civilized nations.

With help of the compulsory norms of the international public law and the legal principles recognized by the civilized nations, the international relations of the countries become legal relations or values which are developed with the help of the law. In that context, the law appears as a factor for civilized development of the international relations. But according to the Montevideo Convention (1933), which had put the state in relation to the international law, besides these three elements there is a fourth one needed to be taken into consideration – that is the “capacity to enter into relations with the other states” (The Montevideo Convention, article 1). Thus, the statehood issue is closely connected with the idea of recognition meaning that, in order to become integrated at the international level as a legal standing entity characterized through rights and obligations, a state should be granted by the international community with its confidence that the factual criteria of statehood have been fulfilled indeed (Dinicu A, 2018).

2. HISTORY AND OPINIONS OF THE SOVEREIGNTY

The landmarks of a modern state as we know today are defined by the Westphalia Peace Treaty²³ according to which the state is constituted by three main characteristics: territory, population and sovereignty, i.e. absolute power of rule²⁴. In order to understand the process of recognition better and the different specification which appeared throughout the history, we will first pay attention on the terms *sovereignty* and *statehood*, what sovereignty means and how one state acquires it, and later the manners through which the countries recognize the existence of another country. (Stojanovska-Stefanova at all, 2017)

²³ Peace of Westphalia, Encyclopedia Britannica (www.britannica.com), accessed on June 1, 2016.

²⁴ The Crisis of the Sovereign State and the "Privatization" of Defense and Foreign Affairs, Heritage Foundation, (www.heritage.org), accessed on June 1, 2016.

Dinicu A, suggest that traditionally when the problem of sovereignty is approached, academics usually explain it by bringing into attention the Peace of Westphalia (in 1648) which is considered to be the starting point of the modern state existence or as Henry Kissinger said “the path breaker of a new concept of international order that has spread around the world” (Kissinger, 2015, pp. 23-24).

As the world becomes increasingly interconnected with routine multilateral agreements, this Westphalian equality between states appears to be dissipating. This struggle between more powerful states and the “sacred” Westphalian notion of equality between states needs to be investigated²⁵. (Barnett, M.A., 2017)

Similarly, the narrative that the post-Westphalia world was one defined by a reification of the principle of non-intervention (that is, that the treaties were a ‘watershed’ moment in the history of international relations) is pure fallacy. As Finnemore (2003, p.10) notes, “there was plenty of military activity across border to change rulers in this period, but people called it war”. Considering the inconsistencies in the “Westphalian narrative’, and the fact that it is somewhat intellectually dubious to attribute such a wide reaching principle to a singular set of treaties, it is more credible to conceptualise the emergence of the sovereign state order as an ideological struggle rather than as a discrete epiphenomenon of the Peace of Westphalia.

Whilst Onuf (1991), and Merriam (1990) understand sovereignty as emerging from Jean Bodin (with Onuf (1991, p 427) going so far as to say that the history of sovereignty “begins, and all but ends, with Jean Bodin”), ontologically this account is insufficient, as Bodin’s theory of sovereignty still conceptualises sovereignty in ecclesiastical terms with the state being a secondary manifestation of religious authority. In book one of his six books of the republic he states that the “sovereign prince is only accountable to god” (Bodin, 1576, in Dickerson et al, 2013, p 29). This is therefore inconsistent with the modern conception of sovereignty in so far as today there is no non positivist authority superior to the sovereign. In contrast, Hobbes understands the ‘Leviathan’ as being superior to any religious authority, born out of fear of religious war stemming from the religious dimension in the English civil war (Jonathan Ian White, 2019)²⁶.

Since the end of the Cold War era, there has been a proliferation of scholarly works devoted to state sovereignty. Most of these either approvingly announce the phenomenon's decline, demise, or transformation, or else call into question whether the phenomenon ever existed or mattered in the first place. A countervailing (though much smaller) set of works, presenting the diminution of sovereignty as a threat to important values, proposes policies aimed at bolstering or restoring the phenomenon. (Brad R. Roth, 2004)²⁷

A prevailing fallacy in the literature is to place the Peace of Westphalia at the centre of the emergence of the international sovereign state system. For example, Morgenthau (2006, p 294) states that “the rules of international law were securely established in 1648”. Similarly, Boucher (1998, p 289) supposes that Westphalia “provided the foundation for, and gave formal recognition to, the modern states system”. This narrative is so ubiquitous that quotes such as these can be “multiplied at will” (Osiander, 2001, 261). However, it is factually problematic. On one level, as Osiander (ibid, p 261) points out, there is nothing explicit in the treaties of Munster and Osnabrück which codify the principles that we know as Westphalian sovereignty, and it is certain that the participants of the negotiations “did not see themselves establishing a new political entity called ‘the state’” (Havercroft, 2012, p 122).

3. SOVEREIGNTY AS ELEMENT FOR DEFINING STATES

Sovereignty denotes supreme and independent authority over certain territory and its *population*. This type of interpretation which is a part of a broader definition regarding the notion of state, plays a significant role in each aspect of the international relations and international law because it indicates that no one else, referring to another state, has no right to impose and implement laws on the territory of a sovereign state. According to which, the law of using force aiming law enforcement depends solely on the governing organ, meaning the Government, the Presidents or a divided sovereignty between both institutions. Hence, if a state acquires sovereignty recognized by other states, they acknowledge its governing over a certain territory and population and withdraw the possibility to interfere the state internal matters they have recognized (Stojanovska-Stefanova, A & Atanasoski D, 2016)²⁸.

Sovereignty is generally divided into:

-Internal and External.

²⁵ Barnett, Michael Andrew. 2017. Quantifying Sovereignty: A New Way to Examine an Essential Concept. Master's thesis, Harvard Extension School.

²⁶ Jonathan Ian White. 2019. A Critical Reflection on Sovereignty in International Relations Today (e-ir.info), accessed 12.01.2020

²⁷ Brad R. Roth. 2004. The enduring significance of state sovereignty. Florida Law Review.

²⁸ Stojanovska-Stefanova, Aneta and Atanasoski, Drasko (2016) *State as a Subject of International Law*. US-China Law Review, 13 (1). pp. 25-33. ISSN 1548-6605 (Print) ISSN 1930-2061 (online)

Internal sovereignty is determined by the state organ with the authority for exercising the power while *external sovereignty* depict the role of the state as a sole in the international community and the attitude towards the state as to the bearer of rights and obligations in relation to other states in international law.

Considering the significance of the term sovereignty the importance and role of the decision whether a country will be internationally recognized or not is becoming clear, as well as the necessity of each territory and people aspiring to become state to provide the conditions for acquiring sovereignty.

4. FIVE MANNERS TO ACQUIRE SOVEREIGNTY

Sovereignty is generally acquired in five manners, out of which four are being recognized by the international law²⁹. The **first manner** is through settling to "no man's land" or land on which no one had previously claimed rights for sovereignty, or if it was under possession previously and this possessor has withdrew their sovereign rights over the country thus removing the obstacles for a new or another country to realize its sovereignty over that territory.

The **second manner** is connected with the first and anticipates attaining of sovereignty through the same exercise for a longer period on the territory without another state disputing that right.

Separation is the **third manner** through which the sovereignty can be attained, but it needs to be conducted in accordance with the state in which this separated territory has been part of. Thus the transfer of the rights from one to another sovereign is made in such way, most often through agreement, so the modern trends and arousing of the idea for self-determination impose the new sovereign to gain the consent from the population whose territory requests sovereignty before acquiring it. Such case represents the uniting on Eastern and Western Germany which was occupied by four countries –USA, France, Great Britain and Soviet Union. All of them have given consent for implementation of this process and withdrew the sovereign right over its part from the German territory for which the citizens have expressed themselves positively.

The **fourth one** out of the mentioned five methods nowadays is not considered as a legal manner for attaining the sovereign because it is based for acquiring what is announced as illegal by the United Nations and as such is considered in its Charter that has been signed and ratified by each member state.

The **fifth** and the final type for setting the right for sovereignty over certain territory concerns if it is established as an additional part of already existing territory through a manner of natural growth such as sedimentation or volcanic activities.

5. REFLECTION ON SOVEREIGNTY IN INTERNATIONAL RELATIONS

Sovereignty is one of the foremost institutions of our world: it as given political life a distinctive constitutional shape that virtually defines the modern era and sets it apart from previous era (Jackson R., 1999).

The importance of the sovereignty can hardly be overrated. It was a formidable tool in the hands of lawyers and politicians, and a decisive factor in the making of modern Europe (A.P.d'Entrevés, 1970).

Dinicu A (2018), argues that two aspects are brought into discussion in connection with the external sovereignty; state recognition and state power. The issue concerning the relationship between sovereignty and international relations is not only complex, but also debatable. The picture can be extended by analyzing problems like contemporary international law, international democracy, human rights, intervention, foreign aid, international organization, and globalization.

Also, it is important to be emphasized that the recognition of the countries in the international law is common and very complex legal institute which is strongly determined by the political circumstances. While considering the recognition of one country by another and how that influences on its existence and operation, one comes to the most inaccurate part of the international law and customs. There is no specific rule to date according to which one country becomes internationally recognized and enjoys the right to statehood and the right to participate as equal to other countries in various international organizations. (Grant Thomas D., 1999)³⁰ There were attempts to establish universal criteria for obtaining the said statuses and possibilities but no one managed to affirm itself as relevant and respected by all countries in the world.

The international relations are subject to regulation of the constitutional regulation because the national law depends of the international law.

The best evidence for that are those constitutions that contain provisions for transferring part of the state sovereignty to the international institutions or envisage obligation for harmonization of the national legal order with the commonly accepted rules on international level. The mutual dependence between the national and international law

²⁹ Annual Yearbook –Law Faculty, Goce Delcev University –Stip (2009), "Process and Methods for Recognition of States", author Aneta Stojanovska, Published by 2nd August-Stip page.267, ISSN 1857-7229.

³⁰ Grant Thomas D., (1999), *The recognition of states: law and practice in debate and evolution*, Prager Publishers.

is in the function of acting of the independent countries towards protection and promotion of world peace. (Stojanovska-Stefanova, A at all, 2017)

Referring to the veracity of the theory of sovereignty over the international system, especially focusing on the theories set forth in Boden's work, we note that there is controversy here. The external dimension of sovereignty stems from Boden's opposition to the hierarchical conception of the world order and its replacement by a system of sovereign and equal states.

Because sovereignty is defined as a supreme authority unlimited by any other, sovereignty begets equality in a system of multiple states defined as sovereign. On the other hand, sovereignty for Boden is the basic principle of the internal order of a state and his intentions were not to produce an international order in which states are above the law.

The United Nations, currently has 193 member states, with the exception of the Vatican (which is the only permanent observer state), all internationally recognized and independent states are members. Other political entities, namely the Republic of China (Taiwan), the Democratic Republic of the Sahara (Western Sahara) and Palestine, have de facto independence and / or some international diplomatic recognition from certain countries but are not members of the UN. Membership in the United Nations is open to all peaceful states that accept the obligations of the United Nations Charter and, in the assessment of the organization, are capable and willing to meet those obligations. The General Assembly determines the admission upon the recommendation of the Security Council.

States are real entities, not legal entities - this is an accepted interpretation of international law that the International Court of Justice has confirmed in the case of Kosovo. In other words, internal sovereignty precedes external sovereignty, not the other way around.

6. PROTECTING SOVEREIGNTY IN GLOBALIZED WORLD

The recognition of a country at the international level is also reflected through its membership in the United Nations (UN). Membership in this world organization removes all dilemmas about the independence and sovereignty of any country. This is because in order to become a member of this international institution, it is necessary to gain the recognition of the five member states of the Security Council, the United States, Russia, China, Great Britain and France, without whose decision (Resolution) it is not possible to achieve of membership. But it is important to note that there is no obligation (in the UN Charter) that obliges member states, upon the new state's accession to the UN, to establish "full political and legal recognition" with it through the establishment of bilateral diplomatic relations.

Globalization as a phenomenon that spreads all over the planet, hence covers the territories of internationally recognized and well-established countries but also developing countries, strives to ensure international recognition. Globalization is a phenomenon that conditionally violates the sovereignty of states and transcends national borders, applying liberalization of the economy erases the national borders of states, eliminates national restrictions on trade, while seeking to create its own civilization that will unify the culture of peoples in different countries of the world.

The basic norm of the UN Charter (article 2) enshrines the principle of equal sovereignty and its corollary, the doctrine of non-intervention. The United Nations Charter outlined the conditions of sovereignty which reinforce members' identities as states operating within a cooperative framework, and define the parameters within which expectations are set regarding organizational goals such as the maintenance of peace and security in the world.

"The time of absolute and exclusive sovereignty, however, has passed: its theory was never matched by reality. It is the task of leaders of States today to understand this and to find a balance between the needs of good internal governance and the requirements of an ever more interdependent world"-said Secretary General Boutros Boutros-Ghali confronted the tension between sovereignty and security in his 1992 report "An Agenda for Peace".

Respect for sovereignty pervades three aspects of the international legal order's basic structure (Brad R. Roth, 2004):

- (1) The recognized sources of law;
- (2) The interface between the international and domestic legal systems; and
- (3) The fundamental stricture against coercive interference in the internal affairs of states.

That is to say, sovereignty entails three presumptions:

- (1) A state is presumed to be obligated only to the extent of its actual or constructive consent;
- (2) A state's obligations, while fully binding internationally on the state as a corporative entity, are presumed to have direct legal effect within the state only to the extent that domestic law has incorporated them; and
- (3) The inviolability of a state's territorial integrity and political independence, as against the threat or use of force or "extreme economic or political coercion, is presumed to withstand even the state's violation of international legal norms.

According to Roth (2004) “these hurdles are subject to vigorous jurisprudential debate. If one imputes to international law an inherent purpose to establish a universal justice that transcends the boundaries of territorial communities, the presumed state prerogatives unquestionably impede the global advance of legality”. Roth underlines that those who understand the project of international legality in this way, therefore, typically portray sovereignty as the unconquered domain: a realm of lawlessness that must recede for international law to advance.

As Jackson, R., 1999 noted “sovereignty is one of the foremost institutions of our world: it has given political life a distinctive constitutional shape that virtually defines modern era and sets it apart from previous eras”.

The basic norm of the UN Charter (article 2) enshrines the principle of equal sovereignty and its corollary, the doctrine of non-intervention. The United Nations Charter outlined the conditions of sovereignty which reinforce members’ identities as states operating within a cooperative framework, and define the parameters within which expectations are set regarding organizational goals such as the maintenance of peace and security in the world.

“The time of absolute and exclusive sovereignty, however, has passed: its theory was never matched by reality. It is the task of leaders of States today to understand this and to find a balance between the needs of good internal governance and the requirements of an ever more interdependent world”-said Secretary General Boutros Boutros-Ghali confronted the tension between sovereignty and security in his 1992 report “An Agenda for Peace”.

As a concept that seems to resonate mainly with the international law, sovereignty cannot be excluded from the international relations. Being a feature of the modern state, it will continue to be subject of debates and analysis as long as the state will rock the international system. Krasner, 2009, argues that one should never forget that the state “has a keen instinct for survival and has so far adapted to new challenges”.

7. CONCLUSIONS

Sovereignty means supreme and independent authority over a certain territory and its population. This interpretation, which is part of the broader definition of what a state is, plays a huge role in every aspect of international relations and international law because it means that no one else, alluding primarily to another state, has the right to prescribe or implement laws on the territory of a sovereign state. Thus, the right to use force for the purpose of enforcing the law lies solely in the hands of the holder of power, be it the Government, the President or a divided sovereignty between the two institutions.

Hence, as soon as a state acquires sovereignty and it is recognized by other states, they recognize its sovereignty over a certain territory and population and give up the possibility of interfering in the internal affairs of the state they have recognized.

The regulation of the relations in the states is as old as the existence of the state itself. Today, the scientific public has a huge number of information about the origin, the features of the state and its modifications in the development. The state is a kind of a "legal person" that is recognized by the international law. We recognize the state as a subject of the international law through the legal criteria that determine it: permanent population, defined territory, sovereign authority, legal capacity to enter into relations with other subjects of the international law and will to respect the basic principles and norms of the international law.

The state and the law were the subject of interest in the early stages of the development of the civilization. Legally speaking, the act of "recognition" of the state is a legally-formal act and it does not directly affect the essential independence and existence of the state (the effectiveness of its existence), but often the failure to recognize one or more countries can create serious difficulties for the new state and its further involvement in the international relations. In today's circumstances, we are witnesses that although the law has been created to be respected as a kind of an "absolute truth" for the states, it is nevertheless relativized by the "great powers" on a daily basis, and the individual cases only confirm this.

The state sovereignty in the field of international relations in which states although theoretically equal among themselves are hierarchically ranked according to their national performances which are eventually converted into power at the international level. Also the direct observation of states proves that independent and sovereign states are able to integrate themselves into the international political context.

REFERENCES

- d’Entrevies, A.P. (1970). *Natural Law*, London, Hutchinson, pg.67
- Barnett, M.A. (2017). *Quantifying Sovereignty: A New Way to Examine an Essential Concept*. Master's thesis, Harvard Extension School.
- Brad, R. R. (2004). *The enduring significance of state sovereignty*. *Florida Law Review*.
- Dinicu, A. (2018). *Sovereignty, a Swinging Concept Between International Law and Political Reality*. Available from:

https://www.researchgate.net/publication/329066415_Sovereignty_a_Swinging_Concept_Between_International_Law_and_Political_Reality [accessed Mar 22 2021].

- Grant, T.D. (1999). *The recognition of states: law and practice in debate and evolution*, Prager Publishers.
- Jackson, R. (1999). Sovereignty in World Politics: A Glance at the Conceptual and Historical Landscape. *Political Studies*, 47(3), 431–456. <https://doi.org/10.1111/1467-9248.00211>
- Jonathan, I.W. (2019). A Critical Reflection on Sovereignty in International Relations Today (e-ir.info), accessed 12.01.2020
- Kissinger, H. (2015). *World Order*. London: Penguin Random House UK.
- Peace of Westphalia, Encyclopedia Britannica (www.britannica.com), accessed on June 1, 2016.
- Stojanovska, A. (2009). "Process and Methods for Recognition of States" In: Annual Yearbook –Law Faculty, Goce Delcev University –Stip, 2nd August-Stip, page.267, ISSN 1857-7229.
- Stojanovska-Stefanova, A., & Atanasoski, D. (2016). *State as a Subject of International Law*. US-China Law Review, 13 (1). pp. 25-33. ISSN 1548-6605 (Print) ISSN 1930-2061 (online)
- The Crisis of the Sovereign State and the "Privatization" of Defense and Foreign Affairs, Heritage Foundation, (www.heritage.org), accessed on June 1, 2016.
- The Montevideo Convention, available at: <https://www.jus.uio.no/english/services/library/treaties/01/1-02/rights-duties-states.xml>