

ISSN 1857-7172



Vol. 7, Number 2, 2016

ФИЛОЗОФСКИ ФАКУЛТЕТ - СКОПЈЕ

ФИЛОЗОФСКИ ФАКУЛТЕТ - СКОПЈЕ
ИНСТИТУТ ЗА БЕЗБЕДНОСТ, ОДБРАНА И МИР



Година 7, Број 2, 2016.

Година 7, Број 2, 2016.



БЕЗБЕДНОСНИ ДИЈАЛОЗИ

СПИСАНИЕ ОД ОБЛАСТА НА БЕЗБЕДНОСТА, ОДБРАНАТА И МИРОВНИТЕ НАУКИ

www.fzf.ukim.edu.mk
www.sd.fzf.ukim.edu.mk

БЕЗБЕДНОСНИ ДИЈАЛОЗИ

ВО ОВОЈ БРОЈ: ADAM WHITE
BILJANA VANKOVSKA
ALEKSANDRA DEANOSKA-TREDAFILOVA
OLIVER BAKRESKI
MARJAN NIKOLOVSKI, BORCE PETREVSKI, PREDRAG MICEVSKI
ZORICA SALTIROVSKA
SAŠE GERASIMOSKI
LJUBO PEJANOVIĆ, MARIJA MITIĆ



БЕЗБЕДНОСНИ ДИЈАЛОЗИ / SECURITY DIALOGUES

ISSN 1857-7172

eISSN 1857-8055

Година 7, Број 2, 2016/Vol. 7, No. 2, 2016



ISSN 1857-7172

eISSN 1857-8055

OPEN ACCESS

<http://sd.fzf.ukim.edu.mk>

Издавач/Publisher

Филозофски факултет – Скопје/Faculty of Philosophy – Skopje
Институт за безбедност, одбрана и мир/Institute of security, defence and peace
Уредувачки одбор/Editorial board: тел. (+389) 2 3066 232, email sd@fzf.ukim.edu.mk

ГЛАВЕН И ОДГОВОРЕН УРЕДНИК/EDITOR IN CHIEF

Tanja MILOSHEVSKA, PhD, Macedonia – tanja@fzf.ukim.edu.mk
University Ss. Cyril and Methodius, Faculty of Philosophy – Institute of security,
defence and peace

ЗАМЕНИК НА ГЛАВНИОТ УРЕДНИК/DEPUTY EDITOR

Goran ZENDELOVSKI, PhD, Macedonia – goranz@fzf.ukim.edu.mk
University Ss. Cyril and Methodius, Faculty of Philosophy – Institute of security,
defence and peace

УРЕДУВАЧКИ ОДБОР/EDITORIAL BOARD

Biljana VANKOVSKA, PhD, Macedonia – biljanav@fzf.ukim.edu.mk
Mitko KOTOVCHEVSKI, PhD, Macedonia-kotovcevski@gmail.com
Zoran NACEV, PhD, Macedonia – zorann@fzf.ukim.edu.mk
Lidija GEORGIEVA, PhD, Macedonia – georgieva03@yahoo.com
Marina MITREVSKA, PhD, Macedonia – marinamitrevska@yahoo.com
Oliver BAKRESKI, PhD, Macedonia – oliverbakreski@yahoo.com
Toni MILESKI, PhD, Macedonia-toni@fzf.ukim.edu.mk
Jan OBERG, PhD, Sweden - tff@transnational.org
Michael SHULTZ, PhD, Sweden - michael.schulz@globalstudies.gu.se
Franz-Lothar ALTMAN, PhD, Germany - franz_lothar_a@hotmail.com
James PETTIFER, PhD, Great Britain - james.pettifer@history.ox.ac.uk
Costas DANOPOULOS, PhD, USA - danopoulos@comcast.net
Ljubica JELUŠIČ, PhD, Slovenia - ljubica.jelusic@fdv.uni-lj.si

Emanuela C. DEL RE, PhD, Italy - ecdelre@gmail.com

Jennifer TODD, PhD, Republic of Ireland - jennifer.todd@ucd.ie

Žarko PUHOVSKI, PhD, Croatia - zpuhov@zamir.net

Mirko BILANDZIĆ, PhD, Croatia - mbilandz@ffzg.hr

Želimir KEŠETOVIĆ, PhD, Serbia - zelimir.kesetovic@gmail.com

Yu-Chin CHENG, PhD, Czech Republic - 76616152@fsv.cuni.cz

ТЕХНИЧКИ СЕКРЕТАР/TECHNICAL SECRETARY

Д-р Николчо Спасов, Институт за безбедност, одбрана и мир

Лектор на македонски јазик: Билјана Богданоска

Компјутерска обработка: MAP-CAЖ

Печати: MAP-CAЖ

Тираж: 100



Ss. Cyril & Methodius University in Skopje, Faculty of Philosophy - Institute of Security, defence and peace has entered into an electronic licensing relationship with EBSCO Publishing, the world's most prolific aggregator of full text journals, magazines and other sources. The full text of Security Dialogues can be found on the following EBSCO Publishing's databases collections: International Security & Counter-Terrorism Reference Center.

СОДРЖИНА/CONTENT

ПРЕДГОВОР НА УРЕДНИКОТ/EDITOR'S NOTE

Tanja Miloshevska.....7

Scientific articles

1. Adam White, **The New Political Economy of Private Security**.....11

2. Biljana Vankovska, **Privatization of Security in Macedonia:
Genealogy and Contextualization**.....35

3. Aleksandra Deanoska-Trendafilova, **The Criminal Law and the Private Security**.....49

4. Oliver Bakreski, **Legal Basis for Regulation of the Private Security
in the Republic of Macedonia**.....59

5. Marjan Nikolovski, Borce Petrevski, Predrag Micevski, **Private Security in Republic of
Macedonia in Providing Safety in Urban Areas**.....67

6. Zorica Saltirovska, **The Development of Private Security and the Dilemmas
Surrounding the Effects of Private Security Services**.....81

7. Saše Gerasimoski, **Methods of Security Risk Assessment in Private Security**.....93

8. Ljubo Pejanović, Marija Mitić, **Corporate Security in Private Sector
of the Republic of Serbia**.....111

LIST OF REVIEWERS.....120

ПРЕДГОВОР НА УРЕДНИКОТ

Почитувани читатели,

Излегувањето на вториот број, седма година, на меѓународното научно списание „Безбедносни дијалози“ на Филозофскиот факултет во Скопје, е поттикнато од научната дебата која произлезе од меѓународната научна конференција „Приватна безбедност во 21 век: искуства и предизвици“, која се реализираше во рамките на Деновите на приватното обезбедување 2016. Организатори на оваа конференција која успеа да собере научни работници, експерти и познавачи на областа од поширокиот регион на Балканот, но и од повеќе западни земји, беа Комората на Република Македонија за приватно обезбедување и Институтот за безбедност, одбрана и мир при Филозофскиот факултет во Скопје.

Ова издание е посветено на исклучително актуелна и интересна тема, и од академска и од практична гледна точка и дава значаен придонес во натамошното конципирање и етаблирање на дејноста приватно обезбедување. Во овој број на списанието е направен е и еден сублимат на анализи и синтеза на одговори на прашања кои што се во корелација со оваа проблематика.

Во вториот број за 2016 година читателите ќе имаат можност да прочитаат научни анализи и истражувачки резултати за добрите и негативните практики во приватизацијата на безбедноста. Првиот труд се фокусира на етаблирање на нова агенда за истражување и толкување на траекторијата и динамиката на приватната безбедност низ призма на „нова политичка економија на приватна безбедност“. Во обидот да се одговори на овој предизвик, трудот не се надоврзува само на важни теоретски истражувања туку дава нова светлина врз природата на приватна безбедност во Велика Британија. Авторот Адам Вајт потенцира дека новата политичка економија на приватна безбедност треба да се користи паралелно со други агенди и теоретски рамки во оваа област за да се генерираат рефлексии поврзани со овој општествен феномен. Интересна анализа нуди трудот кој ја истражува генеалогичката на приватизација на безбедноста во Р. Македонија од стекнувањето на независност од Југославија во 1991 година. Во трудот се поставуваат три значајни истражувачки прашања: кои беа причините за приватизација на безбедноста?, Кои форми ги воспримија во текот на долгиот процес на демократска транзиција?, Кои беа последиците од внатрешдржавниот конфликт од 2001 за приватизацијата на безбедност и *vice versa*? Следува труд кој ги утврдува главните области на кривичното законодавство кои се значајни за припадниците на приватните безбедносни компании. Корелацијата помеѓу приватната безбедност и кривичното право има мултидимензионална последица што резултира со развој на посебна област на студии, како и практична димензија.

Потребата за регулирање на приватно обезбедување е потенцирана во следниот труд, во насока на воспоставување на правниот статус на вршителите на приватниот безбедносната активност во рамки на законски утврдените задачи. Трудот ја истакнува дилемата дека не е значајно само како приватната безбедност ќе биде регулирана во Р. Македонија туку и како регулацијата ќе биде имплементирана.

Во петтиот труд се истакнуваат резултатите од реализирано истражување со кое се потврдува дека приватната безбедност има позитивен придонес кон безбедноста во нашата земја, како надополнување на полицијата во одредени активности, така што денес, и покрај физичката и техничката безбедност, активностите на приватните компании за обезбедување се насочени кон спречување и борба против одредени манифестации на организираниот криминал, вклучувајќи осигурување од измама, заштита од повреда на правата на интелектуална сопственост, решавање на определени случаи поврзани со кражби на возила и др.

Во продолжение можете да прочитате труд кој се фокусира на тенденциите во однос на развојот на приватната безбедност, и за прашањето за ефектите на услугите на приватните служби за обезбедување кои ги вложуваат за безбедноста на граѓаните, не само на национално, туку и на меѓународно ниво. Седмиот труд во ова издание се занимава со некои од најпознатите методи кои се користат за проценка на ризикот, анализа на нивното значење и нивната примена во приватната безбедност. Неколку методи кои се применуваат во приватната безбедност во Република Македонија, како и во странство, се издвоени и дискутирани. И на крај, читателската публика на „Безбедносни дијалози“ ќе може да прочита труд кој ја објаснува корпоративната безбедност, врските, сличностите и разликите во однос на корпорациите ангажирани за безбедноста во Република Србија. Анализата завршува со моделите и искуствата на безбедноста на корпорациите и компаниите во Р. Србија.

Со почит,
Доц. д-р Тања Милошевска
Главен и одговорен уредник

PREFACE BY EDITOR

Dear Readers,

The release of the second edition, the seventh year of the international scientific journal "Security dialogues" of the Faculty of Philosophy, was prompted by scientific debate that arose from the international scientific conference "Privatization of Security in the 21st Century: Experiences and Challenges", implemented within Days of private security 2016. The organizers of this conference-Chamber of Republic of Macedonia for private security and the Institute for security, Defence and peace at the Philosophy Faculty, managed to gather researchers, experts and scholars of the field in the broader region of the Balkans, but also from Western countries.

This edition is dedicated to the extremely topical and interesting subject, and academic and practical point of view and make a valuable contribution to the further conceptualization and establishment of private security activities. In this issue of the magazine is made is a sublimation of analysis and synthesis of answers to questions concerning the growing trend of privatization of security.

In the second issue of 2016 readers will be able to read scientific analysis and research results about the pros and cons practices in the privatization of security. The first paper focuses on the establishment of a new research agenda and interpretation of the trajectory and pace of private security through the prism of the "new political economy of private security." In trying to respond to this challenge, the paper not only adds important theoretical research but gives a new light on the nature of private security in the UK. Author Adam White emphasized that the new political economy of private security should be used in parallel with other agendas and theoretical frameworks in this area to generate reflections related to this social phenomenon. Interesting analysis offers work that examines the genealogy of privatization of security in the Republic Macedonia since the state gained independence from Yugoslavia in 1991. The paper sets out three important research questions: what were the causes of privatization of security? What shapes it has taken during the long process of democratic transition? What have been the consequences of the 2001 intra-state conflict on the privatization of security and vice versa?It follows work that sets out the main areas of criminal law which are important for the private security workers. The correlation between private security and criminal law has a multidimensional effect that results in the development of a separate field of study as well as practical dimension.The need for regulation of private security is highlighted in the following work, in order to establish the legal status of providers of private security activity within the legally defined tasks. The paper highlights the

dilemma that is not only important how the private security activity will be regulated in the Republic of Macedonia but also, how the regulation will be implemented.

Fifth paper highlights the results of the conducted research that confirms that private security has a positive contribution to security in our country (R. Macedonia), in addition to the police in certain activities, so that today, despite the physical and technical security, the activities of private security companies aimed at preventing and combating specific manifestations of organized crime, including insurance fraud, protection from infringement of intellectual property rights, resolving certain issues related to the theft of vehicles and others.

Below you can read the paper that focuses on trends regarding the development of private security, and the issue of the effects that private security services exert on the security of citizens, not only on a national, but also on international level. The seventh work in this issue deals with some of the methods used for risk assessment, analysis of their meaning and their use and application in private security. Several methods, which have been applied to private security entities in Republic of Macedonia, as well as abroad, are being singled out and closely discussed. Lastly, the readership of "Safety dialogues" can read the paper that explains corporate security, their connections, similarities and differences in relation to the corporation and engaged the security in the Republic of Serbia. The analysis concludes with the models and experiences of security in corporations and companies in Republic Serbia.

Sincerely,
Ass. Prof. Tanja Miloshevska
Editor in Chief

НОВАТА ПОЛИТИЧКА ЕКОНОМИЈА НА ПРИВАТНАТА БЕЗБЕДНОСТ¹

Adam White, PhD

Centre for Criminological Research, School of Law, University of Sheffield

E-mail: adam.white@sheffield.ac.uk

Апстракт

Овој труд нуди нова агенда на истражување за толкување на траекторијата и динамиката на приватната безбедност: „нова политичка економија на приватната безбедност“. Трудот тргнува од премисата дека клучниот предизвик во оваа област е да се изгради агенда која зема предвид како економскиот контекст (промените во понудата и побарувачката) и политичкиот контекст (државно-центрични концепции на легитимитетот) на домашната безбедност влијаат на обликувањето на дејствувањето на современите приватни безбедносни служби. Во обидот да одговори на овој предизвик, трудот не само што се надоврзува на веќе преземените значајни теоретски истражувања во форма на модели на јазолно управување (nodal governance) и на вкотвен плурализам (anchored pluralism), туку фрла и нова светлина врз природата на домашната приватна безбедност.

Клучни зборови: легитимитет, држава, пазар, полиција, приватна безбедност.

Вовед

Обезбедувањето на внатрешната безбедност минува низ процес на значајна трансформација. Во напредните демократски земји ширум светот, монополистичките и државно-центристички системи сè повеќе им го отстапуваат просторот на поплуралистичките системи во кои јавните полициски сили и приватните безбедносни компании работат едни покрај други во фрагментарни безбедносни мрежи. Оваа

¹Друга верзија на оваа статија е објавена во списанието *Theoretical Criminology*, vol. 16, no. 1, 2012, pp.85-101.

трансформација влијае на испорачувањето на многу суштински човечки вредности - вклучувајќи ги мирот, демократијата и човековите права - на дневна основа. Со оглед на нивната важност, проширувањето на домашната приватна безбедност привлече значително академско внимание во последниве децении, притоа доведувајќи до појава серија различни емпириски и теоретски патеки на истражување (за клучните придонеси види во: Shearing and Stenning, 1981, 1983; Johnston, 1992; Jones and Newburn, 1998; Johnston and Shearing, 2003; Wood and Shearing, 2007; Loader and Walker, 2007; Zedner, 2009). Иако овие патеки на истражување послужиле за значително продлабочување на нашето разбирање на овој тренд, неретко се јавува недостиг на здружено размислување во оваа истражувачка област. Научните работници настојуваат да најдат одговори на различни истражувачки прашања, честопати имаат тенденција да зборуваат за различни проблеми, верувајќи дека разговараат на иста тема, така оставајќи недоволно проучени голем број на важни прашања како што се моделите на раст на приватното обезбедување, динамиката на легитимацијата, различни логички на безбедносната регулација и односот помеѓу безбедноста и јавното добро. Една причина за оваа фрагментација лежи во фактот дека едвај и да постојат обиди за поврзување на овие различни патеки на истражување во рамките на една поширока истражувачка агенда. Целта на оваа статија е да се развие таква агенда: „нова политичка економија на приватно обезбедување“.

Изградбата на оваа агенда е водена од нормативната посветеност на рамката на „новата политичка економија“ развиена од Gamble et al (1996). Во оваа рамка, традиционалните дихотомии меѓу политиката/економијата, државите/пазарите и структурата/дејноста се свесно расчленети и преформулирани во еден интегриран пристап дизајниран со цел да остави впечаток за мноштво ограничени рационалности кои ги движат општествените феномени (Gamble et al, 1996: 5-6). Ова е особено корисен пристап со кој повторно може да се (пре) организира сегашното емпириско и теориско истражување на домашната приватна безбедност, бидејќи тоа честопати се карактеризира со таквите дихотомии. Некои од најголемите проблеми во оваа област се наоѓаат во сивата зона каде што политиката/економијата, државите/пазарите и структурата/дејноста меѓусебно се судираат и заемно се конституираат. Исто така, овој пристап генерира вредни увиди со воведување на пристапот на современата политикологија во областа на истражувањата во која моментално доминира криминолошкиот пристап на истражување, така што води до мултидисциплинарно разбирање на овие прашања. Како таков, префиксот „нова“ во насловот не само што одразува нормативна припадност кон една специфична аналитичка рамка, туку и го нагласува фактот дека статијата зацртува значаен нов емпириски и теоретски терен.

Наспроти ваквиот бекграунд, трудот е изложен во три фази. Прво, тој тврди дека поголемиот дел од емпириските истражувања за домашната приватна безбедност (имплицитно) се спроведуваат или во економски контекст, којшто се фокусира на законите на понудата и побарувачката, или во политички контекст кој го нагласува уверувањето кое е длабокото вградено во културата дека безбедноста е инхерентна владина функција, но ретко кога во рамки на двата контекста истовремено. Како резултат на тоа, се оценува дека еден од главните предизвици во оваа област е да се постави агенда која ги охрабрува истражувачите да откријат како и двата контекста симултано го обликуваат секојдневното постапување на домашните приватни безбедносни актери. Второ, во статијата се тврди дека иако двете главни теоретски рамки во оваа област – моделот на јазолно управување (види Johnston and Shearing, 2003; Wood and Shearing 2007) и модел на закотвен плурализам (види Loader and Walker, 2006, 2007) - заедно прават корисен придонес во поглед на предизвикот на водечките истражувачи кон политичката економија на приватното обезбедување, ниту еден од нив не обезбедува балансирана и интегрирана рамка. Трето, се тврди дека се потребни серија нови истражувачки прашања, методолошки техники и аналитички предлози, со цел поефикасно да се поттикнат идните истражувања во насока на политичката економија на приватно обезбедување.

Политички и економски контекст

Во текот на изминатите две децении, истражувачи од поголем број различни дисциплини придонесоа со своите значајни сознанија за динамиката на домашното приватно обезбедување во напредните демократски земји. На прв поглед се чини дека оваа мултидисциплинарната научна продукција става во една рамка широк спектар на тенденции кои се спротивставуваат на едноставна категоризација. Гледано низ перспектива на новата политичка економија, сепак, можно е да се идентификуваат два мета-трендови: првиот се однесува на економскиот контекст на домашното приватно обезбедување, а вториот се однесува на политичкиот контекст.

Економски контекст

Економскиот контекст се однесува на менливите законите на понудата и побарувачката во домашниот безбедносен сектор. Секое истражување спроведено во овој контекст се стреми да произведе економски наратив во којшто приватните безбедносни

агенции се концептуализирани како економски субјекти чија примарна мотивација е да ги искористат предностите на пазарните флукутации за да ги прошират своите комерцијални операции. Овој наратив започнува со истражување на промените на страната на понудата непосредно во повоената ера, пред да премине на страната на факторите на побарувачката.

Во средината од дваесеттиот век, домашните безбедносни сектори во голем број напредни демократски земји доминираа добро екипирани сили на јавната полиција. Во согласност со повоената Кејнзијанската економска политика, зголемената побарувачка за домашната безбедност во тоа време се задоволуваше со зголемување на понудата на јавните полициски ресурси (Braithwaite, 2000; Ayling, Grabowsky и Shearing, 2009). Оттука, не постоеше побарување за приватно обезбедување. Пукнатини во овој монополски систем почнаа да се појавуваат во текот на 1970-тите и 1980-тите години, односно со почетокот на фискалната криза во многу напредни демократски (кејнзијански) држави. Вложувањето во јавни служби опадна паралелно со ограничувањето на ресурсите и со појавата на неолибералниот менталитет на владеењеч; јавните полициските сили веќе не беа доволно добро екипирани да ги задоволат барањата за домашната безбедност, што создаде безбедносен вакуум што беше соодветно експлоатирано од бизнис давателите на услуги од приватно обезбедување (види Jones и Newburn, 1998: 98-104).

Иако оваа анализа на страната на понудата има голема вредност, таа не ја дава целата слика. Иако државните вложувања во јавните служби навистина опаднаа во текот на 70-тите и 80-тите години, во многу земји, всушност, тоа не беше случај и државните вложувања продолжија да растат. Braithwaite (2000: 49), на пример, покажува дека во периодот меѓу 1970 и 1990 година бројот на полицајци во Велика Британија и САД се зголемил за 35 отсто, односно за 64 отсто. На прв поглед, оваа корекција се чини дека ја доведува во прашање анализата правена од страна на понудата. Сепак, продлабоченото истражување покажува дека тоа не е случај, бидејќи порастот на трошоците за полицијата не успеа да одржи чекор со побарувачката за домашна безбедност, кој од 70-те години наваму се забрзува со сè поголема стапка. Како последица на тоа, сè уште постоеше дефицит на страната на понудата кој приватните безбедносни служби беа во можност да го искористат. Но, овој дефицит бил предизвикан од ескалацијата на побарувачката за домашна безбедност, а не од намалувањето на државни вложувања во јавната полиција. Зошто побарувачката се забрза со таква динамика?

Како за почеток, стапката на криминал во многу развиени демократски земји постојано се зголемуваше во текот на овој период, стимулирајќи ја побарувачката за домашна безбедност (Gurr, 1977; Maguire, 2007). Исто така, како што истакнува Рајнер

(1992), моделите на криминал во многу од овие земји, исто така, станаа покомплексни, во согласност со постепената плурализација на општествените односи засновани врз класна, полова, идентитетска и верска основа, што создаде тешкотии за монолитните јавни институции како што е полицијата да се борат против криминалните активности. Ова објаснува не само зошто побарувачката за безбедност се зголемуваше во целина, туку и зошто значителен размер од ова побарување бил задоволен од приватните даватели на безбедноста, бидејќи услугите испорачани од овие флексибилни пазарно-ориентирани организации можеа (барем теориски) да бидат поефективно прилагодени кон локализираните и партикуларистички безбедносни потреби, коишто резултираа од овие трендови (Wood и Shearing 2007).

Дополнителен извор на побарувачка настана како резултат на безбедносниот фетишизам. Во многу напредни демократски земји постои зголемена желба за ублажување на субјективните чувства на несигурност - коишто се шират како последица на променетите модели на криминалот и на подемот на сè поиндивидуалистичкиот неолиберален поглед на светот - преку акумулација на уште повеќе безбедносни производи и услуги (Zedner, 2003; Jones и Newburn, 2006; Neocleous, 2008). Значајно, овој фетишизам се самоперпетуира. Колку што повеќе полициски службеници или припадници на приватното обезбедување патролираат во јавно достапните простори, толку повеќе граѓаните се потсетуваат на нивната несигурност, така што дополнително се стимулира нивната желба за безбедносни производи и услуги (Zedner, 2003: 163). Дали подгревањето несигурност е свесна бизнис стратегија која се користи од страна на приватните безбедносни служби за одржување на постојана побарувачка за нивните услуги или не, е прашање за дебата. Некои тврдат дека на тоа може да се гледа како на еден вид на заговор (Neocleous, 2008: 145-160). Сепак, многу е веројатно дека таквата несигурност е само една од многуте ненамерни последици на дејноста на приватната безбедност.

И на крај, менувањето на имотно-правните односи, исто така, ја стимулира побарувачката за домашната приватна безбедност преку зголемување на капацитетот на граѓаните да избираат помеѓу различните модели на добивање безбедност. Клучниот тренд тука е појавата на она што Shearing и Stenning (1981, 1983) славно го нарекоа "масовна приватна сопственост" – со други зборови, експанзивни зони на приватна сопственост кои претежно се користат како јавни места, како што се трговски центри, индустриски комплекси, заштитени заедници итн. (види исто Kempa et al, 2004). На ваквиот имот, како што забележуваат Shearing и Stenning (1983), сопствениците имаат загарантирано право да вработуваат приватни безбедносни служби со цел да ги контролираат пристапот и однесувањето во неговите граници. Ова, за возврат создава латентна побарувачка за

приватно обезбедување, кое лесно може да се актуализира ако сопствениците не се задоволни со јавната полиција - или едноставно сакаат да ја дополнат.

Јасно е дека овие економски флукуации во понудата и побарувачката имаат длабоко влијание врз однесувањето на приватните безбедносни служби. Важно е што сепак и ова во никој случај не е целата приказна. Дополнителните истражувања покажаа дека активностите на приватните безбедносни служби се обликувани и од политичкиот контекст на домашниот безбедносен сектор.

Политички контекст

Политички контекст се однесува на длабоко вкоренетите политички вредности кои се центрирани околу идејата дека домашната безбедност треба да биде обезбедена исклучиво од страна на државата, целосно ослободена од мешање на комерцијалните интереси. Истражувањето спроведено во овој контекст настојува да произведе политички наратив во којшто приватните безбедносни служби фигурираат како политички актери коишто сакаат да продрат низ овој сложен политички терен во обид да добијат легитимитет (а со тоа и подобрат атрактивноста на) своите комерцијални операции. Овој наратив обично започнува со истражување на историските односи меѓу јавниот и приватниот сектор во поглед на домашната безбедност, пред да се премине на последиците од овој однос за современите приватни безбедносни служби.

Иако ниту една држава некогаш целосно не го остварила вистинскиот веберијански монопол во гарантирањето на безбедноста, голем број на развиени демократски држави дојдоа сосема близу до овој идеален-тип на институционален аранжман во средината на дваесеттиот век така што оставија силен впечаток за негово постоење. Исто така, дискурсот на политичките лидери во овие земји често се повикува на идејата на државен монопол, а со цел да се оправдаат државните активности, што исто така дополнително го зајакнува овој широк впечаток (Shearing, 1992). Така, популациите ширум светот постепено почнаа да очекуваат дека државата треба да ја монополизира домашната безбедност и, аналогно, да ја смета секоја институција која се чини дека го поткопа овој монопол како неморална и неправедна (види: Garland, 1996: 448-449 ; Rawlings, 2000: 61; Brodeur, 2007: 119-120). Во многу развиени демократски земји, овие очекувања се трансформирани во интер-субјективни вредносни норми кои ги обележуваат социо-политичките контури на гарантирањето на внатрешната безбедност денес. Една значајна последица на овие норми е во тоа што проширувањето на операциите на

приватните безбедносни служби се соочуваат со отпор, бидејќи нивното присуство е против јавните очекувања за тоа како треба да се гарантира безбедноста (Loader, 1997a /b/c; Loader и Walker, 2001, 2007). Оттука, тие развиваат голем број на политички стратегии креирани со цел да се одговори на ваквиот отпор.

На пример, многу даватели на безбедносни услуги отворено настојуваат во своите редови да регрутираат пензионирани полициски и воени офицери, како и такви кои дел од своето време по завршувањето на работните часови го нудат на приватните субјекти за надомест, а со цел директно да се вклучат (поранешни) претставници на државниот монопол во нивните комерцијални операции. Во некои земји, како што се САД, ангажирањето во дополнителен работен ангажман по работното време (moonlighting) е особено честа појава. Sklansky (1999: 1176) забележува, на пример, дека во некои американски полициски оддели повеќе од половината од полициските службеници се вработени од страна на приватните безбедносни компании во одреден капацитет. Исто така, според Stewart (1985: 761) "некои градови дозволуваат таквите службеници да ги носат своите униформи, значки и пиштоли врз основа на теоријата дека зголеменото полициско присуство во една област колку што е од јавна, толку е и од приватна полза" (види исто Ayling, Grabowsky и Shearing, 2009: 133-156). Оваа политика служи за замаглување на границата помеѓу јавната и приватната полиција на начин кој оди во корист на приватните безбедносни служби, бидејќи тоа на нивното работење му пренесува одреден степен на симболички легитимитет, сличен на државниот, што на големо се очекува од домашните безбедносни актери. Во други земји, како Австралија, Јапонија и Велика Британија, се одвива паралелна динамика во однос на пензионираните јавни полициски и воени офицери, кои се интегрирани во редовите на приватните безбедносни компании во нешто што се чини дека е сличен свесен напор да се создаде општ впечаток на 'државност' (Yoshida, 1999; Ayling и Shearing, 2008; White, 2010).

Друга (и сродна) стратегија која се користи од страна на приватни безбедносни служби е доделувањето униформи на нивните службеници кои ги имитираат униформите на јавната полиција. И покрај фактот дека оваа практика е забранета или строго ограничена во многу земји (види Bunyan, 1977; Yoshida, 1999; White, 2010), практиката продолжува со несмалено темпо низ целиот свет. Ова е важен тренд, бидејќи, како што забележуваат Thumala, Gould и Loader (2011) "употребата на униформи, значки и возила слични на полициските (и се наменски дизајнирани да наликуваат на нив) индицираат обид да се обезбеди легитимитет по пат на асоцијација". Оваа визуелна мајсторија уште еднаш се чини дека е дизајнирана да им даде на приватните безбедносни провајдери привид на 'државност' во очекување дека тоа ќе биде попривлечно во контекст на

длабоко вкоренетите државно-центрични политички норми кои преовладуваат во домашниот безбедносен сектор.

Покрај овие претежно симболички стратегии, провајдерите вложија големи напори и во развојот на правно засновани односи со државните институции преку законската регулатива. Во Велика Британија, на пример, провајдерите лобираа во корист на регулација речиси четириесет години пред ваквиот институционален договор конечно да се кодифицира во вид на Закон за приватната безбедносна индустрија 2001 (White 2010). Слични сценарија има и во други географски различни локации, како Франција и Австралија (види Ocqueteau, 1993; Prenzler and Sarre, 1998, 2006). Во многу аспекти, регулацијата претставува стратегија за легитимирање *par excellence*, бидејќи иако таа подразбира спроведување на рестриктивна бирократска црвена линија за комерцијалните операции, таа подеднакво им дава на овие операции конкретен привид на 'државност'. Ова за возврат им дозволува на приватните безбедносни служби да се рекламираат не како комерцијални организации кои работат во согласност со приватните добра и профитните маржи, туку како своевидни заменици на државните институции кои дејствуваат во согласност со државно-загарантираното јавно добро (White, 2010).

Очигледно, политичкиот контекст на внатрешната безбедност во значителен степен ги обликува активностите на приватните безбедносни служби. Од перспектива на новата политичка економија, сепак е важно да се препознае дека во стварноста овој политички контекст се одвива покрај и се преклопува со економскиот контекст, којшто беше разгледан погоре. Се чини дека е јасно дека законите на понудата и побарувачката во домашниот безбедносен сектор се посредувани од страна на еден сет на длабоко вкоренети политички норми за тоа како треба да биде испорачувана безбедноста. Сепак, ова е потценета динамика. Истражувачи во ова поле ретко прават експлицитни и системски врски меѓу политичкиот и економскиот контекст, наместо тоа настојувајќи да се фокусираат на овие проблеми изолирано или да укажат само на некакви рудиментарни врски помеѓу нив. Како резултат на тоа, еден од клучните предизвици во оваа област е да се развие агенда која ги охрабрува истражувачите да испитаат како и економскиот и политичкиот контекст на внатрешната безбедност имаат ефект на взаемно обликување на однесувањето на современите приватни безбедносни актери.

Преостанатиот дел на овој труд претставува обид да се одговори на овој предизвик од перспектива на новата политичка економија. Тоа се прави во два чекори: прво, се истражува степенот до кој двете главни теоретски рамки во оваа област на истражување можат да се користат во насока на градење на оваа агенда, така искористувајќи ја концептуалната работа во оваа област којашто е веќе завршена; второ, се

оди над овие рамки, со цел да се конструира нова политичка економија на приватната безбедност.

Јазолно управување и вкотвен плурализам

Во текот на изминатите две децении, изучувањето на домашната безбедност е под доминантно влијание на две теоретски рамки: моделот на јазолно управување и моделот на вкотвен плурализам. И двете го концептуализираа денешниот безбедносен пејзаж во поширока смисла - со фокусирање на активностите на државните и не-државните актери и во развиените и во младите демократии - создавајќи бројни согледувања кои се надвор од опсегот на оваа статија. За нашата цел, сепак, овие два модели се важни, бидејќи - во скратени формулации изнесени подолу - тие стојат во челните редови на концептуалните истражувања на домашната приватна безбедност во развиените демократски земји. Оттука, тие го одбележуваат теренот на она што е досега постигнато во одговарањето на предизвикот да се развие истражувачка агенда која ќе објасни како и политичкиот и економскиот контекст на внатрешната безбедност истовремено го обликуваат постапувањето на приватните безбедносни актери.

Јазолно управување

Моделот на јазолно управување стана значаен во средината на 90-тите години (иако неговите интелектуални корени може да се проследат назад до почетокот на 80те години) како прв експлицитен обид за концептуализирање на сè популаризираниот сектор на домашната безбедност. Негови клучни теоретичари се Shearing, Johnston и Wood (види: Shearing, 1996; Johnston и Shearing, 2003; Shearing и Wood, 2003; Shearing, 2006; Wood и Shearing, 2007)- иако и многу други придонесоа за развојот на моделот, и тоа во голем број интересни насоки (на пример: Dupont, 2004, 2006; Kempa et al, 2004; Kempa and Singh, 2008; Marks and Wood 2010). Заедно, овие научници направија значителен придонес кон задачата на разбирање на обезбедувањето на современата безбедност во неговите најразлични форми. Сепак, важно е да се нагласи дека, гледано од перспектива на новата политичка економија, овие научници имаат тенденција да се фокусираат повеќе на економскиот контекст на домашната приватна безбедност отколку на политичкиот контекст.

Моделот се појави како начин на испитување и генерализирање на воопштување на емпириските наоди на Shearing и Stenning (1981, 1983) од раните 1980-ти за односот помеѓу масовната приватна сопственост и појавата на приватната домашна безбедност. Како последица на овој фокус, неговите поддржувачи првенствено се занимаваат со "мапирање" на плурализираните безбедносни аранжмани кои постојат во локализирани географски простори - односно со "јазлите" - а потоа да осмислат како тие јазли се однесуваат еден кон друг во пошироките безбедносни мрежи. Со цел да конструираат такви мапи на јазли, тие се повикуваат на клучните концепти на теоријата на управување, како што се институциите, практиките, менталитетите, знаењето и ресурсите (генерално за теоријата за управување види: Smith, 1993, 1999; Rhodes, 1997; Pierre and Peters, 2000; за јазолното мапирање види: Johnston and Shearing, 2003; Wood, 2006; Wood and Shearing, 2007). Клучниот постулат кој го истакнуваат при конструирањето на овие мапи е дека никаков *a priori* акцент не треба да се става на јавните безбедносни аранжмани за сметка на приватните. Според нив, доколку се стори тоа суштински би значело враќање назад во монополистичкиот систем кој е веќе во процес на трансцендирање. Наместо тоа, според нив, на конституирањето на секој јазол мора да му се пристапи како на "емпириски отворено прашање" без претходна диспозиција кон јавната или кон приватната сфера (Shearing and Wood, 2003: 404).

Користејќи ја оваа теориска рамка, теоретичарите на јазолното управување ја поставија задачата на мапирање на современиот безбедносен пејзаж. Широчината на ова мапирање е импресивна и се протега надвор од фокусот на ова статија, и опфаќа делови на Латинска Америка (Wood и Caria, 2006) и Африка (Shearing и Berg, 2006; Kempa и Singh, 2008; Marks и Wood, 2010), како и глобалните терористички мрежи (Wood и Shearing, 2007) и глобалните безбедносни институции (Shearing и Johnston, 2010). Во однос на домашната безбедност во развиените демократски земји, тие сепак илустрираат како во последните децении, многу (ако не и најголемиот број) од денешните јазли се населени не само од институциите на јавниот сектор, како што е полицијата, туку и од институциите на приватниот сектор, како што се давателите на услугите на приватно обезбедување. Движејќи се помеѓу различните јазли во текот на нивниот секојдневен живот - од трговски центри, индустриски комплекси и затворени заедници до аеродроми, градски центри и национални гранични премини - граѓаните се среќаваат со различни безбедносни режими кои се одликуваат и со јавни и со приватни институции, практики, менталитети, знаење и ресурси (види, на пример: Shearing and Stenning, 1987; Kempa et al, 2004; Button, 2007, 2008; Van Steden, 2007).

Во контекст на рамката на јазолното управување се чини дека нема простор за акомодирање и на економските и на политичките мета-трендови кои беа идентификувани во погоре во статијата. Меѓутоа, при анализа на динамиката на домашната приватна безбедност, кај истражувачите кои работат од оваа перспектива постои видлива тенденција да се фокусираат повеќе на економскиот контекст на домашната безбедност отколку на политичкиот. Особено, тие вообичаено ги објаснуваат моделите на раст на домашното приватно обезбедување, повикувајќи се на појавата на масовна приватна сопственост како одговор на менување на моделите за криминал и растечката несигурност. Несомнено, тие навистина ги дискутираат и политичките трендови, како што е значајната промена во управувачките менталитети тргнувајќи од "социјалниот либерализам" до "минималната држава, пазарно-ориентираните модели на неолиберализмот и неоконзервативизмот", истакнувајќи ја улогата што ова го има во олеснувањето на проширување на приватно обезбедување (Kemp et al 2004: 575; see also Shearing and Wood, 2003; Ayling, Grabowsky and Shearing, 2009). Но, таквите дискусии - со нивниот фокус на продлабочувачката логиката на пазарот и на стеснувањето на политичката сфера - имаат ефект на консолидирање на ставот за централното место на економски контекст во нивните дела, но не и на негово балансирање во однос на подеднакво важниот политички контекст на домашната приватна безбедност. Оттука, упатувањата на политичкиот контекст се сосема ретки. До денес, не постои систематски обид на истражувачите кои работат од позициите на оваа теориска рамка да ги истражат или легитимациските дејности во коишто најголемиот број приватни безбедносни актери се моментално ангажирани или политичките резони кои стојат зад нив. Наместо тоа, овие актери генерално се сметаат како да се неограничени од страна на државно-центричките политички норми кои го конституираат современиот безбедносен сектор во многу напредни демократски земји.

Ова не значи дека моделот на јазолно управување исклучува анализа на овој политички контекст. Со оглед на становиштето дека моделот е "емпириски отворен", не постои причина зошто легитимирачките активности - заедно со причините кои стојат зад нив - не би можеле да бидат мапирани на безбедносните јазли, таму каде што тие ќе се појават. Сепак, постои кредибилна причина зошто овој контекст не е истакнат позначајно во анализата на јазолното управување. Тоа е затоа што моделот е честопати врамуван - особено од Shearing, Johnston и Wood - како експлицитна критика на оние анализи на гарантирањето на домашната безбедност кои тргнуваат од државно-фокусираните "вестфалиски" анализи, кои добија на значење во текот на монополската ера и продолжија да имаат големо влијание врз современите истражувања во општествените науки (види особено: Shearing and Wood, 2003: 418-419; Shearing, 2006: 29-30; Shearing and Johnston,

2010: 496-498). Според овие теоретичари, проблемот со овие модели е што "се обидуваат да сфатат што се случува од гледна точка на она што го заменува старото" (Shearing and Wood, 2003: 418) - тие се обидуваат да ја протолкуваат сегашноста и иднината преку призмата на минатото. Со ова на ум, Shearing and Wood, 2003: 418 експлицитно го дизајнираа моделот на јазолно управување за да ја концептуализираат постмонополската ера во гарантирањето на безбедноста. Тоа, се разбира, објаснува зошто овој модел е толку ефикасен во доловувањето на порадикиалните тенденции во современиот безбедносен сектор. Контра-критиката на оваа футуристичка ориентација, пак, се фокусира на тоа што гарантирањето на домашната безбедност денес - особено во развиените демократски држави - сè уште се обликува од наследството на монополската ера, што е евидентно поради тековното влијание на оние политички вредносни норми чие потекло може да се проследи до дискурзивното и институционалното формирање на државниот монопол врз безбедноста. Така, иако моделот на јазолно управување не ја исклучува анализата за политички контекст, начинот на кој тој е врамен може да води во насока на објаснувањето зошто досега не е развиена системска анализа на овој контекст во рамките на литературата на јазолното управување.

Вкотвен плурализам

Моделот на вкотвен плурализам е тесно поврзан со делата на Loader и Walker (2001, 2006, 2007) и се појави како главна алтернатива за моделот на јазолно управување како призма низ која може да се толкува менливата природа на современиот безбедносен пејзаж. И овој модел има даде значаен придонес за проектот на реконструкција на динамиката на приватната безбедност денес. Погледнат од перспективата на новата политичка економија, сепак, може да се забележи дека овој модел има тенденција да се фокусира повеќе на политичкиот контекст на приватно обезбедување отколку на економскиот контекст.

Како и теоретичарите на јазолното управување, така и Loader и Walker редовно го користат јазикот на теоријата на управување за да ја зацртаат динамиката на домашната безбедност и за да направат референца на менливите економските сили, а со цел да се разбере траекторијата на современата приватна безбедност. Клучната точка на разидување помеѓу два модела е во улогата на државата, подеднакво во нормативна и во емпириска смисла. Додека теоретичарите на јазолното управување не заземаат никаква конзистентната нормативна позиција во однос на идеалната улога на државата, тврдејќи дека таквите прашања треба да се адресираат од јазол до јазол, Loader и Walker

претпоставуваат експлицитна нормативна/вредносна позиција во овој поглед. Иако се свесни за потенцијално опасната природа на обезбедувањето на безбедноста од страна на државата, тие резонираат дека една реформирана и реконституирана држава би претставувала најефикасно, морално оправдано и општествено одговорно средство за испорачување на безбедност денес. Според нив, државата треба да биде "котвата" на плуралноста на безбедносните актери во современиот безбедносен сектор и тоа цврсто во јавен интерес (Loader и Walker, 2006, 2007). Овој нормативен став е проследен паралелно со силен емпириски фокус врз обезбедувањето на безбедноста од страна на државата, особено нејзиното влијание врз современите општествени односи. Оттука, Loader и Walker на монополската ера и на државно-центричните "вестфалски" модели на гарантирање на безбедноста гледаат како на нешто што има континуирано значење за современиот безбедносен сектор.

Целосниот опсег на делата на Лоадер и Вокер се протега надвор од фокусот на оваа статија, поради тоа што тие се протегаат од домашната во глобалната сфера (види Loader и Walker, 2007). Затоа, неопходно е да се фокусираме на оној дел од нивната научна работа во насока на доразвивање и генерализирање на емпириски наоди од средината на 90-те години за улогата на симболизмот и културната моќ во односите помеѓу домашната јавност и приватната безбедност (Loader, 1997a / b / C). Со цел да се разбере овој однос, Loader и Walker мапираа серија иновативни врски помеѓу современата домашна безбедност и длабоко всадените политички норми кои го одбележаа овој сектор во текот на современата историја. Тие се фокусираат особено на оние вредносни норми кои имаат корен во просветителската политичка мисла - особено филозофијата на општествениот договор на Хобс (1996, Books 1 & 2) и на Locke (1998, Book 2) - каде што идејата за воинствената состојба во природата, во која секој поединец се грижи за неговите или нејзините сопствени интереси (вклучувајќи ја и безбедноста) е во спортивност со едно мирно и просперитетно граѓанско општество во кое ред воспоставува една добронамерна држава.

Loader и Walker ја развија оваа врска следниот начин:

„...како институција која тесно е загрижена за заштитата на државата и безбедноста на нејзините граѓани, која е длабоко испреплетена со некои длабоки надежи, стравови, фантазии и вознемиреност за прашања како што се животот/смртта, поредокот/хаосот и заштитата/ранливоста, полицијата останува тесно поврзана со чувството на луѓето за онтолошка безбедност и за колективен идентитет, и е способна за генерирање на високи, емотивно исполнети нивоа на идентификација помеѓу граѓаните (2001: 20).

Во оваа концептуализација јавната полиција се јавува во улога на претставник на просветителскиот проект да се совладаат `смртта, хаосот и ранливоста` (т.е. природната состојба) и да се максимизира `животот, редот и заштитата` (т.е. едно мирно и просперитетно граѓанско општество). За Loader и Walker, поврзаноста помеѓу јавната полиција и цивилната сфера за многу луѓе станала натурализирана: `најбазичната координата на значење преку која го гледаме светот` (Loader and Walker 2007: 44). Поради оваа поврзаност, сметаат тие, денешните полициски сили во многу развиени демократски земји уживаат толку високо ниво на симболичка моќ, културна поддршка и легитимитет, дури и соочени со контроверзии кои се повторуваат (види, исто така, Loader, 1997 b). Сепак, значајно е што за Loader и Walker оваа "основна координата на значење" има спротивен ефект врз приватната безбедност, бидејќи `... логиката на пазарната распределба оди наспроти општествените значења кои ја придружуваат безбедноста во либералните демократии` (Loader 1997c: 381). Поради тоа што приватната безбедност ја еродира културната приврзаност на луѓето кон јавната полиција - а со тоа и на просветителскиот проект на мирољубиво и просперитетно општество - таа воглавно се смета за неморална и неправична, а ужива и многу ниска симболичка моќ, културна поддршка или легитимитет.

Оттука Loader и Вокер издвојуваат важна концептуална основа во однос на политичкиот контекст на домашната безбедност. Тие илустрираат, на пример, зошто приватни безбедносни служби инвестираат толку многу време и напори во легитимациски активности, како што се инкорпорирање на (поранешни) претставници на државниот монопол во своите редови, присвојувајќи го симболизмот на државата, а во некои екстремни случаи, и лобирајќи за систем на законска регулатива. Тоа е така затоа што тие свесно сакаат да ги одделат своите операции од комерцијалната логика, којашто толку го `навредува` јавниот сензибилитет во врска со домашната безбедност и наместо тоа да ги усогласат своите активности со просветителскиот проект за поразување на `смртта, хаосот и ранливоста` и максимизирање на `животот, поредокот и заштитата`. Сепак, економскиот контекст на домашната приватна безбедност речиси и да не е застапен во нивните дела. Додека тие ценат дека домашното приватно обезбедување доживува експанзија во согласност со промените во понудата и побарувачката, тие не даваат доволно насоки за тоа како да се истражува овој економски контекст. Ова е проблематично, затоа што оставајќи ги факторите на понудата и побарувачката во заднина, тие го потценуваат субјективитетот на приватните безбедносни служби. Во нивните дела, давателите на услуги се вклучени во борба за усогласување на нивните активности со политички норми кои преовладуваат во домашниот безбедносен сектор, но не е јасно дали тие прават некаков прогрес или не. Навистина, честопати се чини како да тие засекогаш да се предодредени

губат пред културно супериорните и симболички помоќните јавни полициски сили. Сепак, ова е далеку од вистината, бидејќи овие агенции капитализираа врз основа на флукуациите помеѓу побарувачката и понудата до степен во кој тие сега се ангажирани во челните позиции безбедносни операции во напредните демократски земји ширум светот. И покрај ограничувачкото влијание на длабоко вкоренетите политички вредносни норми кои се вградени во домашниот безбедносен сектор, тие немаат моќ да ја променат конституцијата на овој сектор во текот на времето.

Не постои длабока причина зошто овие економски фактори не можат да бидат целосно интегрирани во моделот на вкловениот плурализам. Loader и Walker сигурно би можеле да ги задржат своите сознанија за начинот на кој приватните безбедносни актери се ограничени со интер-субјективните политички норми, а во исто време да стават и повеќе акцент на начинот на кој овие актери се оснажуваат поради дејството на законот на понудата и побарувачката. Сепак, постои кредибилно објаснување за овој пропуст. Посеопфатното вградувањето на пазарната логика во нивните анализи навистина има обратен ефект на движењето на нивниот емпириски наратив, туркајќи подалеку од нивниот вредносен идеал на безбедносен систем закотвен во државата, што генерира растечки степен на тензијата помеѓу емпиriskите и нормативните димензии на нивниот модел. Се разбира, оваа тензија во никој случај не е непомирлива, но таа бара поставување на нов баланс. Така, иако моделот на закотвен плурализам не исклучува анализа на економскиот контекст, начинот на кој моделот е нормативно врамен може да помогне во објаснувањето зошто не постои систематска анализа на понудата и побарувачката досега не е развиена во рамките на оваа литература.

Нова политичка економија на приватната безбедност

Јасно е дека еден од клучните предизвици во ова поле е да се конструира агенда која ги охрабрува истражувачите да го испитаат ефектот и на економскиот контекст и на политичкиот контекст на домашната безбедност врз взаемното обликување на постапувањето на современите приватни безбедносни актери. Целта на овој дел од статијата е да зацрта таква агенда во вид на нова политичка економија на приватната безбедност. Ова ќе биде направено по пат на зацртување серија на истражувачки прашања, методолошки техники и аналитички предлози кои може да се користат за проучување на политичката економија на приватно обезбедување на систематски, избалансиран и интегриран начин. Важно е да се нагласи дека, сепак, логиката на оваа

агенда не подразбира отфрлање на сознанијата на моделите на јазолно управување и на закотвен плурализам, туку преформулирање на дел од клучните размисли артикулирани во овие модели и тоа во нова рамка на политичка економија.

Кога се истражува динамиката на домашната приватна безбедност во развиените демократски земји, истражувачите би требало да постават две групи на прашања, а потоа да продолжат да се потпираат на две меѓусебно поврзани методолошки техники, со цел да дојдат до одговори на овие прашања. Првиот сет на прашања треба да се однесува на економскиот контекст на домашната безбедност и на соодветната економската рационалност која произлегува од овој контекст. Клучните прашања ги вклучуваат следните: кои флукуации во понудата и побарувачката се одговорни за олеснување на експанзијата на приватните безбедносни служби?; кои бизнис стратегии ги употребуваат овие даватели на безбедносни услуги со цел да профитираат од овие флукуации?; и, како овие стратегии влијаат на испораката на домашната безбедност? Следно, методолошките техники на јазолното мапирање - онака како што се развиени од страна на теоретичарите - треба да се користат за да се дојде до одговорот на овие прашања. На овој начин, би требало да биде можно да се истражуваат како моделите на криминал, граѓанската несигурност и имотно-правните односи варираат помеѓу различни јазли и да се истражи како се обликувани приватните безбедносни институции, практики, менталитети, знаење и ресурси како одговор на овие трендови.

Вториот сет на прашања треба да се однесува на политичкиот контекст на домашната безбедност и на соодветниот политички резон која произлегува од таквиот контекст. Клучните прашања ги вклучуваат следните: кои интер-субјективни политички норми служат за ограничување на активностите на приватните безбедносни служби?; какви политичките стратегии применуваат давателите на услуги за да го најдат својот пат помеѓу овие норми?; и како овие стратегии влијаат врз обезбедувањето на домашната безбедност? Следно, методолошката техника на историски заснованото истражување на културата - како што е развиена од страна на теоретичарите - треба да се користи за да се одговори на овие прашања. На тој начин, би требало да биде можно да се разбере и како и зошто приватните даватели на безбедносни услуги користат најразлични стратегии за легитимирање - вклучувајќи (но не ограничувајќи се на) политики за вработување ориентирани кон државата, присвојување на државниот симболизам и потрагата по законска регулатива - со цел да се зголеми привлечноста на нивните операции кај неретко скептичното население кое обично очекува домашната безбедност да ја гарантираат државните служби.

Откако се поставени овие прашања и се добиени соодветни одговори со користење на соодветни методолошки техники, истражувачите треба да се обидат да ги интегрираат овие економски и политички димензии во единствен наратив. Овој процес на интеграција треба да се одвива во согласност со две клучни аналитички predispositions. Прво, важно е да се препознае дека однесувањето на приватните безбедносни актери во напредните демократски земји не е генерално конституирано во однос со единствена стварност, туку дека тоа е попрво развиено во согласност со (најмалку) две различни стварности: економската и политичката. Второ, од клучно значење е да се признае дека диференцијалното однесување кое резултира од овие две стварности е во многу инстанци заемно конститутивно. На пример, приватните безбедносни актери честопати можат успешно да профитираат од пазарните флукуации само со истовремено ангажирање во стратегиите за легитимација. Обратно, тие можат честопати успешно да ги реализираат своите легитимирачки стратегии со користење на ресурсите и влијанието коишто ги имаат стекнато по пат на искористување на пазарните флукуации. Затоа, истражувачите треба да ги перципираат приватните безбедносни субјекти како политички економски актери кои се движат напред и назад во рамки на дијалектиката на една политичка економија.

Применувајќи ги овие истражувачки прашања, методолошки техники и аналитички искази, е можно да се фрли нова светлина врз голем број на клучни прашања кои се сместени во сивата зона каде што политиката/економијата, државите/пазарите и структурата/дејноста влијаат едни на други и заемно се конституираат. Овие проблеми ги вклучуваат (но не се ограничени на): моделите на раст на приватното обезбедување и неговите траектории; динамиката на легитимацијата; односите меѓу приватните безбедносни служби и државни институции; конкурентните логики на регулативата; и врските помеѓу безбедноста и јавното добро. Со цел да се обезбеди поконкретна демонстрација на тоа како овие прашање можат да се толкуваат преку призмата на новата политичка економија, корисно е накусо да се истражат некои од клучните прашања со кои се соочуваат истражувачите во оваа област.

Како приватните даватели на безбедносни услуги станаа толку значајни? Во економска смисла, тие ги проширија своите операции одговарајќи на серија флукуации во законите на понудата и побарувачката. Притоа, тие дејствуваат како успешни бизнисмени кои работат во согласност со економската рационалност која дава приоритет на пазарната логика. Напредокот на оваа економска експанзија треба да биде исцртан со користење на аналитички техники на јазолно мапирање, коишто служат за разграничување на тоа како гарантирањето на безбедност во локализирани простори сè повеќе се дефинирани од практиките, менталитетите, бази на знаење и ресурсите на комерцијалните актери. Сепак,

оваа експанзија не е водена само од економската рационалност. Во политичка смисла, тие се вклучиле во серија активности дизајнирани да ги помират нивните комерцијални операции со државно-центричните политички норми кои го структурираат безбедносниот сектор. Притоа, тие дејствуваат како квалификувани политички стратегии функционирајќи во согласност со политичка рационалност која дава приоритет на логиката на легитимитетот. Овој процес треба да се толкува со употреба на историски-втемелените културни леќи, дизајнирани да ги ситуираат овие актери во рамките на пошироката општествено-политичка траекторија на давателите на безбедноста.

Кој е нивниот однос со државата? Приватни безбедносни актери честопати имаат комплексен однос со државата. Во економска смисла, државата е конкурент, контрактор и партнер. Балансот помеѓу овие улоги е флуиден и затоа треба да се мапира од јазол до јазол. Во политичка смисла, пак, државата го претставува примарниот извор на легитимитетот кој им е потребен на овие актери за да се стекнат со цврста основа во безбедносниот сектор на домашниот пазар. Со цел да го присвои овој легитимитет, тие можат или да ја позајмуваат од државниот симболизам или тие да ги насочат своите комерцијални активности во позиција во која се директно контролирани од страна на државните институции по пат на законска регулатива. Овој процес обично се одвива во рамки на целата безбедносна мрежа, и не е изолиран во одделни јазли, па треба да се испитува преку историски-засновани културни спектари кои прават пресек преку сите јазли кои се предмет на истражување.

Кој е нивниот однос со јавното добро? Нивниот однос со јавното добро е подеднакво комплексен. Во економска смисла, овој однос варира од договор до договор. Тоа е така затоа што иако договорите на јавниот сектор обично ги насочуваат приватните безбедносни операции кон извесна концепција за јавното добро, договорите во приватниот сектор неретко се насочени во сосема поинаква насока. Според оваа економска логика, тогаш, односот помеѓу приватни безбедносни субјекти и јавното добро е детерминиран надворешно со преференциите на нивните клиенти, па овие преференции треба одново да се мапираат од јазол до јазол. Во политичка гледна смисла, пак, овие даватели на услуги се истовремено вклучени во тековните напори да го усогласат своето работење со државно-центричните политички норми кои преовладуваат во безбедносниот сектор, и важно е да се напомени дека овие норми се тесно поврзани со идејата за безбедност како јавно добро. Така, процесот на помирување предизвикува интернализирање на логиката на јавно добро до одреден степен од страна на приватните безбедносни актери - тие всушност стануваат носители на јавно добро, кога се обидуваат да се пожалат на очекувањата дека безбедноста треба да се изведува исклучиво од страна на државата. Овој

политички процес генерално се одвива низ целата безбедносна мрежа, а не само во изолирани јазли, што како последица бара уште еднаш да се протолкува преку широк и историски основан културен спектар.

Каква е иднината на давањето безбедносни услуги? Честопати се чини дека подемот на приватната безбедност означува појава на нова (постмодерна) ера на плурализирано обезбедување на безбедноста во кој мрежните јазли брзаат да ги засенат монополските аранжмани на модерната ера. Во извесна смисла, ова е точно. Вистина е дека со децении приватните безбедносни служби активно учествуваат во усогласување на своите операции со државно-центричните политички норми кои се синоним за модерната ера. Така, иако стварноста на гарантирањето на домашната безбедност можеби се поместила од овие монополистички аранжмани, тоа не е случај со јавната идеја за гарантирањето на безбедноста. Многу луѓе во развиените демократски земји остануваат исклучително приврзани на идејата за државен монопол во областа на безбедноста. Оваа трајна приврзаност ги принуди приватните безбедносни служби да се рекламираат не само како комерцијални организации кои обезбедуваат приватни добра, но исто така и како државно-заменски организации кои дејствуваат во согласност со јавното добро. Во децениите што доаѓаат, обезбедувањето на домашна безбедност веќе нема да биде доминирано од страна на модерната држава како што тоа некогаш беше случај, но нема ниту така брзо да напредува во постмодерен систем во кој идејата за државен монопол е одамна заборавена. Дваесет и првиот век ќе ја затече домашната безбедност во период на значаен флуks во кој јазолната мрежа на плурализирано обезбедување на безбедност се преклопува со традиционалните, државно-центричките политички норми, чии корени може да се проследат наназад до Просветителството.

Заедничка нишка на овие одговори е динамичната интеракција меѓу политиката/економијата, државите/пазарите и структурата/дејноста. Оваа интеракција се наоѓа во срцето на новата анализа за политичка економија. Важно е да се наспомене дека, сепак, природата на оваа интеракција е веројатно дека ќе се разликува во зависност од географската локација. Тоа е така затоа што некои земји доживеале поизразени промени во понудата и побарувачката од други. На пример, додека приватните безбедносни офицери значително го надминуваат бројот на полицајци во Канада, Јужна Африка и САД, овој однос е обратен во голем број европски земји (Brodeur, 2010: 268-275), што укажува на различни стапки на експанзија. Исто така, некои земји (на пример, Велика Британија, Канада и Франција) се чини дека имаат подлабоко вградени државо-центрични политички норми од други (на пример, САД) (White, 2010). Оттука, истражувачите треба да бидат подготвени да постават различни баланси помеѓу влијанието на политичкиот и

економскиот контекст и различни стварности зависно од тоа како тие се движат во различните земји. Сепак, може да се претпостави дека елементите на овој нов наратив на политичка економија може да се најде во повеќето напредни демократски земји. Токму поради оваа причина новата истражувачка агенда може да биде од голема полза.

Заклучок

Подемот на приватната безбедност во последниве децении е поттикнат од бројни и конкурентни контексти и стварности. Среди оваа комплексност лесно е да се пропушти целосната слика. Ова е причината зошто е потребно да се изгради опсежна и амбициозна агенда на која ќе се потпираат истражувачите и која ќе ги води кон нови и важни нивоа на истражувања. Новата политичка економија на приватната безбедност претставува една таква агенда. Со поставување на серија на истражувачки прашања, методолошки техники и аналитички предлози за изучување на областа каде што политиката/економијата, државите/пазарите и структурата/дејноста се судираат меѓусебно и се конституираат заедно, таа означува значајна нова академска територија. Се разбира, ниту една агенда или теоретска рамка не може да ги опфати сите тековни процеси - општествениот свет е премногу комплексен за тоа. Но, во обезбедувањето на алатки кои ќе им овозможат на истражувачите да ги адресираат клучните прашања кои се однесуваат на приватното обезбедување на нови начини, новата политичка економија на приватна безбедност треба да се користи заедно со други агенди и теоретски рамки во оваа област, а со цел да се генерираат што повеќе сознанија во врска со овој општествен феномен.

Библиографија

1. Ayling, Julie, Peter Grabowsky and Clifford Shearing (2009) *Lengthening the Arm of the Law: Enhancing Police Resources in the Twenty-First Century*. Cambridge: Cambridge University Press.
2. Ayling, Julie and Clifford Shearing (2008) 'Taking Care of Business: Public Police as Commercial Security Vendors', *Criminology and Criminal Justice* 8(1): 27-50.
3. Braithwaite, John. (2000) 'The New Regulatory State and the Transformation of Criminology', in David Garland and Richard Sparks (eds) *Criminology and Social Theory*, pp.47-69. Oxford: Oxford University Press.

4. Brodeur, Jean-Paul (2007) 'An Encounter with Egon Bittner', *Crime Law and Social Change* 48: 105-132.
5. Brodeur, Jean-Paul (2010) *The Policing Web*. Oxford: Oxford University Press.
6. Bunyan, Tony (1977) *The History and Practice of the Political Police in Britain*. London: Quartet.
7. Button, Mark (2007) *Security Officers and Policing: Powers, Culture and Control in the Governance of Private Space*. Aldershot: Ashgate.
8. Button, Mark (2008) *Doing Security: Critical Reflections and An Agenda for Change*. Basingstoke: Palgrave Macmillan.
9. Crawford, Adam (2006) 'Networked Governance and the Post-Regulatory State: Steering, Rowing and Anchoring the Provision of Policing and Security', *Theoretical Criminology* 10(4): 449-479.
10. Gamble, Andrew, Anthony Payne, Ankie Hoogvelt, Michael Dietrich and Michael Kenny (1996) 'Editorial: New Political Economy', *New Political Economy* 1(1): 5-11.
11. Garland, David (1996) 'The Limits of the Sovereign State: Strategies of Crime Control in Contemporary Society', *British Journal of Criminology* 36(4): 445-470.
12. Gurr, T. R. (1977) 'Crime Trends in Modern Democracies Since 1945', *Annales Internationales De Criminologie* 16(1-2): 41-85.
13. Hobbes, Thomas (1996) *Leviathan*. Oxford: Oxford University Press.
14. Johnston, Les (1992) *The Rebirth of Private Policing*. London: Routledge.
15. Johnston, Les and Clifford Shearing (2003) *Governing Security: Explorations in Policing and Justice*. London: Routledge.
16. Jones, Trevor and Tim Newburn (1998) *Private Security and Public Policing*. Oxford: Clarendon Press.
17. Jones, Trevor and Tim Newburn (2006) 'Understanding Plural Policing', in Trevor Jones and Tim Newburn (eds) *Plural Policing: A Comparative Perspective*, pp. 1-11. London: Routledge.
18. Kempa, Michael and Anne-Marie Singh (2008) 'Private Security, Political Economy and the Policing of Race: Probing Global Hypotheses Through the Case of South Africa', *Theoretical Criminology* 12(3): 333-354.
19. Kempa, Michael, Philip Stenning and Jennifer Wood (2004) 'Policing Communal Spaces: A Reconfiguration of the 'Mass Private Property' Hypothesis', *British Journal of Criminology* 44: 562-581.
20. Loader, Ian (1997a) 'Private Security and the Demand for Protection in Contemporary Britain', *Policing and Society* 7: 143-162.

21. Loader, Ian (1997b) 'Policing and the Social: Questions of Symbolic Power', *The British Journal of Sociology* 48(1): 1-18.
22. Loader, Ian (1997c) 'Thinking Normatively About Private Security', *Journal of Law and Society* 24(3): 377-394.
23. Loader, Ian and Neil Walker (2001) 'Policing as a Public Good: Reconstituting the Connections Between Policing and the State', *Theoretical Criminology* 5(1): 9-35.
24. Loader, Ian and Neil Walker (2006) 'Necessary Virtues: The Legitimate Place of the State in the Production of Security', in Jennifer Wood and Benoit Dupont (eds) *Democracy, Society and the Governance of Security*, pp. 165-195. Cambridge: Cambridge University Press.
25. Loader, Ian and Neil Walker (2007) *Civilizing Security*. Cambridge: Cambridge University Press.
26. Locke, John (1988) *Two Treatises of Government*. Cambridge: Cambridge University Press.
27. Maguire, Mike (2007) 'Crime Data and Statistics', in Mike Maguire, Rod Morgan and Robert Reiner (eds) *The Oxford Handbook of Criminology*, pp. 241-301. Oxford: Oxford University Press.
28. Marks, Monique and Jennifer Wood (2010) 'South African Policing at a Crossroads: The Case for 'Minimal' and 'Minimalist' Public Police', *Theoretical Criminology* 14(3): 311-329.
29. Neocleous, Mark (2008) *Critique of Security*. Edinburgh: Edinburgh University Press.
30. Ocqueteau, Frederik (1993) 'Legitimation of the Private Security Sector in France', *European Journal on Criminal Policy and Research* 1(4): 108-122.
31. Pierre, Jon and B. Guy Peters (2000) *Governance, Politics and the State*. Basingstoke: Macmillan.
32. Prenzler, Tim and Rick Sarre (1998) 'Regulating Private Security in Australia', *Australian Institute of Criminology: Trends and Issues in Crime and Criminal Justice* 98: 1-6.
33. Prenzler, Tim and Rick Sarre (2006) 'Australia', in Trevor Jones and Tim Newburn (eds) *Plural Policing: A Comparative Perspective*, pp. 169-189. London: Routledge.
34. Rawlings, Philip (2003) 'Policing Before the Police', in Tim Newburn (ed.) *Handbook of Policing*, pp. 41-65. Cullompton: Willan.
35. Reiner, Robert (1992) 'Policing a Postmodern Society', *Modern Law Review* 55(6): 761-781.

36. Rhodes, R. A. W. (1997) *Understanding Governance: Policy Networks, Governance, Reflexivity and Accountability*. Maidenhead: Open University Press.
37. Shearing, Clifford (1992) 'The Relation Between Public and Private Policing', *Crime and Justice* 15: 399-434.
38. Shearing, Clifford (1996) 'Reinventing Policing: Policing as Governance', in Otwin Marenin (ed.) *Policing Change, Changing Police: International Perspectives*, pp. 285-305. New York: Garland.
39. Shearing, Clifford (2006) 'Reflections on the Refusal to Acknowledge Private Governments', in Jennifer Wood and Benoit Dupont (eds) *Democracy, Society and the Governance of Security*, pp.11-32. Cambridge: Cambridge University Press.
40. Shearing, Clifford and Julie Berg (2006) 'South Africa', in Trevor Jones and Tim Newburn (eds.) *Plural Policing: A Comparative Perspective*, pp. 222-238. London: Routledge.
41. Shearing, Clifford and Les Johnston (2010) 'Nodal Wars and Network Fallacies: A Genealogical Analysis of Global Insecurities', *Theoretical Criminology* 14(4): 495-514.
42. Shearing, Clifford and Philip Stenning (1981) 'Modern Private Security: Its Growth and Implications', *Crime and Justice* 3: 193-245.
43. Shearing, Clifford and Philip Stenning (1983) 'Private Security - Implications for Social Control', *Social Problems* 30(5): 493-506.
44. Shearing, Clifford and Philip Stenning (1987) 'Say 'Cheese': The Disney Order That Is Not So Mickey Mouse', in Clifford Shearing and Philip Stenning (eds.) *Private Policing*, pp. 317-324. London: Sage.
45. Shearing, Clifford and Jennifer Wood (2003) 'Nodal Governance, Democracy and the New Denizens', *Journal of Law and Society* 30(3): 400-419.
46. Sklansky, David A. (1999) 'The Private Police', *UCLA Law Review* 46(4): 1165-1287.
47. Smith, Martin J. (1993) *Pressure, Power and Policy: State Autonomy and Policy Networks in Britain and the United States*. Hemel Hempstead: Harvester Wheatsheaf.
48. Smith, Martin J. (1999) *The Core Executive in Britain*. London: Palgrave.
49. Spitzer, Steven (1987) 'Security and control in capitalist societies: The fetishism of security and the secret thereof', in J. Lowman, Robert J. Menzies and T. S. Palys (eds) *Transcarceration: Essays in the Sociology of Social Control*, pp. 43-58. Aldershot: Gower.
50. Spitzer, Steven (1993) 'The Political Economy of Policing', in David F. Greenberg (ed) *Crime and Capitalism: Readings in Marxist Criminology*, pp. 568-594. Philadelphia: Temple University Press.

51. Spitzer, Steven and Andrew Scull (1977) 'Privatization and Capitalist Development: The Case of the Private Police', *Social Problems* 25(1): 18-29.
52. Stewart, James K. (1985) 'Public Safety and Private Police', *Public Administration Review* 45: 758-765.
53. Thumala, Angelica, Benjamin Goold and Ian Loader (2011) 'A Tainted Trade? Moral Ambivalence and Legitimation Work in the Private Security Industry', *British Journal of Sociology* (in press).
54. Van Steden, Ronald (2007) *Privatizing Policing: Describing and Explaining the Growth of Private Security*. Den Haag: BJu.
55. White, Adam (2010) *The Politics of Private Security: Regulation, Reform and Re-Legitimation*. Basingstoke: Palgrave Macmillan.
56. Wood, Jennifer (2006) 'Research and Innovation in the Field of Security: A Nodal Governance View', in Jennifer Wood and Benoit Dupont (eds.) *Democracy, Society and the Governance of Security*, pp. 217-240. Cambridge: Cambridge University Press.
57. Wood, Jennifer and Nancy Cardia (2006) 'Brazil', in Trevor Jones and Tim Newburn (eds.) *Plural Policing: A Comparative Perspective*, pp. 139-168. London: Routledge.
58. Wood, Jennifer and Clifford Shearing (2007) *Imagining Security*. Cullompton: Willan.
59. Yoshida, Naoko (1999) 'The Taming of the Japanese Private Security Industry', *Policing and Society* 9(3): 241-161.
60. Zedner, Lucia (2003) 'Too Much Security?', *International Journal of the Sociology of Law* 31: 155-184.
61. Zedner, Lucia (2009) *Security*. London: Routledge.

PRIVATIZATION OF SECURITY IN MACEDONIA: GENEALOGY AND CONTEXTUALIZATION

Biljana Vankovska, PhD

Institute for Security, Defence and Peace Studies

E-mail: biljanav@fzf.ukim.edu.mk

Abstract

The paper examines genealogy of privatization of security in the Republic of Macedonia since the state gained independence from Yugoslavia in 1991. The basic premise is that the process has been complex including both external and internal factors but also it was affected by the developments that shaped the Macedonian statehood and influenced them in return. The article singles out three research questions: what were the causes of privatization of security? What shapes it has taken during the long process of democratic transition? What have been the consequences of the 2001 intra-state conflict on the privatization of security and vice versa? The starting hypothesis is that failure to achieve a satisfactory level of democratic governance during the last 25 years predetermined the state of affairs in the sphere of private security, and vice versa - the blended boundaries between State, party/parties and business interests resulted into privatization of both State institutions and security structures (be they public or private). The Macedonian case represents an adequate example of a failed democratization with perverted privatization of power and security.

Key words: privatization, security, Macedonia, state building, democratization.

1. Introduction

Conventional wisdom has it that privatization of security is an ongoing and widespread process on national and international level. Nevertheless, when it comes to its forms, actors and repercussions - the comparative studies display lot of differences due to the

changeable influence of a number of factors (such as historical context, economic, political and societal milieu, etc.). It may affect military, intelligence, penitentiary and internal security realms. As privatization in general affects all spheres of modern societies and beyond, the same is true for the security sphere that not so long ago used to be an exclusive field for state monopoly over use of force.

This article is focused on a particular post-socialist state and its experiences in terms of privatization of security. Hence, the key methodological approach is a case study. Yet the introduction calls for elaboration of the way privatization of security is understood and applied in this very research. Privatization of security is both a phenomenon and process; its dialectical nature inevitably implies static and dynamic dimension as well as interplay of its causes and results. Its essence lies in the gradual move of responsibility for providing security for citizenry from governmental to nongovernmental hands (Mandel 2001, 129). This change takes place in various circumstances, so use of private security groups is commonly found both in cases of state failure or in well-developed states under the pretext of increasing efficiency and reduction of state costs related to security provision. The actors which perform these duties are also highly diverse, ranging from non-state armed actors to formally established private military/security companies. The customers also vary from governments that prefer outsourcing to multilateral peacekeeping organizations, humanitarian agencies, and corporations especially in the extractive industry (International Alert 2000, 5). Seen through the prism of these entities' organizational forms, functions and clients different sets of issues are raised. It is especially a case since 1990-ies when some analysts proclaimed the beginning of the "age of privatization" (Thompson 1996, 34). Also according to Deborah Avant (2004, 153) "perhaps the most dramatic incursion of the private sector into public policy is in the realm of security".

The recent history of the Republic of Macedonia witnessed a few very important developments that influenced the emergence of privatization of security. First, the state failure of former Yugoslavia meant inability to sustain state monopoly over the use of force. It opened the door for a number of non-state and para-state actors to overtake state's security functions. The ten peaceful years in Macedonia (1991-2001), unlike the other parts of former Yugoslavia, enabled the start of political transition towards liberal democracy but also economic liberalization. It was exactly the time when the first private security companies emerged in the grey zone of not fully regulated security sector. The intra-state conflict in 2001 imposed new challenges: the Albanian paramilitary forces challenged not only the state security system but also the constitutional order. The defense and especially police forces went through a process of 'privatization' that eroded the state system from within. Finally, a

foreign private military company (MPRI) appeared to be involved in the conflict dynamics. The post-conflict period has brought normalization of the societal and political disturbances, while the private security sector has started to get its modern form through a more rigorous regulation and functioning alike the private security industry in developed states. In the military sphere however the globalization has been taking its price: having being involved in a number of international military interventions (such as the ones in Afghanistan and Iraq), the Macedonian soldiers have gotten in touch with foreign private entities and the contractor business has opened new job opportunities for the poorly paid and dissatisfied military and police officers. In short, also a small and newly independent state in the European periphery, the Macedonian case offers a rich ground for research of privatization of security.

For methodological purposes, the article deals with the process of privatization of security in its' military and internal security dimension.

2. Military Dimension of Privatization of Security in Macedonia

Dissolution of SFRY meant not only state collapse (including its security system) but also birth of a grey zone of engagement of numerous paramilitary and parapolice actors that filled the security vacuum and acted with no legal (and even less moral) ground (Kaldor 2012). No wonder the post-conflict period witnessed a myriad of problem related to demobilization and integration of former combatants. In some cases, the newly established private security sector (private security companies - PMCs) absorbed a part of these people, while others have decided to offer their services in other war zones in the world (for the case of Croatia see Vankovska 2002).

Macedonia was the only peaceful actor in the Yugoslav drama. She avoided any violent scenario and gained independence in a peaceful manner. This fact reflects *inter alia* on her uniqueness when it comes to the transformation of one state security sector into another, and at the same time avoiding any parallelism in terms of security provision for the citizens. For ten years, the Republic of Macedonia was dubbed an "oasis of peace". The divorce from the rest of Yugoslavia was peaceful but the security sector had to be built from the 'ground zero': the Yugoslav People's Army removed not only its units but also all military equipment from Macedonia's territory. While some minor political forces and individuals were debating the concept of demilitarized state (state with no army) the process of birth of the new army (the Army of the Republic of Macedonia - ARM) had been ongoing. The police units and the units of the Territorial Defense were first to fill in the gap so in April 1992 they took over the border

protection (Gocevski 1990). More importantly, there was no spontaneous or orchestrated formation of non-state formations (such as village guards, paramilitary forces or militias) as it was the case elsewhere in the beleaguered region (Vankovska and Wiberg 2003). The military sector was build-up out of nothing, while the police continued doing its primary job. At glance, Macedonia seemed to have moved quite smoothly towards normal democratic transition. However, the societal contradictions were smoldering beneath the surface.

Having boycotted the referendum on independence as well as the adoption of the new Constitution in 1991, the ethnic Albanian population was following the state-building process reluctantly. Because there had been few military and police officers of Albanian origin, the security structures could not reflect the ethnic composition of the Macedonian society. The perception of the army and the police depended on one's ethnic origin. Albanians were distrustful toward the Macedonian-dominated structures, while the Macedonians were enthusiastic with regard to everything that concerned their first independent state. In a few occasions, police forces intervened in the Albanian-populated regions due to mounting tensions on criminal or ethnic/political ground. With regard to the military service, the young Albanians were refusing to be recruited in the ARM, but the state officials preferred to turn their blind eye rather than to prosecute the youngsters and to likely produce unrest (Vankovska 2005). Despite the fact that all Macedonian governments were coalitions with an Albanian party as a member, there was a deep gap of distrust on a political and societal level. In November 1993, a scandal was disclosed within the ranks of the MoD. The police arrested a number of high officials of Albanian origin (including a deputy minister of defense) and charged them of attempting to establish paramilitary forces. Their intentions ostensibly would have been to separate 'Illiryda' by force, and to unify it with Albania and independent Kosovo. The situation did not escalate but it was a public secret that many Albanians were illegally armed, especially after the collapse of Albania in 1997. Escalation of the Kosovo conflict echoed strongly in Macedonia, so many Albanians voluntarily joined paramilitary force across the border (UCK); as a result, many of them got useful military experience to be put in function during the 2001 conflict in Macedonia.

The 2001 conflict officially took place between the state security forces and the Albanian paramilitary forces (National Liberation Army - NLA). According to some analysts, the total number of NLA fighters was not more than two or three thousand, and "among them were a few hundred so-called 'dogs of war', who had gained experience at the fronts in Croatia, Bosnia and Kosovo. Most were Kosovars, former or current members of the Kosovo Protection Corps, KPC, who had been trained and armed by foreign advisors before and during NATO's war against Milosevic's regime. They also included a group of Mujahidin's who had been in the

Balkans for a long time. These extremist formations were highly mobile, equipped with sophisticated western arms. They were the most dangerous adversaries for the Macedonian security forces but they also intimidated those Albanians in the occupied parts of Macedonia who did not agree with the NLA goals or methods" (Ordanoski 2004, 19-20).

However, there was far more than one private security actor involved in the Macedonian conflict. There were clear signs of state institutions incapacity to respond properly and timely. As the crisis was going deeper, the entropy of power structures was getting obvious. In order to provide more security the state was getting weaker - i.e. the state strength security dilemma was at place. It resulted into certain forms of 'privatization of security' on the Macedonian side of spectrum: in some villages the inhabitants self-organized in night guards, while the ruling Macedonian party (VMRO-DPMNE) was seen to have armed some civilians and party members as volunteers in order to respond to the advancing Albanian forces (Lock 2003). The already weak state was getting even weaker: the Mol organized Special Forces "Lions" in a legally dubious way (along with already existing "Tigers"). The then Minister of Interior, Ljube Boskovski, drafted volunteers mostly according to party affiliation criteria. He described the Lions as "healthy men from peasant and working class families who have Macedonia first in their hearts. There is no reason why Macedonia should be disturbed because of them ... The Lions will provide back up and logistical support for the operations of the Tigers. They'll help in cases of natural disasters, searching houses for arms, and so on." (quoted by Ordanoski 2004). Probably the most remarkable example of dysfunctional and 'privatized' state structures was the case of Johan Tarchulovski (later on the Hague convict for war crimes). At the time, he served as police officer acting as an Escort Inspector in the President's Security Unit in the Mol. At one occasion, in August 2001, he led a police unit, which undertook a vengeance activity against alleged Albanian fighters in the village Ljuboten, nearby his own home village. In the verdict in the case of Ljube Boskovski (who was also put on trial but acquitted) the Hague Trial Chamber noted that "a serious failure of the functioning of the police and the responsible Macedonian authorities"; in the verdict against Tarchulovski the Chamber found that he was himself acting under orders during the operation, but "the evidence does not enable the person or persons responsible for the orders to Johan Tarchulovski to be identified. The circumstances confirm it was a person or person's superior to him," (ICTY Press Release 2008).

Another element in the puzzle of privatization of security during the conflict (and even prior to it) was the involvement of an American PMC, MPRI that had already been present in Croatia, Bosnia and Kosovo (Vankovska 2002, Avant 2004). During the Macedonian conflict, i.e. the Arachinovo battle in June 2001, there were allegations that 17 'advisors' of

MPRI took part on the Albanian side (Deliso 2002). Although it was hardly possible to verify the scope of engagement of MPRI (the PMC denied all allegations and due to the seriousness of the situation and the direct involvement of USA in the conflict management no objective researcher could confirm them), the company left the country under murky circumstances. However, this incident left a bitter feeling that the US government had been involved by proxy in favor of the Albanian side both in Macedonia and in the region. This sentiment has had a significant impact on the inter-ethnic relations in the years to come.

The international community (i.e. USA, EU and NATO) had been deeply involved in the conflict management and as a result, the representatives of the four main political parties signed the Framework Ohrid Agreement in August 2001. One of the first measures undertaken in the conflict aftermath was demobilization and disarmament of NLA fighters, followed by general amnesty for all participants in early 2002. Yet a comprehensive DDR project has never undertaken. The NLA top brass was quickly integrated into the political elites, following transformation of NLA into a political party (DUI) prior to the 2002 parliamentary elections. Since then they have been practically one of the coalition government's key partners but the problem of reintegration of former NLA combatants has not been resolved in a satisfactory manner. Some of these people have been involved in smaller paramilitary or criminal groups that committed various unlawful activities ever since. Demobilization of the police reservists and reparations for their health and other harms is also one of the hot issues in the Macedonian politics. In early September 2001, the NATO special envoy used the rhetoric of 'para-police forces', while the official government's stand was that they were legal part of the security system. The OSCE Mission chief concluded, "the meaning of the term 'paramilitary' often is not clear." Under external pressure, following the agreement for incorporation of the "Lions" into either police or army units this formation was disbanded. Throughout the years, a number of former NLA commanders (including even suspects in war crimes trail) have gradually joining police and army ranks. The post-conflict peace-building efforts have been put on security sector reform but with little attention on all players and actors that are not part of the public sector (Sotlar 2009, 491). The conflict aftermath witnessed an increased number of private security companies (SAS Special Report 2004, 18). There are no verified data on the number of former NLA combatants or reservists/former police officers that have turned to the private security industry.

Joining NATO and EU have become focal strategic goals especially in the post-conflict period. The military and police reforms have accelerated in hope that Macedonia will join these organizations in due time. However, the plan has been prolonged continually given the Greek blockade over the so-called name-issue. In order to satisfy its partners (primarily, the US) and

to speed up the process, the government has supported the military interventions in Afghanistan and Iraq. At home, there was increasing discontent among the professional soldiers and officers who were dismissed or expected dismissal over the set age. A number of them decided to leave the Army (or police) in order to join contractor firms in Afghanistan and Iraq. The problem however has been pushed under the rug and disregarded at least on a public level. However, the state loses some of its best professionals due to better offers made by (British or the US) PMCs. The state is obviously unable to deal with the market competition with foreign PMCs. At the end of the day, all the state investments and NATO (and allies') funds that are supposed to strengthen the Army practically serve the capacities of private security actors at the international level.

3. Internal Dimension of Privatization of Security in Macedonia

The new liberal political and economic system was introduced on a normative and formal level relatively quickly in 1991 but the process of institution building and particularly of democracy building has been quite troublesome. The process publicly known as 'criminal privatization' took place in the economic sphere: the societal ownership was transformed into private ownership in a way that has generally been seen as dubious. It was followed by redistribution of social wealth, while societal inequality as well as the increase of unemployment rate has become a constant feature of Macedonia's transition. Hence, privatization as such has negative meaning in the collective awareness of the citizens. The transition's effects have been disastrous and long lasting. Nevertheless, the state has come under the sway of (crony) capitalism alike the other post-socialist states. In that, respect Horvat and Stiks (2012) rightly point out the following regional situation: "In spite of the rhetoric of incompleteness, we can observe that the free market reigns supreme; post-socialist Eastern Europe is fully incorporated into the capitalist world in a semi-peripheral role. In practice, this means the availability of cheap and highly educated labor in proximity to the capitalist core, a quasi-total economic dependence on the core and its multinational banks and corporations, and finally the accumulation of debt. On the political side, liberal democratic procedures formally seem to be there." Liberalization, market deregulation and privatization have become three holly words of neoliberal modernization; yet the expected success is missing. One should however keep in mind that privatization has been under harsh critique even in the most developed states. For instance, some authors argue that "neoliberal privatization is suffering from a legitimacy crisis, an efficiency crisis (concerning prices, quality

and access), and a crisis of profitability – but crises do not necessarily lead to an end to privatizations, rather they lead to new ways and strategies for making them more effective” (Candeias, Rilling and Weise, 2008). In this context, a question about privatization of security imposes itself: is it possible to distinguish “private security industry” from the rest of the private business? Could it be a success story under such societal and economic circumstances? What success and for whom?

The appearance of the first private security companies in former Yugoslav countries coincided with the transformation of the economic and political system at the beginning of the 1990s (Mesko et al. 2004). Actually, “re-birth” of private property (Sotlar 2009, 491) and neoliberal economics provided ‘need’ for new forms of providing security for private purposes. Comparison with developed states and arguing for the intrinsic necessity of ‘plural policing’ in a weak state with *de facto* no economy is somewhat problematic, especially in terms of the legitimacy and credibility of the private security services. It will take long time to come to terms with criminal privatization and with the notion that many businesspersons and rich people may have earned their capital and are allowed to use non-state security services. Weak state by default rests on a security apparatus to keep the problematic society together thus being entangled in state-strength dilemma (Holsti 1996). Its economic and other weaknesses result into weak police forces and inept and corrupted state administration that make many people prefer paying for their safety. Tholens and Strazzari (2008, 2) quite accurately spell out the dilemma between the democratization, state-building process and privatization of security arguing that “delicate questions of political loyalty and clientele blend with externally imposed imperatives to decrease state expenditures and create a free-market economy, creating a market for private security services.”

The methods of development of the new security business in post-socialist states correspond to the developments in Macedonia. Cvetkovski (2014, 3-4) rightly points out: “In such blurred, fluid circumstances and not-regulated conditions and criteria, the initial appearance and practice of private security was following two obvious paths. The first one referred to establishment of private agencies at service of the new ‘businessmen’, celebrities, controversial politicians as well as of certain structures of organized crime. The second path of emergence and development has been going through formation of private agencies that overtook the job of the former in-house guards and keepers employed in the socialist state enterprises. Typical for both ways of development of this new transitional business was their becoming synonyms for racketeering, blackmail etc. as a result of symbiosis between the organized crime structures and corrupted government.”

Number of (retired or active) police professionals, who took initiative to launch the new business as early as in 1994, saw private security as a window of opportunity. The development of the private security sector has been advancing with some characteristic features. Each power elite was assisting birth of new enriched “businessmen”, who needed protection of their welfare and businesses offered by private security firms. In the words of the former minister of interior Pavle Trajanov, “in the first years after the independence it was a matter of prestige for anyone who had gained certain capital to engage a bodyguard, to be seen at public places surrounded by armed people, who were often with shaved heads. Some of those wild agencies got involved into operations of enforced debt-collection, racketeering, disturbance of public order, and even physical attacks, etc.” (Komora na Republika Makedonija za privatno obezbeduvanje, 2015: 28).

Privatization and liberalization of the market for private security services in Macedonia has been carried out with practically no institutional or legal experiences in this sphere. In former Yugoslavia (and for the same matter in Macedonia) there was a legal and state-sponsored activity of protection of property and persons, which was an integral part of the Directorate for Public Security, i.e. Ministry of Interior. The assets under protection were in societal property, while the Law on Societal Self-Protection regulated the competences of the police officers in this realm. Yugoslavia’s disintegration did not mean automatic suspension of the inherited legal system. To the contrary, it was a gradual and painful process. It took quite some time after the adoption of the 1991 Constitution of independent Macedonia to bring new legislation in various spheres. When it comes to private security regulation, the period between 1991-1999 was limbo, a grey zone (particularly, having in mind that the first private security agency was established in 1994): there were individuals and groups with interest and with some professional experience but they carried out their business with no clear regulation. The compromise solution was to establish a firm for a vast range of services where security services were enlisted as “other”. Since 1994, the number of private security firms has been growing steadily depending on the market needs, sustainability and competition. The 1999 law established the first legal criteria in this sphere, which mean elimination of all those actors who were unable to adapt to the legal requirements.

At some point, the focal point of market competition was the licensing as business *per se*. Establishment of a special (commerce-like) chamber for security of persons and property was of a crucial importance. At one point, two competing chambers offered their services to the growing number of people who saw private security services as a matter of making for their living (Crvenkovska 2009). Only when this situation was clarified i.e. the law

stipulated that there should be one single Chamber - things moved in a more regular direction.

This dualism opened a public debate over the status of private security industry - or more precisely, about the exact number of people under arms in addition to the regular police and army structures. The second crucial issue refers to their direct or indirect links to the police top brass, power centers and political parties. For instance, in 2006 a journalist noticed that high police officials from the city (Karevski 2006) managed all PSCs in Bitola, with exception of only one. Some analysts treat them as para-police structures that outnumber the total capacity of the state police structures.

The official web site of the Chamber for Private Security currently displays the names and other data of 43 private security companies (with not a single foreign firm among them). Certain data from different sources have been indicating far bigger number of agencies but in reality not all of them have been active all the time (which is the case with all commercial subjects regardless the realm of work). The fact that some economic subjects have their in-house security staff makes the whole picture more complex and it is hard to give exact figures of employees in the private security field. Having in mind the economic and societal context, one could hardly expect a developed security industry in a poor and economically weak state. The reality check shows that the most of the active PSCs are with small capacities (the number of employees per security agency ranges from 5-10 people up to 200). According to the available data of the Confederation of European Security Services (COESS), three top agencies concentrate in their hands the biggest share of the security services' market - 47% in total. In 2010, there were 165 registered private security agencies, out of which only 135 were active. In total, the number of employees reached 4000. According to the data of the Central Register Office of the Republic of Macedonia, in April 2016, only 64 legal subjects have been involved in the private security business with 2171 employees. Seen through the time prism, since 1994 up to date, things have evidently moved from a grey zone to a well-regulated commercial sector with improved professional performances. What used to be an exception or something associated with protection of the members of the elite, today becomes an everyday phenomenon. The members of various private security agencies may be seen on a number of public spaces, events, and even as security guards of some state institutions. The number of private (individual) clients is still insignificant as a source of profit due to a number of reasons but it is obvious that the State is the main and the richest client of some PSCs, selected primarily on the ground of their closeness to the ruling party/parties.

4. Conclusion

The analysis shows that when it comes to the military dimension of privatization of security, the country has a rather dubious experience with a foreign PMC, and suffers the effects of export of its own military stuff to PMCs abroad. In terms of the internal dimension the Republic of Macedonia deals with similar legacies and faces same challenges as the ones present in the neighboring countries especially with regard to weak legal regulations, unprincipled market competition, and insufficient democratic control.

The state of affairs in the field of private security is a consequence of the general economic and political standing of the country. For instance, synergy and personal ties between former and current high police officials within *partitocrazia* provide vast opportunities not only for lucrative deals but also even for privatization of State as such. For quite some time prior to the escalation of the current political and constitutional crisis, the situation in Macedonia had been described in the following way: "Macedonia's governance may best be described as formally democratic. This qualification reflects a number of problems affecting the country, including clientelism, nepotism and corruption, a weak and politicized administration, restrictions on freedom of the media and a growing fixation on »national« issues." (Denhert 2010). The future challenges in this realm include dubiousness of the transfer of police duties to PSCs workers due to the alleged similarity of public and private security officers that calls for their equal treatment. In addition, there are still warnings about possible violation of human rights and democratic principles.

Bibliography

1. Avant Deborah, "The Privatization of Security and Change in the Control of Force", *International Studies Perspectives*, 5 (2004).
2. Candeias M., R. Rilling and K. Weise, "Crisis of Privatization – Return of the Public Sphere", *RLS Policy Paper*, no. 1, 2008
3. Crvenkovska Natasa, "Nestabilnost vo sektorot na bezbednosta", *Globus*, 22 September 2009, available at: <http://www.globusmagazin.com.mk/?ItemID=95865D023B9BF14593CA89F360AF35F2> (accessed on 10 October 2016)
4. Cvetkovski Grozdan, *Razvojot i perspektivite na privatnata detektivska dejnost kako know-how profesija vo postkomunistickite drzavi*, Sofia: Balkan Analitika, 2014

5. Deliso Christopher, "[Macedonia - A Connection Between NATO and the NLA?](#)", Antiwar, 23 January 2002, available at <http://www.freerepublic.com/focus/news/613620/posts?page=107>
6. Denhart Stefan, "Elections and Conflict in Macedonia", FES Country Analysis, February 2010
7. Dimitrievski Aleksandar, "Talat Dzaferi go potvrđi unapređuvanĵeto na Shevalj Etemi", TV Alfa, 7 October 2013, available at: <http://www.alfa.mk/News.aspx?ID=64339#.VzsY0zV97IU> (accessed on 9 October 2016)
8. Gocevski Trajan, Kolektivnata bezbednost i odbranata na Makedonija, Kumanovo: Prosveta, 1990
9. Horvat Srecko and Igor Stiks, "Welcome to the Desert of Transition! Post-Socialism, the European Union, and a New Left in the Balkans", Monthly Review, vol. 63, issue 10, March 2012, available at: <http://monthlyreview.org/2012/03/01/welcome-to-the-desert-of-transition/> (accessed on 10 October 2016)
10. ICG Report "Macedonia: No Time for Complacency", October 2003, available at: <http://www.crisisgroup.org/en/regions/europe/balkans/macedonia/149-macedonia-no-time-for-complacency.aspx> (accessed on 9 October 2016)
11. ICTY Press Release, Boškovski Acquitted and Tarčulovski Sentenced to 12 Years' Imprisonment, 10 July 2008, available at <http://www.icty.org/sid/9943> (accessed on 9 October 2016)
12. International Alert, Privatization of Security and Peacebuilding: A Framework for Action, IA: London, 2000.
13. Jones T. and T. Newburn, Private Security and Public Policing, Oxford: Oxford University Press, 1993
14. Karevski Goce, "'Стрежево' ги отпушти чуварите и ангажира приватна агенција", Utrinski vesnik, 16 October 2006, available at: <http://star.utrinski.com.mk/?pBroj=1523> HYPERLINK
"<http://star.utrinski.com.mk/?pBroj=1523&stID=18767&pR=3>"& HYPERLINK
"<http://star.utrinski.com.mk/?pBroj=1523&stID=18767&pR=3>"stID=18767 HYPERLINK
"<http://star.utrinski.com.mk/?pBroj=1523&stID=18767&pR=3>"pR=3
(accessed on 9 October 2016)
15. Lock Lars, Macedonia: A Conflict Analysis, SIDA, 2003

16. Kalajdziev Gordan, "Privatno obezbeduvanje ili parapolicija", Mislenje na "Transparentnost Makedonija", December 2012, available at: [http://www.transparentnost-mk.org.mk/Upload/dokumenti/20121207Mislenje-za-Predlog-Zakonot-za-privatno-obezbeduvanje\(1\).pdf](http://www.transparentnost-mk.org.mk/Upload/dokumenti/20121207Mislenje-za-Predlog-Zakonot-za-privatno-obezbeduvanje(1).pdf) (accessed on 9 October 2016)
17. Komora na Republika Makedonija za privatno obezbeduvanje 2000-2015, Skopje: Komora na Republika Makedonija za privatno obezbeduvanje, 2015.
18. Mandel Robert, "The Privatization of Security", *Armed Forces and Society*, vol. 28, no. 1, 2001.
19. Mesko et al (eds.), *Policing in Central and Eastern Europe, Dilemmas of Contemporary Criminal Justice*, Ljubljana: Faculty of Criminal Justice, 2004.
20. Ordanoski Sasho, "Lions & Tigers The Militarisation of the Macedonian Right", in: *The 2001 Conflict in FYROM - Reflections*, Conflict Studies Research Centre, June 2004, available at: [http://isndemo.atlasproject.eu/asset_demo/file/1b5303b9-d218-4ccc-b009-8f41c86a8461/d3b1d8a9-ecb6-4063-8b13-c4177bf822c0/\[4\].pdf](http://isndemo.atlasproject.eu/asset_demo/file/1b5303b9-d218-4ccc-b009-8f41c86a8461/d3b1d8a9-ecb6-4063-8b13-c4177bf822c0/[4].pdf) (accessed on 9 October 2016)
21. Popovic Z. and Z. Gajic (eds.), *Kroz tranziciju: prilozi teoriji privatizacije*, Novi Sad: AKO, 2011
22. Small Arms Survey Report. Grillot, S., Paes, W., Risser, H., Stoneman, S. (eds.), *A Fragile Peace: Guns and Security in post-conflict Macedonia*. UNDP and the SAS, SEESAC 2004
23. Sotlar Andrej (2009), "Post-conflict private policing: experiences from several former Yugoslav countries", *Policing: An International Journal of Police Strategies & Management*, vol. 32, no 3
24. Thompson Mark, "Generals for Hire," *Time*, 147 (January 15, 1996).
25. Vankovska Biljana, "Ethnic-Military Relations in Macedonia". In Albrecht Schnabel and Hans-Georg Ehrhart (eds.) *Security Sector Reform and Post-Conflict Peacebuilding*, Tokyo: UNU Press, 2005.
26. Vankovska Biljana, "Privatisation of Security in Croatia" in Damian Lilly and Michael von Tangen Page (eds.), *Privatisation of Security and Security Sector Reform*, (London: International Alert, 2002): 55-90

THE CRIMINAL LAW AND THE PRIVATE SECURITY

Aleksandra Deanoska – Trendafilova, PhD
Institute of Criminal Law, Faculty of Law "Justinian I"
"Ss. Cyril and Methodius"- Skopje
E-mail: aleksandra_deanoska@yahoo.com

Abstract

The criminal law and the private security are undoubtedly connected. Namely, the criminal law as a part of the legal science that has accessory dimension protects different individual and collective rights and liberties and other goods and values.

The legally set objective of the private security is "prevention and detection of harmful activities and illegal actions that threaten the physical integrity and dignity of the person and property". This unquestionably implies a connection with some fundamental institutions of the criminal law.

In respect with the criminal substantive law, private security workers need to act within the limits of the provisions of the Criminal Code for the illegality as an element of the offense, the provisions on self-defense and extreme necessity, the foundations and boundaries of the exclusion of illegality, unlawful arrest, the incriminations against violations of life and body, crimes against property, privacy etc.

Some criminal procedural aspects are also relevant to private security primarily the detention within the boundaries set for perpetrators in flagranti.

Another important, yet divergently set segment of this relationship is the possibility of private security workers also to appear in the role of perpetrators of criminal offenses and misdemeanors by exceeding and abusing their powers.

The paper also sets out the main areas of the criminal legislation significant for the private security workers.

Key words: criminal law, private security, criminal offence, illegality.

1. Introductory remarks

The Criminal law is one of the fundamental legal disciplines, which have accessory nature, meaning that its subject is aimed at protecting the rights, which are primarily provided and positioned in other legal disciplines and other areas. Thus, criminal law through its incriminations is actually the last method - *ultima ratio* in protecting the rights, values, interests etc., determined as in family, civil, property law, in the field of economy, health, medicine, security etc.

The establishment of specific offenses tied around one specific object of protection, no matter whether it is a human right, value, phenomenon or concept, challenged the doctrinal phenomenon of "atomized criminal law" - criminal law atomized disciplines. In recent decades, science has seen the emergence and development of, for example, medical criminal law, economic criminal law, cyber-criminal law, organized crime, security law etc.

The aforementioned situation is due to the increased number of criminal offenses with a specific binding point that is not always subject to or at least not a generic object of protection. Therefore, criminal lawyers usually point out that new types of offences arise, for example, computer crimes, which are actually placed and classified in different chapters of the Criminal Code, depending on the central object of protection. Here we face new dilemmas related to issues of systematization, namely, we often stand before the question - whether certain crimes should be moved into a new separate chapter (e.g., computer crimes, crimes of domestic violence, security crimes etc.) or to retain the existing systematic approach.

Regarding the question of the relationship of security (in particular private security) and the criminal law, the situation is even more complex because it does not apply only to the incriminations that link these two variables, but also the general part institutes (self - defense, necessity) and procedural law terms (deprivation of liberty) take part in this relation.

2. The security as a value under criminal law protection

Given that the criminal law as one of its basic functions has the protection of individual rights and the common functions of life within which the basic legal goods and values are set, the security as one of the fundamental values of human relations is undoubtedly subject to such protection.

The definition of the term security is in itself a complex challenge to resolve. There are various theories about what security constitutes depending on the level of consideration.

Moreover, according to some authors, each level sets the security as a separate entity. In this sense, we are talking about individual security, social, state and international security.

In its most extensive meaning, the security is analyzed and its determination is based on several approaches and concepts: structural, realistic, functional and structural - functionalist theory of security, dialectical, systematic, formal, idealistic and liberal (i.e. neoliberal) theory and theory of interdependency relations.

A more simplified approach broadly determines the security as an action to prevent accidents and adverse events that primarily takes into account two variables: the volume and value of risk at stake.

With no intention of entering into a broader theoretical explication of the concept of security, we will try to bring it in correlation with the system of criminal law science.

The security (or "safety" as it is often regarded as synonymous in criminal law discourse) is a value that is inseparably linked to the peace, law and order as preconditions for the existence of other legal values that are the focus of legal axiology as part of the philosophy of law. Thus, the link between security and the law, in particular the criminal law is undeniable. The security is not the only value that needs to be provided in the direction of common functions of life, but also the right of each individual in society and above all, it should be provided by the state.

The private security develops more profoundly the last decades as a result of the collapse of the state security systems in certain countries, in the best case, of the inability of states to provide the satisfactory level of protection and security of any legal good of the citizens, regardless whether it is to protect the physical integrity, material goods or the privacy.

Today the development of the private security is thought to have been largely due to the "rebirth of the private property" and the need to provide protection from damage while the determination line between national priorities and private security is reflected in the fact that the prevention of damage dominates in the private security, while the state primarily protects security by ensuring justice in society (through the criminal justice system).

The private security in Macedonia formally started its development with the adoption of the first Law on Protection of Persons and Property in 1999 and in late 2012 followed the adoption of the new Law on Private Security. The private security concept in the Macedonian scientific theory is defined as a necessary activity oriented towards the optimization of security through the prism of strict commercialization, which means providing services through contracts for maintenance of security companies and primarily the protection of people and property.

The crossing point of criminal law and private security can be easily noted from the legal definition of private security, which according to the Law on private security, is an activity of public interest aimed at "prevention and detection of harmful occurrences and illegal actions that threaten the physical integrity and dignity of the person and the safety of the property."

The illegality mentioned in the definition is a separate criminal justice institute and legal goods such as bodily integrity, dignity and property enjoy special criminal law protection.

The illegality as institute covered by the definition of private security is a common element of the notion of crime, because as according to article 7 of the Criminal Code, the offense is an unlawful act, stipulated by the law as such and with milestones that are defined by law. In other words, the illegal attack meets the characteristics of a crime and private security entities protect persons and property from committing crimes against them.

Therefore, we can conclude that the Law on private security is a *lex specialis* for the private security sector, but the powers of the security workers provided with this act are limited within the institutes of criminal law, established in the criminal legislation (certain provisions of the Criminal Code and the Criminal Procedure Code).

3. At what points do exactly criminal law and private security meet?

As already noted, the private security workers have legal competences to prevent harmful and illegal actions. Therefore, they provide physical and/or technical security, physical protection, etc.

Some authors emphasize the fact that the general crime, crime against the state and commercial crime dominate among the forms of endangering persons, property and business.

Several examples can illustrate the relationship between both of these areas: criminal law and private security. Thus, for example, cases where the private security worker rejects the attack caused by a person to another one or to a property that has been secured are situations close to the criminal law institute called self-defense. When preventing the harmful effects of natural and other dangers like fire, flood, etc., the private security workers are in situations that in the criminal law are called conditions of extreme necessity. Furthermore, in the exercise of their powers, the private security workers have the right to keep a person deprived of liberty if he/she was caught committing a criminal offense that is prosecuted *ex officio*.

Hence, the workers of private security in the application of their powers and competences may intentionally or unintentionally overstep their authorities and be held criminally liable. Therefore, this implies that the private security workers must keep their actions to permissible limits, within those established by the Law on private security as well as the norms of criminal law.

The relationship between the criminal law and the application of the private security undertakings can be divided into three potential scenarios:

1. Criminal law is a source and complements the bases for the powers and competences of private security workers to ensure that they are placed within the limits set up for the general institutes of the criminal law.

2. The private security workers directly protect the goods and values already protected by the norms of criminal law through prevention of committing crimes.

3. The private security workers directly violate the norms of criminal law and become perpetrators of criminal offences.

The connection of the binding points can be detected in the following potential situations: the physical security with inappropriate use of force by private security worker (or the so - called going over limits of the third person defense as a form of self-defense) that may result in bodily injury, murder, participation in a fight etc. or assault or participation, causing or inciting a fight) or lack of boundaries while protecting assets against attacks on physical integrity; the technical security measures may result in violations of privacy and protection of personal data, where the responsibility is mostly in a form of a misdemeanor and criminal liability may occur in the form of a secret unauthorized disclosure or misuse of personal data.

The by law adopted in order to provide operationalization of certain provisions of the Law in private security - Guidelines on the application of means of force in its provisions obviously respects the restrictions in application of force arising from the criminal law institutions regulated in the Macedonian Criminal Code.

Accordingly, we can conclude that the Guidelines in specific domain even narrow the limits of actions of workers of private security than those existing for the self-defense. Namely, when private security worker performs his/her duty, the attack that is coming should be immediate, meaning direct and an act of endangering life or property. Thus, he/she cannot act on an attack on the honor or reputation of a person.

The right to self-defense in line with the Criminal Code of Macedonia belongs to every citizen and it is not limited on these legal goods as for the private security, which is logical because private security is narrowly defined activity with specific targets.

However, what the Guidelines do not elaborate is, for example, the time limit the defense can last to. This of course, does not mean that the private security worker should carry out actions aimed at "defense" when the attack stopped. Criminal law is a "ceiling" for determining the boundaries of the action, so, as it is already mentioned, if the private security worker takes action that would result in bodily injury, for example, after the attack ceased, would be criminally liable.

Problematic issue that arises in this context is whether or what kind and to what extent means of coercion may be applied for "direct unlawful assault aimed at destroying, damaging or disposal of property". Attacks targeting destruction, damage or alienation of property are actually meeting the elements of a certain offense against property (subtraction of objects of other people, damaging items, various forms of theft etc.).

There are different standings in the criminal law theory on this issue. According to some views, the attack on the property allows the defense to, in fact, damage higher legal good (which is present in common law systems).

Most modern legislations, particularly the European ones, belonging to the civil law tradition system make a distinction between an attack on the person and attacks on property, whereas in the second case set stricter restrictive criteria (so, for example, in a case of an attack on property, one has no right to shoot the attacker).

These issues actually affect the institute proportionality partly discussed above. The law requires proportionality through the establishment of the institute excess or excess of self-defense. The requirement for proportionality is primarily addressed to the intensity of the defense that should to be close to the intensity of the attack. Although the law does not require proportionality of the goods, the general principles of criminal law do not allow to an attack on property, for example, responding with infliction of serious bodily injury or death.

Even the practice of the European Court of Human Rights in Strasbourg through its judgments implies the right to life must be accordingly protected.

Another criminal law institute important for private security workers is the extreme necessity, which is also a basis for the exclusion of illegality.

In relation to the legal definition, an act committed in extreme necessity is not considered a crime. Extreme necessity exists when the crime was committed in order the offender to deter from himself or from another, simultaneously happening danger not caused

by someone's fault, that otherwise could not be removed, while the evil done is not greater than the evil that has threatened.

As the case is in the self-defense institute, here also exists a special form - due assistance. In fact, generally, any person can put off the danger, which threatens the other, but in this case, there are special categories of persons who are obliged to act in dangerous situations. Examples include firefighters, police officers, doctors etc. In certain cases, this also applies to the private security workers. Art. 10, para. 4 of the Criminal Code of Macedonia stipulate, "There is no extreme necessity if the perpetrator was obligated to expose him to a danger." For example, in case of fire, the firefighter must not take another person's vehicle to escape, but rather should put himself at some risk in order to rescue people. Police officer should also not try to avoid intervention during a fight just because he might be assaulted, because his duty is to expose himself to that danger in order to terminate that situation. The private security workers are also expected to put themselves in danger situation when they are performing their duties since that is the nature of their tasks.

One of the other duties and competences that the private security workers have is the detention of persons, which by nature represents a form of deprivation of liberty. According to article 52 of the Law on private security, the private security worker will detain a person caught committing a criminal offense prosecuted *ex officio*, and is obliged to immediately inform the police and to act accordingly after receiving an order from the police. This is fully in line with criminal procedural law, according to which "everyone can keep a person that is *in flagranti* caught committing a crime prosecuted *ex officio*."

However, because this authorization/competence by its nature enters the sphere of restriction of the rights of others, the exceeding of such authorization constitutes an offense of unlawful deprivation of freedom according to article 140 of the Macedonian Criminal Code. Severe forms of this offence represent the situations where an official with abuse of his /her official position or authority commits the offense.

In other words, a private security worker, for example, has the right to keep a person caught as committing a crime on the guarded property and the respective crime is prosecuted *ex officio*. However, in opposite case, the employee may be prosecuted for unlawful deprivation of liberty.

Article 158 of the Law on Criminal Procedure, which refers to the grounds and procedure of deprivation of liberty without a court order, determines the longest duration of detention as a time frame even for the police in connection with the detention of the person namely, it must promptly, but no later than six hours from the moment of detention, brought

before a competent judge of the pre-trial procedure and to inform the public prosecutor. This provision must be taken into consideration and applied by the private security workers as well.

4. What kind of criminal law knowledge should private security workers have?

Concluding remarks.

According to the aforementioned, we can define some specific areas related to the question of the criminal law knowledge that private security workers should have.

As far as it comes to the criminal law *stricto sensu*, every person who deals with the private security activities must have knowledge of the basic principles of criminal law and the elements of the following institutes:

- The concept and characteristics of illegality and the permissive norms of criminal law constituting grounds for exclusion of the illegality; namely, self-defense, extreme necessity, the basis for the exclusion of illegality in the case of a participation in a fight, the objective conditions of incrimination as a basis for distinguishing between the offenses and the misdemeanors.

- The repertoire of offenses where the basic form or the aggravated type has as constitutive element the status of an official of the perpetrator or of the victim.

- The repertoire of criminal offenses against life and body, as well as crimes against property, since the principal aim of the private security as it is stipulated in its legal definition is protecting these legal goods or values.

- The repertoire of the offenses against the freedoms and rights of the citizens and those related to the breaches of the principles of protection of privacy.

- The repertoire of offenses that are prosecuted *ex officio*, as opposed to cases prosecuted by motion of the damaged party or by motion of the private prosecutor

- The provisions of procedural law relating to the detention of persons when they were found to commit crimes *in flagranti*, the provisions for recording and storing personal data etc.

- The standards established by the law of the European Court of Human Rights in Strasbourg that apply to areas that are related to this activity.

The correlation between the private security and the criminal law has multidimensional consequence resulting with development of a separate study field as well as a practical dimension. Security services and the criminal justice system essentially have the same goal in protection of specific values and rights in the society. The private security

workers need not just to gain certain knowledge, but also to develop specific skills in application of their powers and competences in order to give optimal level of protection of the integrity of the persons and protection of property from damages, yet within the legal limits. The legislation that is necessary to be taken into consideration when applying their competences by the security workers covers a number of laws and secondary legislation in different areas of private security, privacy protection, applications of coercive measures and substantive and procedural criminal provisions.

Bibliography

1. Бакрески, О., Даничиќ, М., Кешетовиќ, Ж., Митевски, С., Приватна безбедност – теорија и концепт, Скопје, 2015
2. Ванковска, Б., Бакрески, О., Стојановски, Д., Деаноска-Трендафилова, А., Славески, С., Кузев, С., Герасимоски С., Коментар на Законот за приватно обезбедување, Скопје, 2014
3. Митревска, М., Општествените промени како причина за појавата на приватните безбедносни компании, published in Приватната безбедност во XXI век: состојби и предизвици, Скопје, 2016
4. Деаноска – Трендафилова, А. Приватното обезбедување низ казнено-правна перспектива, published in Приватната безбедност во XXI век: состојби и предизвици, Скопје, 2016
5. Даничиќ, М., Стајиќ, Љ., Приватна безбедност, Бања Лука, 2008
6. Камбовски, В., Казнено право – општ дел, Скопје, 2004
7. Камбовски, В., Тупанчески, Н., Казнено право – посебен дел, Скопје 2011
8. Марјановиќ, Ѓ., Каневчев, М., Македонско кривично право – општ дел, Скопје 2010
9. Јанев, И. Поим и дефиниција за безбедноста и теорија на релационизмот во разгледувањето на безбедноста, published in Security dialogues, <http://sd.fzf.ukim.edu.mk/no3/543>, p.2
10. Roberson, C., Birzer, M.L., Private security – theory meets practice, New Jersey, 2010
11. Vankovska, B., State – building and privatization of security in Macedonia, published in Приватната безбедност во XXI век: состојби и предизвици, Скопје, 2016
12. Sotlar, A., Dvojmos, M., Private security in Slovenia: 25 years of experiences and challenges for the future, published in Приватната безбедност во XXI век: состојби и предизвици, Скопје, 2016

13. European Court of Human rights, Judgement in case S and Marper v UK (2008), www.hudoc.echr.int
14. Законот за заштита на личните податоци Службен весник на РМ, бр. 7/2005, 103/2008, 124/2008, 124/2010, 135/2011
15. Закон за обезбедување на лица и имот, Службен весник на РМ бр. 80/1999
16. Закон за приватно обезбедување, Службен весник на РМ бр. 166/2012
17. Кривичен законик, Службен весник на Република Македонија“ бр. 37/1996, 80/1999, 4/2002, 43/2003, 19/2004, 81/2005, 60/2006, 73/2006, 7/2008, 139/2008, 114/2009, 51/2011, 135/2011, 185/2011, 142/2012, 166/2012, 55/2013, 82/2013, 14/2014, 27/2014, 28/2014, 41/2014, 115/2014, 132/2014, 160/2014, 199/2014, 196/2015 и 226/2015.
18. Закон за кривичната постапка, Службен весник на Р.Македонија бр. 150/2010, 100/2012, 142/2016)
19. Упатството за начинот на примена на средства на присилба Службен весник на РМ, бр. 86/2013
20. Законот за прекршоците против јавниот ред и мир, Службен весник на РМ, бр.66/2007

LEGAL BASIS FOR REGULATION OF THE PRIVATE SECURITY IN THE REPUBLIC OF MACEDONIA

Oliver BAKRESKI, PhD
Institute for Security, Defence and Peace Studies
E-mail: oliverbakreski@yahoo.com

Abstract

In the Republic of Macedonia, the private security is a significant factor in the overall interactions for building a beneficial security ambience in the country. Hence, it is not all at one how the private security activity will be regulated in the Republic of Macedonia, and also, it is a very important fact how the regulation would be implemented. The starting premise is that the existence of an appropriate regulation which will reflect the overall demands of the performers of the private security activity is an exceptional element in the designation of the relations in this sphere. In that notion, the regulation will signify legitimacy, legality and professionalism in the working of the subjects in the private security activity.

Key words: private security, private safety, activity, regulation, legitimacy.

1. Why the regulation of the private security function is necessary?

Some form of regulation influences the individuals on a daily basis. When a person travels to work with their automobile, meets numerous rules: owning a driver's license and insurance, vehicle maintenance and abidance of certain rules and norms. If he turns on the radio there will be radio stations, which are subjugated to rules, respectively, there is a certain frequency, which should be used, the number of commercials broadcasted is regulated as well as the topics, which are elaborated. Then, the person will arrive at work in a firm, which also needs to abide rules related to its working. The firm in which he works is also managed by certain behavior codex, which needs to be respected in order to survive and not be brought in

a straitened condition. In other words, it is more than necessary to regulate all the issues in all the realms, including private security (Bruce G. & Button Mark, 2004, p. 173-174).

Regulation has an essential significance from the aspect of legal working of the firm/company and appositely regulating it means that a very sensitive area would be covered in this sphere. Regulation could also help to foresee certain situations, which would enable a much better and more rational engagement of the resources. From this emanates that regulation is a key and useful element in the work of the firm/company itself, which enables the managing teams to establish an appropriate balance between the accomplished and planned activities. Without proper regulation, they will turn into blind observers of the process, which could lead to deviation of the planned goals and tasks, limited without the possibility to correct them and by that improve their work, as well as the work of the private subject.

In other words, the regulation could be interpreted as a plain formal mechanism of control, which is established in order to focus the behavior and enable universal application of the law. In principle, we claim that a greater regulative could lead to increased responsibility (O'Connor Lipper, Greenfield & Boyle, 2004).

In general, regulation could contribute for improvement of the professionalism of private security companies, and increase the public trust. Professionalism is a categorical contour, which refers to certain values, skills, orientation and management. Principles of fair behavior, integrity, human rights awareness, responsibility and minimal use of force are the basic elements in every concept of democratic ruling. Professionalism cannot be involved in discriminatory, corrupted or violent exploitation of own power. The independence (limitation) which the private security sector has is based on the society's trust that this sector will accept part of the values conditioned by the democratic balance of ethical and professional management (Fluri P., Hadžić M. eds.. 2004)

Coming out of the embrace of professionalism would only result in a rude, corrupted and uncompetitive behavior, and in some cases even public scandals, which imposes the need for serious regulation in this sector (Born H., Caparini M., and Cole E., 2007, стр.5)

2. Legal basis for regulation of the private security activity in the Republic of Macedonia

It is generally considered that the regulation of the issues related with the private security in a legal form are one of the hardest, because they need to establish a balanced

system of interactions between the subjects which actively take part in this realm: legal entities registered for performing the activity private security as a service provider; the recipients of the service (persons, firms); the Ministry of interior as a controller of the activities of the agencies; and the Chamber of the Republic of Macedonia for private security as a significant subject which needs to create preconditions for profession improvement.

Still, regardless of the complexity itself and the involvement of these issues, the private security in the Law for private security is foreseen through every aspect (content, structure, functionality and pragmatism) and also through the prism of certain solutions which simplify or complicate the work of the Security agencies, in order to reach the hardships itself, which are related for the ambit and the content of the private security.

If an analysis is made for Article 1 from the Law for private security, it will lead to a conclusion that the law in the segment of security involves a whole spectrum of security concerns which are connected with the terms for performing private security; conducting private security; private security for own purposes; mandatory private security; authorizations of private security personnel; working clothes and denotement of the private security employees; formation, authorizations and financing the Chamber of the Republic of Macedonia for private security; evidence, data and information protection; oversight, authorizations for secondary legislations and misdemeanor provisions.

According to the Law for private security, private security activities could be conducted by: legal entities registered in the Central register of the Republic of Macedonia and hold a private security license for providing services etc. The Law in the section of the terms, as stated in Article 8 of the Law it is strictly prescribed that private security could only be conducted in the form of providing services and for own purposes. What is emphasized is that security in the form of service provision is dominant, which is an amply indicator that this is the most dominant kind of private security as public service activity and with a commercial nature. The second kind of private security for own purposes is in fact self-protection which certain legal entities organize in accordance with the law, for protection of their employees, clients and other persons, as well as their own chattel and real estate.

Security involves a whole spectrum of issues regarding security, which is divided on physical and technical security. In Article 9, Paragraph 2 from the Law, physical security presupposes body protection, monitoring patrol security, transportation security and money transfer and other valuable shipments security and public gathering and event security, while technical security is protection of persons and property with technical means and devices in accordance with prescribed standards in order to prevent of illegal actions aimed toward

persons and property, while private security for own needs is performed as a physical security such as body protection and monitoring security.

Regarding the performance of physical security, the security employee, as foreseen in the law has certain authorizations which would be in function: to make identification checks of persons during the entrance on the secured property; to warn a person to distance from the secured property, if the person remains in it unauthorized, respectively, warn the person which with its behavior or entry could jeopardize own or the security of others or could cause damage of the secured property; deny entrance to an uninvited person, as well as to forbid unauthorized recording or bringing devices and equipment for that purpose in the secured property; to detain and transmit a person caught up in perpetrating a criminal act to the police; to inspect persons, objects, vehicles and luggage and use coercive means. Further, in the same article Paragraph 2, the territorial jurisdiction for their enforcement, which depends of the type of private security foreseen with Article 9 and Article 10 from this law? In that notion, private security employees employed in legal entities licensed for private security for own purposes these authorizations could be applied solely in the securing object or to the border of the securing space in terms of body protection and monitoring security (local authority). If these employees perform body protection to representatives from the legal entity outside from the securing object or the boundary of the securing space, they are authorized to enforce only the authorization for the use of coercive force (Article 45, Paragraph 1, Point 6) if their physical integrity or life is jeopardized, as well as the physical integrity and life of the securing person are threatened (functional authorization).

It means that in performing security activities, the security employee could apply certain coercive means with which a certain step forward is made in the direction of greater authorizations for the security personnel in conducting the tasks in the working realm, respectively with the use of certain coercive means, such as: physical force, rubber bat, excipients, chemical agents (sprays), firearms and trained kanine.

If the new changes are been analyzed with which it is foreseen to strengthen certain authorizations, especially regarding the methods for coercion, it will be witnessed that certain bold steps are made which basically should be understood solely as a way for a more efficient task conduct and it should assist the work on the public security sector as well in the common efforts for dealing the risks and threats aimed toward the citizens and the country.

Regarding the performance of technical security, certain adjustments are made in order to further precise this segment. So, in the new Law for private security is anticipated technical security to be conducted with the use of technical means and devices in order to prevent illegal actions directed toward persons and property, and especially for the protection

of unauthorized utilization and expropriation of securing items; unauthorized insertion of firearms, explosives, radioactive, combustible and toxic materials; breaking into, diversion or violent attack on the secured object; unauthorized access to data and records; money and other valuables transportation vehicles assault and security employees conducting money and other valuables transportation raids.

An individual who holds for private security is decisive and strictly prescribes that private security could only perform the Law: a private security license and private security identification document. The Chamber issues the security license and identification document for security, if the individual fulfils the conditions designated with this law. With the prescription of such terms, it is more than logical that not anybody could perform activities from the private security realm, yet there are certain preconditions to be met in order to realize such possibility. The law treats license as a proof for capability for conducting private security and permission for professional practicing with tasks and professional duties from the private security realm. The license for private security is a precondition for obtaining a private security identification document, which the licensed candidate gets by establishing employment as a security employee in some legal entity, which holds a license for performing private security. The license is a proof for a passed examination after a conducted training (a sort of a diploma) which is obtained permanently, while the identification card is tied with the employment, hence, based on a license, the candidate, in his working career, can acquire identification cards from various security agencies, but must not have more than one identification card because has an obligation to return it after the expiration of the working contract.

In the Republic of Macedonia the statistical data from the Central register of the Republic of Macedonia guide to the facts that private protection activities are performed by 64 subjects with a 2171 number of employees, while the activity service for protection in addition with security systems is obtained by 1134 employees, and in the part of investigation activities, there are 10 subjects registered with 82 employees.

Conclusion

The need for regulation of the private security is more than necessary, because it signifies the establishment of a legal status of the performers of the private security activity in the direction of legally established tasks. This should not counterpoise a significant problem because it does not adjustment with the standards in this sphere with other countries,

respectively; it does not depend on international negotiations, which often means that the introduction of laws counterpoises something more than the lowest common denominator.

The case analysis with our country showed that the reasons for designation of this activity are classified in the following manner: designating the legal framework in order to regulate the activity private security, framework for the authorizations which would mean, in specific cases, suspension of human rights and freedoms, regulation of the work and duties, protection of privacy intact of persons which communicate with this sector, protection of the legal entities which intended to perform private security activities, prevention of the use of private security agencies for political purposes, suppression of protests etc, organization of the issues regarding the roles and the realms of cooperation; enabling the public to clearly and transparently identify the members of the police from the private security agencies employees; providing oversight over the use of authorizations by the security employees; exclusion of criminal and convicted persons from this sector by establishing license criteria, enabling equal standards in the procedures of the security agencies; organizing the method of control for possession of fire arms in the firms providers of security services; oversight over the work of the security agencies, establishment of minimal working conditions etc.

Literature

1. Ahić J., *Sistemi privatne sigurnosti*, Srajevo, 2009
2. Бакрески О., Даничиќ М., Кешетовиќ Ж., и Митевски С.: *Приватна безбедност*, Комора на Република Македонија за приватно обезбедување, Скопје, 2015.
3. Бакрески О., и др. *Коментар на законот за приватно обезбедување*, Комора на Република Македонија за приватно обезбедување, Скопје, 2014.
4. Buzati, Anne-Marie, *European Practices of Regulation of PMSCs and Recommendations for Regulation of PMSCs through International Legal Instruments*, The Geneva Centre for Democratic Control of Armed Forces, 2008.
5. Born H., Caparini M. and Cole E.: *Regulating Private Security in Europe: Status and Prospects*, Geneva Centre for the Democratic Control of Armed Forces (DCAF), Policy Paper – №20, 2007.
6. Bruce G. and Button M.: *Private Security*, Palgrave Macmillan, New York, 2004.
7. *Private Security*, Palgrave Macmillan, New York, 2004.

8. *Sourcebook on Security Sector Reform*, Fluri P., Hadžić M. (eds.) Geneva Centre for the Democratic Control of Armed Forces/Centre for Civil-Military Relations, Belgrade, Geneva/Belgrade, 2004
9. Heywood, A., *Politics*, Palgrave Macmillan Ltd, 2002.
10. Hans Born, Marina Caparini, and Eden Cole, *Regulating Private Security in Europe: Status and Prospects*, Geneva Centre for the Democratic Control of Armed Forces (DCAF), Policy Paper – №20, 2007
11. Sheehy Benedict, Maogoto Jackson and Newell Virginia, *Legal Control of the Private Military Corporation*, Palgrave Macmillan, Now York, 2009.

PRIVATE SECURITY IN REPUBLIC OF MACEDONIA IN PROVIDING SAFETY IN URBAN AREAS

Marjan Nikolovski, PhD
Faculty of Security - Skopje
E-mail: mnikolovski@fb.uklo.edu.mk

Borce Petrevski, MSc.
Ministry of Interior Affairs, Republic of Macedonia
E-mail: borcepetrevski@yahoo.com

Predrag Micevski, MSc.
Private detective, Macedonia
E-mail: pepi.micevski@yahoo.com

Abstract

The transformation of the socio - political and economic system in the countries in transition, including the Republic of Macedonia, the past years have led to radical changes in the socio-economic relations, when private property gained dominant form and gradual decentralization of certain responsibilities from public to private security have happened.

The segments of the private security subsystem (PSS), respectively the security agencies of persons and property and the detectives with their position in the security ambient, are gaining significant place and role in the maintaining of the overall security, with which they have important contribution in the successful security and the security of urban areas in one modern country, especially in its preventive function.

The data that so far the Ministry of Interior (Moi) in the Republic of Macedonia has issued a total of 203 work permits for private security and 40 permits for technical security, issued 154 permits for providing for their own needs, and 91 legal person performing secured by giving services and that are registered and operate eight private detectives, suggest that

there is progress in the development of this security subsystem in the country, which despite some shortcomings, began to develop significantly in the last fifteen years.

Generally, the activities of the subjects of the subsystem of private security in the country, have a positive contribution to security in our country and ensuring greater security in urban areas, complementing the police in certain activities, so that today, despite the physical and technical security, the activities of agencies and detectives are directed towards preventing and combating specific manifestations of organized crime, including insurance fraud, violations of intellectual property rights, resolve certain cases related to thefts of vehicles, etc.

The current global trend of increasing progress and development of the subsystem of private security, contrary to the need for greater security in urban areas require prevention and elimination of harmful effects caused by newer and more sophisticated techniques, as well as permanent adjustment and construction of a modern security system (in this direction and subsystem of private security), by finding an opportunity of improving his concept and proactive contribution towards effectively prevention and combating crime in general.

Keywords: security system, private security, private security agencies, detectives, security in urban areas

Introduction

Dynamic social life and the challenges and needs of the modern age, determined starting "a process of privatization" of security features in the systems of countries around the world, thus increasing the overall national security. It implied gradual transfer of certain jurisdictions (transfer of certain services) from the public to the private security, which influenced on a transformation of the security system of the country (SSC), as well as establishing a new private security subsystem (PSS) with a primary preventive function and directed primarily to personal protection and protection on property of citizens.

Private Security Agencies (PSA) and detectives as particular segments of private security subsystem (PSS) in the Republic of Macedonia with its position in the security environment, gaining more important place and role in maintaining overall security, and thus they have an important role in successful prevention and combating of certain forms of organized crime in a modern state, especially in its preventive function.

Undoubtedly that all entities that make up the security systems have their place and role, but fully balanced in an integral modern safety concept, they can respond today's security challenges, threats and dangers.

1. Private security

Private security implies planned, organized and legally based, independent or joint activity and function of individuals, companies, private and / or professional agencies, aimed at their own protection or the protection of others and the protection of relevant persons, space, facilities, operations or activity, which are not covered by the exclusive protection of the public authorities, as main targets have the elimination of potential threats to persons, damage, destruction or unauthorized usurpation of property, by *proactive action* - with methods of analysis and timely prevention, as well as *reactive action* - through prevention and rehabilitation of consequences, creating safe conditions for more stable and more efficient working of the companies, with aim to increase their profits. In addition, unlike SSC, whose role is repressive and preventive, PSS is primarily preventive oriented.

Having in mind that so far in Republic of Macedonia the Ministry of Interior (Mol) has issued a total of 203 work permits for private security and 40 permits for technical security, issued 154 permits for providing for their own needs, respectively 91 private security agencies are engaged in giving security services, and that there are eight registered private detectives, we can say that there is a progress in development of this security subsystem in Republic of Macedonia, which, despite some shortcomings, began significantly developing in the last fifteen years.

PSS in Republic of Macedonia. *Legal norms* covering this issue are located in: the Constitution of Republic of Macedonia, the Criminal Code, the Criminal Procedure Code, the Law on Internal Affairs, the Law on Police, Private Security Act, the Law on detective action, the Law on Weapons, the Law on protection and rescue, firefighting Act, Statute of the Chamber of Republic of Macedonia for private security, and other sub-law acts in the field of private security and detective services.

Subjects of PSS in Republic of Macedonia are: PSA (as security agencies of persons and property registered for giving services or for personal needs), Chamber of Republic of Macedonia for private security, detectives and Mol.

1. *Private security agencies* (PSA) for providing services is registered for regular operations by typing a business in the Central Register of RM and given permission, which is

valid for the private security agencies for personal needs, too. It's necessary, besides the general conditions, some specific conditions to be fulfilled:

a) a legal entity that provides services as physical security - it should have at least 15 workers with licenses for physical security, a certificate from the Chamber that workers don't possess valid identity cards for physical security, designated responsible person, it should own act on systematization of jobs (with description of authorizations for each job/working place), it should possess own act of working clothes and sign of the legal entity, it should have business office and at least two vehicles;

b) legal entity that provides services as technical security - at least three workers with licenses for technical security, a certificate from the Chamber that workers don't possess valid identity cards for technical security, designated responsible person, act on systematization of jobs, act on the working clothes and sign of the legal entity, business office and at least two vehicles;

c) for legal entities engaged in providing security for their personal needs - at least ten employees with licenses for physical security, a certificate from the Chamber that workers don't possess valid identity cards for physical security, act for systematization of jobs, act on the working clothes as well as business office.

2. *Chamber of Republic of Macedonia for Private Security* was established in June 2000, whose activity is directed towards the successful organization of private security, protection and improvement of professional competences, professionalism and business, as well as the protection of the profession. In the period of 2006-2010, the Chamber of security of people and property and detective services - "Detective Skopje" functioned and issued security licenses without obtained approval from the Mol.

3. In Republic of Macedonia, detective activity can perform only *detective* who obtained a license for detectives, issued by Mol. According to available data, for this type of activity so far in our country are issued 8 licenses for private detectives.

4. The control and supervision of PSS is in charge of *Mol*. The administrative - legal supervision is authorization of the Department of weapons, explosives and hazardous materials, as a part of Unit of Administrative Affairs at the Sector of Internal Affairs - Skopje (which Department is hierarchal subordinated by the Unit for security agencies, detective work and issuing approvals and permits for weapons in the Sector for weapons, explosives and dangerous materials, security agencies and detectives in the Department of civil Affairs in the Ministry of Interior), while the cases of overdrawn of authorities by the employees in PSS are responsibility of the regional police stations (PS). Authorized officials in the Ministry of Interior are in charge of following activities of supervision: whether and how to implement the law and

regulations, check the records of the contracts, review of business offices, technical facilities, devices and vehicles, checking the manner of keeping and carrying of firearms, handling ability, and how the authorities are used.

Security in urban areas and PSS in Republic of Macedonia

In Republic of Macedonia, the activities of private security agencies in urban areas are in field of physical and technical security of big industrial buildings, residential complexes, shopping and sports facilities, warehouses and other storage areas, residential and other buildings, as well as installing control alarm systems, sensors for monitoring, access control facilities, intervention in case of fire, defects, etc.

On the other hand, private detectives are focused on collecting information on stolen and lost items, missing and hidden persons, insurance fraud (mostly in cases of vehicles), resolving cases of theft of luxury vehicles, violation of rights of intellectual property, checks the creditworthiness of private companies, etc.

In this way, the subjects of private security subsystem positively contribute and provide greater security in urban areas, especially in aiding of the police services in our country. All this, in terms of increased security threats, strengthens the perception and feelings of greater security.

PSS situation in other countries. Conditions of development of PSS in Serbia and Kosovo do not differ significantly, which is not the case with Croatia, Slovenia, Germany, and especially Canada, where the activities of PSS include private and criminal investigations, as well as activities of corporate security.

In highly developed countries, PSS has its responsibilities and charges in investigations of committed crimes, and their activities overlap with the activities of the police. In fact, a growing number of detective agencies offer services of operational action and clarification of criminal acts prosecuted ex officio, and private investigators often determine the reliability of the evidence in police working, help in finding witnesses, gathering evidence in favor of defense, etc.

In this sense, Gill and Hart believe that the activities of private investigators pose a direct competition to the criminal police and private detectives, but also they indicate that if these subjects with their parallel investigations adhere to the law, they are not a competition, but only in function of determination the truth.

Collaborative models and relationships. In the era of modern living and new security challenges, it has recorded a growing collaboration between the subjects of State security system and PSS, in the field of prevention of new forms of crime and terrorist threats. Private security activities often appears as "extensional activities" of the police and other state authorities, especially due to the fact that employees of private security agencies are present in areas that might be interest for criminal and terrorist acting.

In the context of cooperation between the two entities, there are observations that it is most effective in the fields of control of "white collars" crime and corporate crime. Formerly, Director of FBI, William Webster directed the FBI capacities towards to PSS, arguing that "private security industry serve the business" and that "it is at the forefront," where corporate crime occurs, also appealing for aid in function of the public security by participation ofPSS.

Therefore, the optimal way of response to security challenges is coordinated, timely and open cooperation in terms of globalization when mutual dependence between global and local security problems is the greatest, and the links between the one and the other aspect is almost unbreakable.

2. Results of the conducted research

In the context of the role of the subjects of private security subsystem in Republic of Macedonia in achieving greater safety and security of citizens and property, will be presented part of the results of empirical research conducted in 2010, realized in 9 towns in Republic of Macedonia.

The survey was done with an aim of anticipation of the role of subjects of private security subsystem in Republic of Macedonia in ensuring the safety of citizens and their property, the views expressed by the different categories of respondents, the level of customer satisfaction with the services of private security agencies and the need for transferring some of responsibilities from the Ministry of internal Affairs to Agencies.

The sample has been consisted of 253 citizens, 123 recipients of services, 20 managers of agencies, 2 presidents of Chambers for private security and 2 representatives of the Ministry of Interior engaged in monitoring the agencies' functioning.

What do you think about the role of private security subsystem from perspective of safety and security of citizens and their property?

	Managers		Chamber		Mol	
	f	%	f	%	f	%
Greater security	17	85	1	50	2	100
Not affect	3	15	1	50	-	-
Total	20	100	2	100	2	100

For a positive impact of private security from the perspective of overall security reported 85% of managers, one president of the Chamber, as well as two representatives of Mol. A high percentage of the three groups of respondents estimated that private security on today's level of it's development generally has positive influence on the improvement of the security of citizens and the security of their property.

How a private security affects the security of citizens?

	Citizens	
	f	%
Positively impact	121	47,83
Has partial impact	92	36,36
Negative impacts	23	9,09
I am not sure	17	6,72
Total	253	100

From the total number of people included in the survey, 84.19% of respondents believe that the activities of the subjects of private security subsystem has full or partial positive impact on the security of citizens, and their negative attitude is about: unsettled of that field, the low level of development and quality of service, unfair competition, problems with operating and management, insufficient staff training, provision of services only "unform", and all that, particularly in relation to low prices of the services and the standard in our country.

Do you feel safer and more secure since you started to cooperate with the private security agencies?

	Service users	
	F	%
I feel completely safe	91	73,98
I feel partially safe	26	21,14
I do not feel safe	3	2,44
I feel more insecure	1	0,81
Unanswered	2	1,63
Total	123	100

The highest percentage of citizens (74%) reported that in cooperation with private security agencies, namely the use of their services makes them feel more secure. The fact that a person or object is under the care of a specialized security agency acts preventively against potential violators of safety and security of persons and objects and depart them far away from their intentions. The answers of first two oppiniances shows that 95% of citizens who use the services of private security agencies are satisfied and feel fully or partially safe. Citizens who said that they don`t feel safe, are only 2.44%. According to the opinion of citizens, private security agencies have justified their existence because the citizens feel more secure and their engagement facilitates the work of the police, that they focus on solving more sophisticated crimes.

What is a grate of yours satisfaction on the quality of services you receive from private security agencies regarding your own security and the security of your property?

According the opinion of the users of the services, generally they are satisfied with the agencies`s services, primarily because of their professionalism, expertise in handling, storage of the working secret, as well as significant material - technical competence, which are important conditions for providing quality services in the field of private security.

Service features	Service users											
	very pleased		contented		partially satisfied		somewhat satisfied		Unsatisfied		Total	
	f	%	f	%	f	%	f	%	f	%	f	%
Professionalism	64	52,03	49	39,84	7	5,69	1	0,81	-	-	123	100
cost of service	45	36,59	60	48,78	17	13,82	-	-	1	0,81	123	100
storage of the working secret	75	60,98	42	34,15	3	2,44	1	0,81	2	1,63	123	100
expertise in handling	67	54,47	50	40,65	4	3,25	-	-	2	1,63	123	100
material and technical equipment	56	45,53	52	42,28	8	6,50	2	1,63	5	4,07	123	100
attitude towards the customer	68	55,28	40	32,52	4	3,25	1	0,81	-	-	123	100
overall working	62	50,41	55	44,72	5	4,07	1	0,81	-	-	123	100

Do you think that part of the responsibilities of the Ministry of Interior should be transferred to the private security agencies?

	Managers		Chamber		Mol	
	f	%	f	%	f	%
Yes	10	50	2	100	2	100
No	10	50	-	-	-	-
Total	20	100	2	100	2	100

Regarding the idea for contemporary concept of security, part of the jurisdiction of MOI to be transferred in the security agencies of persons and property, there is a divided opinion among the managers. The representatives of and Presidents of Chambers fully agree with this idea. The positive attitude is explained with the need of the MOI to be oriented towards discovering and solving serious crimes, while the security agencies of persons and property will be more efficient in money transport, patrol work, constant supervision of the objects through monitoring center, securing public manifestations and some public

institutions and objects. The negative attitude goes with the explanation that the security agencies of persons and property still have not reached the necessary level for quality performing of these activities because of lack of order, discipline, hierarchy, competences, higher criteria, law regulation, efficient control and opportunity for maltreatment during reciprocal calculation.

Part of the problem of the conflict lies in the fact that in cases of unprofessional conduct and insufficient engagement of individual employees in agencies (eg. acts in burglary, robbery, armed robberies or other criminal activity), it ends with the treatment and intervention of police. In such cases, the police further engage and efforts are made to address the issues associated with "poor" performance of the agencies.

Discussion

The bigger part of the respondents consider that the security agencies of persons and property primarily perform their preventive role in the public security successfully, so that they take minimum responsibilities of patrol activity, which was performed by local police stations, which lowers the state costs. The security agencies of persons and property enable higher level of protection, especially of the property, which the police is not able to cover. Here upon, a special role has the patrol security which regularly goes round the objects, and that objectively lowers the crime and draws higher response and trust among the citizens. Certain security agencies of persons and property have reached high level of development and quality of the services, but the non - existence of standards lowers the price, the salaries and possibilities for training the employees. In the last fifteen years, PSS developed rapidly, but the benefit is expected later.

However, PSS to the level to which is developed until now, it can be concluded that it has a positive impact of increased security of citizens and their property (85% of managers and representatives of the Mol) and of a sense of security of citizens (84, 19%) and recipients (95, 12%). However, there is insufficient clear in the majority of citizens and the Mol about the role of PSA in total safety, so many of them are seen as uneducated, "hair-cut" guys who carry weapons and "pose a threat to security" and 53,76% of citizens believe that workers in providing PSA choose their profession because they have no other choice. This is an indication of lack of promotion of this activity in front of the public in RM or insufficient development of PSS, according to market needs, on which have to work.

Perspectives of private security in Republic of Macedonia

According presented results, in the future is expected PSA to be engaged in providing security in governmental institutions, National bank of RM, embassies, diplomatic- consular representative, firms, juveniles, children's residential homes, depots, airports, railway stations, forests, national parks etc., as well as conducting minor investigations because they have more frequent contacts with the citizens. In addition Mol will only control and give suggestions, and will be released from certain, to them, "inessential activities, due to which the competitive attitude will stop and the efficiency of the two segments will increase. With the utilization of that model, we can talk about the private security system as integral subsystem of the whole security system of one democratic society. Some of the respondents with positive attitude consider that, after all, certain vital objects should remain under jurisdiction of Mol, due to higher state interest. In this sense, also we can expected to: consolidation of this subsystem (65% of managers and representatives of Mol), privatization of certain aspects of security (50% of managers, president of Chambers and representatives of Mol), and in addition to opening this market to foreign capital there is a dual attitude (except the representatives of Mol, which is entirely negative). There is also lack of awareness about the need of cooperation between PSA and insurance companies, primarily among managers of insurance agencies, as well as the representatives of Mol, so between the two segments at this point there is a competitive relationship.

The assessment is that in general, the activities of the subjects of the private security subsystem in RM in the future also will have positive contribution to the security in our country, complementing the police in certain activities, so that at this point, apart from the activities of the security agencies of persons and property related to the physical and technical security of persons and property will be directed towards successful security of urban areas in one modern country, especially in its preventive function. The activities of private detectives will grow, especially in the field of fighting against certain forms of organized crime, including the security frauds, violation of the laws of intellectual property, solving certain cases connected with vehicles theft, etc.

Conclusions

The constant global trend of higher and higher development of the private security subsystem, against the need for prevention and removal of harmful consequences caused by

the newer and more sophisticated techniques, require permanent adjustment and building of a modern security system (in this direction a private security subsystem as well), through creating a possibility for promotion of its concept in the successful security and of the security in urban areas and more active contribution in direction of successful restraining and repressing the crime.

The cooperation between the private security and the state safety sector as an integral security system, in function of the modern security concept, requires permanent, sincere, and partner relationship for successful performance of the security function, where upon mutual promotions are needed in the raising of the conscience of the members of the two segments and the population in general. In that contexts, there is a need for precise definition of the forms and methods of cooperation between the subjects of the private security subsystem and the police, and especially the way of communication and fast exchange of information, are important conditions in the direction of more adequate preventive – repressive position and functioning of this security segment. So, the organization and functioning of the modern security system implies its permanent adjustment and rebuilding as a response to the new security challenges, threats, risks, and endangering, for their prevention and removal of the harmful consequences.

References

1. Bailey, W.G., (1989). *The Encyclopedia of Police Science*. New York. Garland
2. Connolly, Charles P., *The role of Private security in Combating terrorism*, the Major Cities Chiefs/National Executive Institute's Annual Conference. sun Valley. Idaho. www.neiassociates.org/privatesecurity.htm.
3. Dobovšek, Bojan, (1996). Organised crime - can we unify the definition?, in: *Policing in Central and Eastern Europe: Comparing firsthand knowledge with experience from the west*. College of Police and Security Studies. www.ncjrs.gov/policing/org323.htm.
4. Dobranović, Ž. Mihaljević, B., (2007). *Privatna zaštita u normi i praksi*. Veleučilište Velika Gorica
5. Герасимоски С. (2008). *Приватната безбедност во услови на глокализација*. Годишник на Факултетот за безбедност. 2007/2008
6. Gill, M. and Hart, J. (1997). *Exploring investigative policing – A Study of Private Detectives in Britain*. British Journal of Criminology. Vol.36, No.4

7. Hakala, J., Why regulate manned private security? Internet.<http://coess.org/studies.htm>.
8. Petrevski, B., (2010) *The authorities of subjects of private security in the Republic of Macedonia-factor for the safety of citizens and their property*. Master's thesis. Skopje. Faculty of Security
9. Report of the seminar Public-Private Partnership (PPP) held on 16 and 17 December 2002 in the Hague. www.coess.org/documents/seminar_public-private_partnership.pdf.
10. Shearing, C., (2008). Nodal Governance, Democracy, and the New 'Denizens'. *Journal of Law and Society*. Cardiff University law school. Vol. 30. Issue 3
11. Schneider, Stephen R., (1998). Combating Organized Crime in (and by) the Private sector: A Normative role for Canada's Forensic Investigative Firms. *Journal of Contemporary Criminal Justice*. Vol. 14. No. 4
12. Stajić, Lj. (2008). *Osnovi sistema bezbednosti*. Novi Sad. Pravni fakultet

THE DEVELOPMENT OF PRIVATE SECURITY AND THE DILEMMAS SURROUNDING THE EFFECTS OF PRIVATE SECURITY SERVICES

Zorica Saltirovska, PhD
Institute for Security, Defence and Peace
E-mail: zorica_ind@yahoo.com

Abstract

Despite the fact that private security services are not a new phenomenon, the increased trend in the development of private security is linked to the 1990s, when the number of private security service providers saw a manifold increase. Along with the increase, the variety of services also increased, which in turn created the need for these providers to be categorized based on the type of service they provide. One of the most esteemed authors in this area, Peter Singer (Singer, 2007), points out the fact that the development of private security has gone too far in an overly short period, while the services of private security companies are being used by affluent individuals, companies, non-governmental organizations, countries, regional, and international organizations. However, the development in the scope of the private security sector is only one of the many aspects that need to be taken into consideration when it comes to its dynamic expansion. Other aspects, such as the quality, utility, and the effects of its services, need to be inserted into the equation, especially since experience has inspired controversial attitudes and opinions. This paper focuses on the tendencies relative to the development of private security, and the issue of the effects that private security services exert on the security of citizens, not only on a national, but also on international level.

Keywords: private security, private security services, development, effects

Introduction

Whenever we speak of security, we think about a secure environment where people can realize their goals without impediments and without fearing for their life or wellbeing. Security is closely linked to society, which is a volatile category – a fact that inevitably leads to the adaptability and further development of the concept of security. Technology and modern security challenges have caused drastic changes in the security sphere, where great and powerful military forces are not always compatible to perform specific, short-term, limited military and security operations. It is becoming increasingly more common for professionals to be hired from private security organizations and associations to perform these operations. This widespread use of private security services has initiated a string of debates as to the positive and negative effects of such services, leading to a large number of controversial, discrepant conclusions. The only unequivocal conclusion is that there is a palpable need for a comprehensive analysis of the causes of the development of the private security sector, as well as of the effects of the use of its services.

Defining the causes of the development of private security

Private security is most often spoken of as security that can be procured on the market, meaning that an increased demand will result in an increased supply and, consequently, in an increase in the number of private security companies and the specter of their services, and vice versa. As a result, we can conclude that the increased demand is the crucial factor that generated the enormous rise of this industry since the last decade of the 20th century. This conclusion solicits another question: what was it that increased this demand at a time when the armed forces of almost every country are perfectly or soundly structured, organized, and armed to perform their tasks? The Westphalia Peace Treaty charted the responsibility of the state in the protection of its citizens, so now the question of the state's monopoly over the use of force and control of violence must invariably be posed. Was state-provided protection insufficient or inadequate, or were there other factors that contributed to the development of the private security sector, which overtook roles that have been under the control of states for centuries?

Mercenaries and private armies have existed since the first wars. In cases of lack of physical or other power of the states, communities, or individuals to protect their estates or territories, or win a battle, they would rent out private armies. Feudal lords complemented their armies with paid soldiers. Even the founding of countries and the Westphalia Peace

Treaty did not put an immediate end to the market distribution of power and violence. In the 17th and 18th centuries, many private armies were delegated and engaged for greater distances (the Netherlands, England, France, and Portugal) or to augment state power (France). These powers were at the same time army forces, police forces, and security forces – to protect trade routes and non-military territories, and they served the government with which they signed the treaty. Modern 21st century countries also employed private security services, mostly for logistical support and arms procurement. During the Cold War, the USA rented forces to perform military trainings, whereas the government of the UK used the US market of military services, but allowed its citizens to sell their military services to other countries. Because this market distribution of security was condemned by the public and the international factor, private military services were secret and informal (Avant, in Williams, 2008:447).

The end of the 20th century initiated a string of global changes that influenced the concept of national and international security. These changes created conditions for a gradual yet active transfer of traditional security roles from the state to the private security sector that achieved a certain level of international recognition. The modern private security companies have a corporate structure and are relatively open to the public (with its own web pages, employment lists, price lists, etc.), - all of which increases the widespread use of private security services.

The analysis of changes in the international community from the end of the 20th century points to several significant moments as preconditions to the development of private security, and increased the demand for private security services:

- The end of the Cold War also put an end to the bipolarization of the world, practically eradicating the widespread fear of a great war that would endanger national interests; this change influenced the way countries (not only developed countries, but also those in transition) felt about security in the 21st century. The great powers became more sensitive to their own war losses (especially the loss of human lives) in operations outside national borders (Bunker, 2003:58), and the accountability of governments increased due to public pressure. Taking into consideration that governments are entrusted with the primary responsibility of protecting the interests of their own citizens, government interest in participating in peace missions to remote parts of the world decreased (Mandel, 2001:2), and professionals from private military companies were increasingly engaged. On the other hand, since the possibility of an external attack in these countries became less likely after the end of the Cold War, governments cut their armed forces down to a maximally efficient level; this precipitated significant unemployment rates among army personnel, who were then

eligible for employment in the private security sector. Transition countries lost the support found in the formerly powerful Warsaw pact and therefore diverted their policies towards joining the Western countries' organizations – NATO and the EU. In view of meeting the membership criteria, they had to cut down and professionalize their armies, which resulted in an increase of the demand for and supply of eligible ex-army personnel for hiring. This is one of the reasons for the fast growth of the private security sector during the last decade of the 20th century.

- The privatization process engulfed the countries in transition, even those that had a monopoly in all areas (Schreier and Caparini, 2005:86). Private alternatives became apparent and attractive for people, and the attitude was transferred in the area of security, where the private offers increased. After almost 400 years, the state and its security institutions were no longer the sole subjects accountable for the citizens' safety. The Westphalia system is slowly being replaced by a more flexible, though more complicated, private security system. Theoretically, this leaves space for countries to perform the most vital tasks, leaving the simpler ones to the private security sector, allowing for a commercial profit (Richards and Smith, 2007:3-5).
- Immediately after the end of the Cold War, the weaknesses of many countries became a more evident impediment to their ability of ensuring the safety of their citizens, which was now endangered by the surge of smaller, mainly internal conflicts, new challenges, risks and threats. The non-functionality of the state structures and forces during the transition processes, as well as the withdrawn support and protection previously offered by the great powers, resulted in the surfacing of all the flaws and difficulties in the functioning of these countries' armies – corruption, ethnic rivalry, poor standards, etc. - all of which resulted in an increased potential for violence. The feeble governments opened the way for international criminal groups, rebels, and para-military forces, which further undermined order and disrupted global norms (Avant, in Williams, 2008:449). The lack of efficiency and power of the post-conflict countries and their military forces to respond to new threats and challenges to the safety, the lack of trained personnel, the overly high maintenance price of an efficient military force and, in general, the poor state of affairs in these countries, gave rise to an opportunity for private security companies to fill in the void. In fact, these companies aided frail governments in developing their security capacities, and some countries that cannot afford maintaining a regular efficient army force, see these companies as the only real option and the most attractive alternative (Bunker, 2003:59).

- Humanitarian organizations in conflict or crisis areas are faced with recurring hostage incidents, threats, violence, and murders. According to research conducted in 1998, the number of victims employed by the Red Cross in different positions was greater than the number of victims among staff members of the American Army (Greenway and Harris, in Bunker, 2008:60). The security situation of these organizations is far more serious since, if the governments of the countries in which they are actively engaged cannot protect them; they are left at the mercy of the enemy. In such cases, these international organizations have to rely on private security companies and become their clients, together with many other international companies active in certain dangerous regions. In their inability to trust their safety in the hands of local governments on one side, and pressed by constant threats on the other, they choose to engage the services of private security companies. In certain cases, multilateral military forces, such as the UN, employ the services of private military companies to provide safety to their staff as a better alternative (Avant, in Williams, 2008:449).
- Due to changes in the nature of armed conflicts, many tasks that fell under the jurisdiction of armed forces became inadequate for modern armies, thus becoming more suited to private security companies. The staff of these companies is far better equipped for conducting operations in third world countries, and in Iraq their participation peaked. In 2003, a private security company, performing roles formerly performed by military personnel (trainings, logistics, operational support, etc), employed one in every ten US soldiers deployed to Iraqi bases... A large number of private security companies remained in Iraq even after the fall of the Iraqi government, employed by the interim allied government (for training of the Iraqi police and army, and securing the oil fields and government facilities), by the US army (for translations and interrogation of prisoners), or by a number of broadcasting, security, or non-governmental organizations (Avant, 2005). It is assumed that, around 21,000 employees of private military companies participated in the conflict in Iraq (Avant, 2012), and many reports point to the fact that they are numerous in conflicts in Africa, the Middle East, and other countries, where they provide military training and other military services.
- These are some of the most prominent moments that influenced the advance of private security, but what is notable is that this advance is real and is the response of the changes that occurred on a global scale around the turn of the 20th century. In modern times, the role of private security services is completely different and much more important, whereas the main clients are countries and non-state actors.

According to Singer (Singer, 2003:2), several hundred security companies are offering their services in over 100 countries worldwide. The spectrum of their services is considerable, both about external services (operational support, logistical support, counseling, and military training), as well as internal armed and unarmed security services, intelligence, crime prevention, etc. Avant (Avant, 2005:17) defines them as military and police services, and states that the most dangerous of them include armed operational support on the battlefield. However, not many contracts have been signed for such services, and companies offering them are not too transparent as to the activities they provide. Contracts offering and providing counseling and military training services, logistical and operational support regarding transport, system maintenance, and control, are much more common. The internal services provided by these companies coincide with the services provided by the state police, and the best known company that offers this type of services is DynCorp. Certain services, such as operational support in counter-insurgency, anti-terrorist and other special operations, are indicative of the lack of clarity of borders between internal and external security when it comes to international security threats, as well as of the necessity of combining police and military roles in such undefined areas (Andreas, 2003:78-111).

Advantages and risks of private security services

The privatization of security is undoubtedly a trend in the development of the concept of security in general, which inevitably brings it to the floor as a hot topic for debate. However, there still is a lot of ambiguity, obscurity, and skepticism regarding the positive role that private military companies play in international and regional security, as well as many controversial experiences with their involvement in many regions throughout the world. The possibilities that private security offers are nearly endless, but the security risks involved are not to be taken lightly. The services this sector provides can be useful for their client countries (provided these services are professional, well-regulated, and accountable), but they may also cause problems for the governments of those countries; and they may be an impediment on the road to democracy, long-term development, and peace-building processes in feebler countries, especially post-conflict countries (Vejnović, Pavlović, 2012:24).

The advantages of private security services over the state-organized security provided by the countries or international organizations are manifold. First, the recruitment and mobilization process in private military companies is fairly simple, fast and flexible, they do

not need to maintain regular squads, but those squads can be readily mobilized in case of emergency or need. Usually they have a small number of employees, but a vast pool of potential candidates for mobilization on demand. They recruit on an international level, which is why they can always easily find the professionals they need for a specific action or operation. They are mostly persons with specific skill sets, most often retired army or police personnel, or personnel from special units. Taking into consideration the fact that the mobilization does not need to be approved by any political or other party, they can be readily engaged in action; and, when the action is completed, they can demobilize quickly and leave the territory in which they had acted (Avant, 2012). Secondly, private military companies are outside of any political, tribal, ethnic, or other interests, which are more often than not the causes for internal conflicts. They are not involved in political life and have no political motives because they work for profit; meaning, that they are solely led by personal interests, which motivates them to become engaged in a certain action or operation, without political strings attached. This could lead to a simplified conflict resolution process. Thirdly, the political price countries pay when they are hiring private security companies is lower than what they would pay should they engage their own armies. After the Cold War, the US cut down on military personnel due to political pressure, but used private military personnel for many different goals, with no political obligations (Avant, 2012). Engaging private armies in certain risky operations helps governments in situations when the political climate is hesitant to embark on such 'journeys', and especially so when there is no political or public approval for such actions. The public's sensitivity regarding the loss of human lives during armed operations outside national territory is increasing, but when that loss is on the side of the private security units, governments can control the flow of information regarding casualties under the belief that they will have fewer problems dealing with such unwanted consequences (Mandel, 2001:9). Furthermore, private security companies engaged in conflict regions and crisis areas are oftentimes more efficient than multinational forces, since they employ personnel with a wider range of specialties and skills, and have a greater degree of flexibility, which allows for a lower number of professionals to be engaged to staff a mission or operation (Avant, 2012).

Although many authors stress the advantages of private security services, and tend to build positive attitudes towards the advance of the private security sector, aiming to increase public acknowledgement, many authors dwell more on the perils stemming from the privatization of security. Potential threats are usually linked to the lack of control and legal regulation of this privatization, which brings the question of accountability and transparency of the private security companies to the surface. The existing legal limitations are most often ignored in some countries, and there is barely any interest in creating new legal framework for

their action (Bunker, 2003:63). Although it is believed that that might have negative implications on the democratic processes in the regions where the private security companies have been actively engaged, as well as on that country's control over the use of force, many authors believe that to be very unlikely. Private military companies are still limited in their actions by the governments who are hiring them, and by the nature of their work – which demands good relations to the people and control over their employees. For these companies, there is no good to be gained by operating in inadequate and inefficient methods, since that would ruin the reputation of the company (Howe, 1998, and Bunker, 2003:62). Shearer (Shearer, 1998:316) believes that private military companies can act pursuant to national and international interests and values, and at the same time, help the resolution of civilian conflicts by dealing with the 'dirty' interventions that the Western armies are trying to avoid. However, by establishing a legal framework, their work will gain legitimacy, greater professionalism and more value. Many subjects in the industry see defining global standards for action as a positive step forward in the efforts to establish rules and control that could prevent inefficiency and negative consequences. There is a lot of discussion surrounding this issue, but the biggest clients of the private security companies are concerned with the effects that these standards might have on flexibility and efficiency of the service providers, which is why they refuse to extend their support to and take part in these discussions (Avant, 2012).

The lack of transparency and accountability in the work of these companies is seen by some authors as an opportunity for their cooperation with international business interests (arms production and trade, exploitation of natural resources, etc), with authoritarian governments or military commanders in certain countries. Other potential threats include human rights violations, law violations, destabilization and militarization of the country, support for organized crime through involvement in the arms trade, and undermining the democratic processes (Fabien and Dearden, 2006:13-20). State security services in those countries are already not functional or competent, so the activities of the private security services would further subvert them, potentially creating a situation where private security services would be the only option the country has to protect itself and its citizens. Human rights abuses and inequality before the law are common in these situations (Pavlović, 2011:11). In other cases, political exclusion from society turns them into convenient instruments for suppression and human rights violations, which infringes upon the national sovereignty of the country (Press release for the UN General Assembly Resolution, 1996).

The increased demand for the services of private military companies (in high-risk countries and regions, especially in the Iraq intervention) establishes a market ruled by the service provider, dictating a high price that also includes the price for security in dangerous

and high-risk areas. Consequently, private military services not only fail to be a cheaper option, but could also be more expensive than the services provided by the state armies. The greater profit gained by the private security sector is also a threat to the state armies due to the overflow of personnel from the latter to the former. To cheapen the private option, and lower the costs, private companies are restricting the personnel and resources in performing certain tasks (such as engaging fewer professionals, or engaging personnel with lower qualifications and skill sets, etc), which results in a lower quality of services (Avant, 2012), which can put into question the efficiency and ultimate success of the action.

The ambiguous legal status of the members of the private military companies in the areas where they are active, as well as the unclear mechanisms for division of their rights and responsibilities, poses an issue for them and their cooperators. In case the government does not solicit their engagement (they are not working in government-backed operations), they face the risk of not having a legal status of combatants or prisoners of war, and being out of the military legal system, under threat of any consequence that stems from that.

The greatest dilemma regarding the effects of private security services is, however, linked to the legitimacy of the use of force for the protection of the country and its citizens. Global changes around the end of the 20th century have also occasioned changes in the area of security (national and global security), and countries have increasingly transferred certain roles onto the private security sector. Even more accurately stated, the private security sector started to overtake certain roles that were under the jurisdiction of countries for ages before, thereby imposing itself as a new security actor on the international stage. The main questions remains: are countries losing their monopoly over the use of force, which is seen as the main factor in defining their sovereignty? It is obvious that the international, as well as the non-state, financing of security diffuses the power over the control of the use of force, since other actors are participating in the decision-making process, apart from countries and their governments. However, this change in the role of countries in the use of force is not a challenge to the functioning of the country in the modern system, and it would be beneficial to look at it optimistically. Veber believes that in playing their part in security, other actors rely on the country and only the country has the power to a legitimate and legal use of force, which, in certain situations, might be entrusted in the hands of other actors (which is a sign of its democratic maturity). The country is the only party that decides to whom and under what conditions it would entrust the task of providing security. The country acts as a regulatory and supervisory body when it comes to the quality and legitimacy of the activities of the private security companies, regardless of how independent they are in performing their tasks (Veber, 1976, 432). The privatization of security should be seen as a phenomenon indicative of the fact

that countries acknowledge their limitations in guaranteeing the safety of their citizens when transferring some of their roles to private companies, although they do not fear losing the monopoly over these roles or the control of use of force (Avant, 2012). It is a fact that many feebler countries are using private security services to protect their citizens. In no way does that imply that private companies will grow stronger than the sovereign countries that hired their services, since their power is comparatively smaller to the national military forces, however weak they might be. Moreover, private companies do not sign contracts in a country without previous consent from that country, which means that these companies need to respect the conditions imposed by countries that hire and limit them from overuse of force.

In conclusion, the effects of the use of private security services on the power of the country using them depends in the highest degree on the power of that country to manage the risk of using their services on its territory. In that regard, the more powerful countries are leading and paving the way, whereas the frailer countries with inefficient, corrupt forces might face a unilateral dependency on private security services and a further weakening of their own military forces. This in turn decreases their power to control the use of force, increasing the possibility for illegitimate actions, which could further disturb the peace in that already unstable environment.

Conclusion

The enormous development of the private security sector was launched in the last decade of the 20th century, when global changes made it possible security roles to be transferred to it from traditionally state-led security forces. This development is mostly owed to the increase in demand, as well as the supply, of private security services, caused in turn by the privatization processes in transition countries, the professionalization of state armies, the weak positions of many countries, and their non-functional governmental structures and army forces, the changes in the nature of armed conflict, the increased number of hostage incidents, violence, and mass murders in conflict regions where peace-building multi-national forces, humanitarian and other organizations are actively engaged. These are some of the factors that contributed to the development of traditional mercenaries into a modern private security industry, composed of companies with a fully developed corporate structure, relative openness and internationally acknowledged services.

Private security services draw great advantages in comparison to the services traditional state-led and multi-national armies offer. However, there are many dilemmas as to

the effects of these services; mainly, (due to the lack of transparency and accountability of the private military companies), the high prices they charge, the lack of definition of the status of their employees in the area where they are actively engaged, and the lack of clarity when it comes to the division of rights and responsibilities. Whether the country is losing control over the use of force on its territory because of using the services of private security companies will only depend on that country's capacity to manage such risks and to direct private security services towards the common good. Regardless of any dilemma, the global demand for such services will continue to increase, leading to the necessity to legitimize these companies, and to make their staff liable to professional, ethical, and legal standards. It is only in this way that potential problems with uncontrolled privatization of security services could be avoided, simultaneously increasing the international acknowledgement of private security companies and their services.

References

1. Andreas, Peter. (2003): Redrawing Borders and Security in the 21st Century, *International Security*, 28(2).
2. Avant, Deborah, D., (2005): *The Market for Force: The Consequences of Privatizing Security*, Cambridge: Cambridge University Press
3. Avant, Deborah, D., (2012): *Private Military Companies and the Future of War*, <http://www.fpri.org/article/2012>.
4. Bunker, Robert, J., (2003): *Non-State Threats and Future Wars*, Routledge.
5. Fabien, M., and Dearden, N., (2006): *Corporate Mercenaries: The threat of private military and security companies*, London: War on Want.
6. Mandel, R., (2001): *The Privatization of Security*, *Armed Forces and Society* Vol. 28 Issue 1, Chicago: Department of Political Science, Loyola University Chicago.
7. Pavlović, G., (2011): *Pravo private bezbjednosti – uporedna studija*, Banja Luka: Defendilogija centar.
8. Richards, A., Smith, H., (2007): *Addressing the role of private security companies within security sector reform programmes*, London: Saferworld.
9. Schreier, F., and Caparini, M., (2005): *Privatizing Security: law, practice and governance of private military and security companies*, Geneva: DCAF.
10. Shearer, David., (1998): *Private Armies and Military Intervention*, Oxford: Oxford University Press, Adelphi paper No. 316.

11. Singer, P.W., (2003): *Corporate Warriors: The Rise of the Privatized Military Industry*, Ithaca, NY: Cornell University Press.
12. The Freedomia Group, (2012): *World Security Services, Industry Study with Forecasts for 2016 and 2012*, www.freedomiagroup.com.
13. Veber, M., (1976): *Privreda I društvo – II knjiga*, Beograd, Prosveta.
14. Vejnović, Duško, Pavlović, Gojko, (2010): *Globalization and Privatization of Security*, COBISS. BH – ID 1862936.
15. Williams, Paul, D., (2008): *Security Studies: An Introduction*, Routledge.

METHODS OF SECURITY RISK ASSESSMENT IN PRIVATE SECURITY

Saše Gerasimoski, PhD

Faculty of Security, Skopje, Republic of Macedonia

E-mail: sasegerasimoski@gmail.com

Abstract

The everyday life has always been filled with security risks, most of which we take for granted and for which we have developed routine strategies and ways of dealing and managing. However, the globalization and post-modern dynamics of contemporary societies have created a societal environment that multiplied the security risks and made their identification, assessment, management and dealing much more complex. This can be observed especially in security risks related with personal and proprietary security. Since personal and proprietary security fall within the field of private security, a question of developing adequate risk assessment as core of preventive work in private security becomes a priority. In this sense, having efficient methods for risk management and assessment is crucial in the overall performance of private security entities, providing subtle balance between their security efficacy and cost efficiency.

This paper deals with some of the most known and used methods for risk assessment, analyzing their importance and application in the private security. Several methods, which have been applied to private security entities in Republic of Macedonia, as well as abroad, are being singled out and closely discussed. Our focus, nevertheless, stays on the application of Keković, Kinney and AUVA methods of risk assessment within private security entities. Although these methods for risk assessment are widely used in different risk assessment methodologies in various spheres, they can be successfully adjusted and implemented in private security companies' risk assessment as well. The paper will consider the possibility of successful implementation of methods of security risk assessment in Republic of Macedonia. In addition, the author of the paper gives proposals, which could prove useful when implementing the risk assessment preventive policies, methods and strategies within the work of the private security entities.

Keywords: security risks, risk assessment methods, prevention, private security

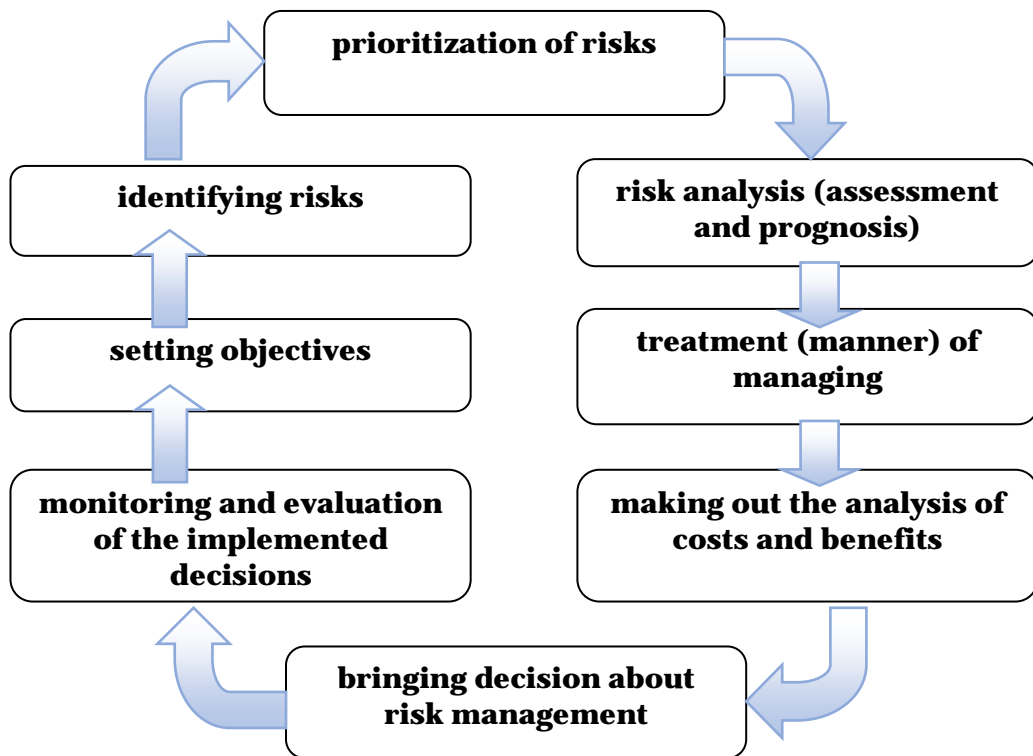
1. Introduction

The private security has experienced significant growth and development all over the world within the last three decades. They have been triggered by the constant growth and development of demand for protection and therefore, more and various private security services have been offered. Considering the character of private security, the services offered to the clients have mainly been preventive. Among the services that every serious private security entity (contract security) or company with integrated security function (proprietary/in-house security) offers in contemporary security environment, are certainly the risk analysis and risk assessment. Risk analysis and risk assessment have proven to be unavoidable in nowadays private security work, since they have to deal with large number or security risks that could affect security of persons, property, events or work processes within given organization or entity. In addition, the cost-effectiveness is the major equation when it comes to work of the security entities or other private entities that work in market conditions. Therefore, implementing quality risk analysis and assessment is crucial for not only the security performance and effectiveness, but is also necessary for proper balancing between security effectiveness and cost made for achieving it. This is simply because, for each private security entity or entity that needs security function, proper dealing with security risks means costs. In fact, for the management of the private security entity or entity that requires security of its assets this implies bringing decisions that see the security programs both from their effectiveness and from their cost efficiency (Hubbard, 2009: 10). That is why they must assure optimal security programme, which could make the security costs justified with its effective performance. Thus, the risk analysis and risk assessment are seen as two essential tools within the broader process of risk management that could make such security programmes optimal.

The contemporary risk management, risk analysis and risk assessment are impossible to imagine without quality risk assessment methodology. In addition, the risk assessment methodology is not something new, but its application in the private security work is relatively recent. The scientifically grounded methods for risk assessment were primarily developed within defendology, martial sciences and industry, but, considering its flexibility and broadness, they could easily be transformed and adjusted to serve the security assessment methodology in the private security sector as well.

Risk analysis and risk assessment as part of the risk management process

Assessment of security risks represents only one stage in the process of risk management with security risks, but also, the assessment is one of the most important documents produced within this process, and is essential for future prognosis, treatment of security risks and adoption of the best possible decisions in the process of risk management. The assessment and prognosis of the risks fall within the phase of risk analysis that covers a multitude of procedures to determine the risk-factors, their significance, the likelihood and possible consequences, criticality and vulnerability of the value to be protected in terms of possible risks and security risks separately. The end result of the risk assessment is determination of the risk size (level of risk, risk index), on the bases of which the most suitable means for the treatment and decisions on risk management with security risks are to be proposed later on. Risk assessment and risk prognosis are both part of the risk analysis, which itself is a phase in the process of risk management with security risks. The risk management consisted, roughly, of eight phases, which form a cycle that repeats constantly. The eight phases of this cycle given in the graph below are: setting objectives, identifying risks, prioritization of risks, risk analysis (assessment and prognosis) (Герасимоски, 2010b), treatment (manner) of managing (Боран, 2014: 18-20), making out the analysis of costs and benefits, bringing decision about risk management, and monitoring and evaluation of the implemented decisions (ASIS International, 2003: 7).



Graph 1. The stages of the process of risk management

The word assessment itself, and the process of assessing the risks and security risks can be unclear, because the word assessment may relate to determining the nature and components of risk (risk factors) as a basis for scientific prediction or forecasting risks in a close future, but it could also mean a procedure with which the prediction, i.e. forecasting of its manifestation in the future is to be carried out. It is suitable to the spirit of Macedonian language, where, besides as a process of evaluation or assessment (valuation) or the result of it, the assessment is also being understood as an opinion or judgment of a phenomenon or event of reality (Мурпроски, 2005: 659). Therefore, the assessment may have meaning related to the assessment of risk factors, but also, of their prediction too. However, within the spirit of management science, analysis and assessment of risks and security risks in particular, we will look at the assessment as a procedure which falls within the phase of risk analysis, which aims to determine the nature and contents of the risks in terms of risk factors and to determine the size (level, index) of risk by analyzing the dimensions of risk (probability, criticality,

vulnerability and consequences of risks and security risks in relation to established goals and values of the subject who evaluates). Here, we make a clear determination of scientific prediction of risk, under which we understand the process of risk prognosis, which, together with the risk assessment, make the analysis of the risks and security risks.

If, based on the above, we should define risk assessment of security risks; we could define it as a procedure within the phase of risk analysis, which, by use of appropriate methods of assessment, determines the risk factors of security risks and the size (level, index) of risk, as a basis for further prognosis and treatment of security risks.

3. Methods of security risk assessment in the private security

There are a multitude of methods to assess security risks in theory and practice of security sciences. Given the breadth of security as a concept, methods of risks assessment come from different areas in which a need for risk management exists, but most of the methods derive from the science of health and safety at work, military, industry and more recently, from computer security. General speaking, the methods of risk assessment vary according to the complexity, exactness and resources required for their application, and for all of them there is a common tendency to use some level of cross-reference of the variables of risk assessment and a degree of quantification (numerical expression) which connects empiricism with theory. In terms of the types of methods used in assessing security risks, they are divided into three groups: qualitative, quantitative and mixed (qualitative-quantitative). Choosing the method of assessment of the security risks is the decision of the joint consultation of the department/unit for analysis and management of security risks and the management of security entity or entity with an integrated security function. This choice has often been determined based on the entity's objectives, the available resources and acceptable level of risk. Because the security entities that provide private security services or proprietary/in-house security entities have to make risk assessments as part of their everyday work, we consider most of the methods used in other security spheres compatible and applicable to assessing security risks for persons, property or other phenomena (events, processes).

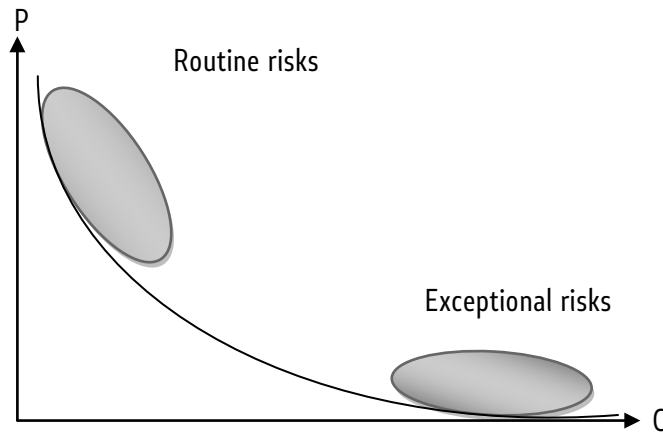
In essence, all methods for security risk assessment start from one basic formula that represents the unity of the values obtained by multiplication of the values of probability and possible detrimental consequences (damage) to the protected values of the entity. The level of

risk is determined as function of probability and consequence, according to the basic formula of risk assessment:

$$R = P \times C$$

where R-level (index, size) of risk
P-probability
C-consequence

When determining the method of risk assessment, it is crucial to have as comprehensive data as possible about the previous manifestations of security risks. This is important because the routine risks (those that are part of everyday work) and exceptional risks (those that happen extremely rare) influence differently on the choice of method for risk assessment, as well as on the whole process of risk management. This can be seen very well on the graph 2 below, showing routine risks as being one with high probability of happening followed with very small potential damage, and on the contrary, exceptional risks as being one with low probability of happening followed with very high potential damage. As we can see, the curve is exponential (goes close to x and y axes, but never touches or intersects them).



Graph 2. Diagram of probability vs. consequence (Жековић, Баќрески Стефановски, Павловић, 2016: 200)

From the multitude of methods for assessment of security risks that exist today in science and have already been applied in various spheres of security, we consider these three methods to be applicable to modern private security entities: *method of integral management with security risks developed by Zoran Keković and associates, Kinney method of security risk*

The consequence is being calculated according to the following formula:

$$C = D \times C,$$

where C-consequence or effect

- D-damage, as value (size) of damage of the protected Value on which the negative event caused consequences
- C-criticality, which indicates the value or importance of The protected value for the organization on which the Negative event caused consequences

The calculation of the level of risk is carried out in such a manner that, first, a qualitative (descriptive) categories for the variables of probability and consequence are being determined and expressed through two-dimensional matrices and tables. The descriptive values are expressed through five categories for all variables of the matrices. Thus, the frequency can range from very rare, which is assigned a value of one, two is assigned for occasional, three for frequent, four for significantly frequent and five for very frequent. While the vulnerability has also five categories and can range in value from very large 1, large 2, medium 3, small 4 and very small 5. By multiplying these values and making out the matrix table the values of probability are being determined, which later on represent one variable within the calculation of the level of risk in the general formula. The damage as a variable gets the following values: very low one, low two, medium 3, large 4 and very large 5. Besides that, the criticality values are as follows: very large 1, large 2, medium 3, small 4 and very small 5. By crossing the values of these variables the matrix and the matrix table of the probabilities and consequences are being made and these values are then multiplied to obtain the values of the main matrix and the size of the risk.

We will present only the outlook of the final 5x5 matrix that determines the levels of risk by crossing the values of probability and consequence. The levels of risk ranging from 1-5 are considered as acceptable (marked with bright gray nuance), while the levels ranging from 6-25 (marked with darker to darkest gray nuances) are considered unacceptable and require some kind of treatment. This can be seen from the table 1 below:

Consequences		Very light	Light	Medium hard	Hard	Extremely hard
Probability		1	2	3	4	5
Rare	1	1	2	3	4	5
Less probable	2	2	4	6	8	10
Moderately probable	3	3	6	9	12	15
Probable	4	4	8	12	16	20
Almost certain	5	5	10	15	20	25

Table 1. Risk matrix with levels of risk according to the method of integral management with security risks by Zoran Keković and associates

This method for assessment of security risks is considered as easily adaptable and applicable in private security entities. Its relative easiness in use is complemented by the possibility to assess all assets and values of the private security entity or entity with an integrated security function (proprietary/in-house security). One can easily determine the risk factors, level of risk and propose adequate security treatment on different company values, whether they are assets such as physical objects, personnel, events or processes. Although mainly deemed as qualitative method, the method does not lack the necessary exactness, which can be seen through the 5x5 matrices of determining risk level. In addition, this method for assessing security risks also gives good cost-effectiveness ratio.

3.2. Kinney method of security risk assessment

Kinney method for assessing security risks is among the most widespread and popular qualitative methods for security risks assessment. Its wide application and popularity are owing to its relative ease of use, comprehensiveness, the relatively small resources needed for implementation and a good ratio of quality assessment against the costs of its application. These features make it a very competitive method of assessing security risks, considering even the far superior and more exact quantitative methods of security risks assessment (Gerasimoski, 2016a). This method was developed in 1976 by the Naval Weapons Center in California, USA, by G.F. Kinney and A.D. Wiruth. Due to the fact that G.F. Kinney was the lead

researcher of the research published in the paper "Practical risk analysis for security management", the method was named Kinney method (Kinney & Wiruth, 1976: 3-10).

The Kinney method stems from three basic assumptions:

- The risk can never be eliminated,
- The care and effort can reduce the risk down to acceptable level,
- Efforts to reduce risk should lead to the greatest possible benefits.

The formula for calculating the size of risk, according to Kinney method consists of three variables as follows:

$R = L \times E \times C$, where R-risk size (level, index)

L- Likelihood of occurrence of an adverse event

E-exposure to an adverse event (Доревски, 2013: 84)

C-possible consequence of the realization of the adverse
Event

This formula indicates that the multiplication of the values of the three variables is done by crossing the values of variables in the matrix and thus we receive values of the risk size (level, index), which may range in values of 20 or less for negligible risk, up to 400 or greater for risk whose occurrence could have disastrous consequences. Like any other method for assessing security risks, Kinney method also takes the data related to the previous manifestation and realization of the security risks in the form of encroachments. To this end, statistical data and other secondary data used to perform risk assessment and its prioritization depending on the goals of the entity evaluated are being primarily used. In Kinney method, previous security risks taken into account in relation to a particular security occurrence (event), may be expressed in units of damage as relations within the whole (for instance: number of attacks on object-theft, damage, sabotage, etc. for a period of time, or a certain number of cases if it comes to property, or number of injuries or deaths in the entity for a period of time or as the proportion in terms of a number of an investigated statistical mass if the appearance was present in the past, if it comes to persons). In addition, within the original version of the Kinney method, the expected detrimental effect on the risk is being expressed in dollars, so that it greatly facilitates the application of the appropriate treatment of security risks and application of the cost-benefit analysis.

The obtained sizes of risk are basis on which to propose measures and actions for security treatment of the related security risks. In the following table 2, descriptive categories

of the risk level, the values of the risk level and the measures and actions that should be taken for treatment of security risks, are being given.

Risk level	Value	Treatment of security risks
Very high risk	>400	Termination of activity
High risk	200-400	Taking urgent security measures and actions is necessary
Significant risk	70-200	Taking certain security measures and actions is necessary
Possible risk	20-70	Significant attention and monitoring of the situation is required
Insignificant (acceptable risk)	>20	Risk can be maintained; no need for taking any measures and actions

Table 2. Risk level, risk value and treatment of security risks according to Kinney method of security risk assessment

3.3. AUVA method of security risk assessment

AUVA method for security risks assessment is the abbreviation of the German AUVA (Allgemeine Unfall Versicherungs Anstalt) and loosely translated means a method for risk assessment in the workplace, i.e., a method of assessing professional risks (security risks associated with the profession). The Austrian association of producers of pulp and paper in 1995, in order to assess the professional security risks that the employees may face during the working process, developed it. This method is very similar to BG method for security risks assessment developed in Germany. The AUVA method is considered as quantitative or half-quantitative method for assessing the security risks in the workplace and is regarded as more accurate and less subjective than Kinney method (Gemović, 2011: 6-11; Stanković & Stanković, 2013: 135; Moraru, 2012: 13). Compared to Kinney method it is more complex, it requires greater expertise of the analysts for assessment of risks and implies higher costs and more

time for implementation. This method primarily applies to security risks assessment on the workplace and in the working environment.

The basic formula for security risk assessment according to AUVA method is identical to the aforementioned general formula for estimating the size (level, index) of security risks by the method of Zoran Keković and his associates, with one remark that the assigned values for the categories of variables are different. Thus, the basic formula for calculating the size of the security risk according to AUVA method is as follows:

$R = P \times C$, where R- risk level

P-probability of an event resulting in negative outcome

C-consequence or effect of a negative event on the value

It should be noted that according to this method, the calculation of the level of risk is being carried out by the general formula and by making the matrix of the two variables (probability and consequence), but all of that after the probability was being calculated with a separate sub-matrix and the values of consequence (effect) were being determined. A key variable by which this method is known and differs from other methods, is the introduction of the variable for the fulfillment of the safety conditions in the workplace (working environment), which as variable enters within the formula and sub matrices of probability. Hence, the probability is calculated by the following formula:

$P = E \times FC$, where P-probability

E-exposure of employees to possible dangers (harmful Effects)

FC-fulfillment of the safety conditions in the workplace (working environment)

Here, we'll only present the check-list for determination of the fulfillment of the safety conditions in the workplace (working environment) and the final table with numbers of the risk values, qualitative description of the risks, quantitative ranking of the risks and measures and actions for risk treatment. The variable of fulfillment of the safety conditions in the workplace (working environment) actually represents the assessment of security situation in the workplace (working environment) and is being determined with the help of checklists. A yes/no answers are being given for each separate category of check-list, and the goal is to determine the level of compatibility of safety requirements in the workplace (working

environment) with established security standards defined by legal acts (laws, rulebooks, statutes, etc.) and unwritten, but known ethical principles, practices and standards of performance in the field. An example of a checklist is given below.

No.	Workplace/working environment security rules	Analysis and assessment of compatibility with security requirements	The security situation in the workplace / working environment YES/NO
1.	Working space		
2.	Working surface		
3.	Tools and work equipment		
4.	Raw materials, basic and auxiliary materials		
5.	Fire and explosion protection		
6.	Brightness		
7.	Electromagnetic radiation		
8.	Noise		
9.	Tools and personal protective equipment		
10.	Crossing paths, access and evacuation		

Table 3. Checklist for determination of fulfillment of the safety conditions in the workplace (working environment)

When we obtain the values of probability and consequence, we make out the 5x5 matrix and get 25 possible risk values that represent the size (index, level of risk). This table is similar to the table for determination of the value of security risks by the previously elaborated method of integral management with security risks by Zoran Keković and associates. The final step of the AUVA method, as seen from the table 4, is making out of the table that contains numbers of the risk values, qualitative description of the risks, quantitative ranking of the risks and measures and actions for risk treatment.

Risk value number	Qualitative description of risk	Quantitative ranking of risk	Measures and actions of risk treatment (removal, prevention or reduction)
1, 2	Insignificant	1	Optimal working conditions (optimal protection of the employees).
3, 4, 5	Small	2	Satisfactory working conditions (the risk can be brought to ranking 1 with improvement of the work discipline and internal supervision).
6, 8, 9	Medium	3	Working conditions, which can, under certain conditions, lead to fulfillment of possible detrimental consequences and there is a residual risk that must be put under control.
10, 12, 15, 16	High	4	The work takes place in difficult conditions, with the strong possibility of incurring injuries or damage to the health of employees. Additional protective measures based on the analysis of injuries and diseases of employees have to be undertaken.
20, 25	Extreme	5	Very heavy working conditions with constant exposure of employees to harmful consequences during working activities. Banning the working activities is indispensable.

Table 4. Risk values, qualitative description of the risks, quantitative ranking of the risks and measures and actions for risk treatment according to AUVA method of security risk assessment

4. Some possible improvements from application of risk assessment methods in Republic of Macedonia's private security

Private security entities and entities with an integrated security function (proprietary security entities) should seriously consider the risk assessment as part of their management process, especially when managing security risks. Managing the security risks has become unavoidable since security risks are increasing in size and variety, as well as are getting more serious in terms of the consequences towards value and goals of the market-oriented entities. Therefore, private security entities, whether they are contract or in-house, must establish and develop quality risk management process where risk assessment takes crucial role (Станковски, 2013).

Republic of Macedonia has been developing its private security sector (subsystem) within the last 25 years. Although the risk management is not so recent in other parts of the world, the Macedonian experience in this field so far could be deemed as more than modest. Namely, most of the private security entities have not recognized adequately the need and importance of risk management as part of the wider management process, and particularly of management with security risks. However, since the status and role of the private security has been defined as primarily preventive-oriented, than, the private security entities in Republic of Macedonia have only recently understood the real need and potential of the process of security risks management, and, assessment of security risks as part of that process. It seems that nowadays, the private security entities are becoming more and more aware of their necessity and of the many improvements that they could bring to their work, both in terms of their professional performance and efficacy and in their economic performances. In this respect, according to the insight and knowledge of the author, some of the largest private security entities in Republic of Macedonia are seriously interested in implementing sound and up-to-date risk management process and risk assessment, speaking of security risks at first place. Thus, they have started to recognize that a quality and optimal risk management process and risk assessment of security risks could not be attained only through their empirical knowledge, but, they have to be prepared and willing to invest in implementing scientifically based processes of risk management and risk assessment, and, especially, in implementing sound methodology for assessment of security risks. Their implementation nowadays represents crucial precondition for their future status within the private security sector, since more of their clients seek high quality preventive security services, something that could not be achieved without sound and optimal risk management process and risk assessment methodology.

Without any doubt, bringing higher scientific standards and knowledge from this field to the private security entities and entities with an integrated security function should make them more competitive, professional and socially responsible. The optimal risk management process and risk assessment methodology can ease the risk identification, determination of their size and seriousness, as well as provide clear and quality alternatives in security risk treatment. Especially, we find the method of security risks assessment within organizations by Keković and associates, as well as the Kinney method, as highly suitable and easily implemented on risk assessment of different values and goals of private entities and private security entities in Republic of Macedonia in the future. The AUVA method could also be implemented because of its reliability and objectivity, but, it lacks the possibility to be implemented for assessing risks related to other values of the entities except persons (personnel and working environment).

When listing the numerous possible improvements which private security entities (both contract and in-house) in Republic of Macedonia could get from the application of quality risk assessment methods, we could single out the following:

- Strengthening of preventive politics and approaches within the entities;
- Reduction of subjectivity in risk management and risk assessment;
- Obtainment of highly reliable values of risk size (level, index);
- Setting quality basis for security risks prognosis;
- Determination of the most adequate treatment of security risks;
- Making out balanced cost-benefit analysis;
- Providing optimal grounds for risk management decisions.

5. Conclusion

All private security entities (contract or in-house) have to implement optimal and up-to-date security risk management process and risk assessment methodology. They are unavoidable for them because of their preventive role and function within the contemporary systems and their need to be competetitive in the market of private security services. Among numerous methods of security risk assessment, we find the Zoran Keković and associates method, the Kinney method and AUVA method to be suitable, reliable and practically applicable within the work of the private security entities in the Republic of Macedonia. We consider that application of these risk assessment methods could bring numerous and

significant improvements of the work to these entities, such as reduction of subjectivity in risk assessment, obtaining of highly reliable and useful values of risk size (level, index), determination of the most adequate treatment of security risks, making out of balanced cost-benefit analysis and other improvements in the overall risk management process.

References

1. ASIS International (2003). *General Security Risk Assessment*. Alexandria VA: ASIS International.
2. Воган, Џ. Е. (2014). *Управување со ризици*. Скопје: Арс Ламина.
3. Gemović, B. (2011). *Upravljanje rizicima kao element integrisanog sistema menadžmenta preduzeća*, (neobjavljeni doktorski rad, iz arhiva autora). Beograd: Fakultet tehnickih nauka.
4. Gerasimoski, S. (2016a). "Application of Methods of Risk Assessment in Private Security". in *Private Security in the XXI-st century: Experiences and Challenges*. Скопје: Chamber of Republic of Macedonia for Private Security. pp: 327-338.
5. Герасимоски, С. (2010b). "Прогноза на ризиците во приватниот безбедносен сектор". *Хоризонти*. Битола. бр. 6. сс: 319-326.
6. Герасимоски, С. (2010c), "Проценка на ризиците во приватниот безбедносен сектор". *Годишник на Факултетот за безбедност*. Скопје. бр. 5. сс: 70-77.
7. Доревски, З. (2013). *Управување со ризици, обезбедување и кризни ситуации како елементи на безбедносниот менаџмент во компаниите во Република Македонија*. (необјавена докторска дисертација, од архивата на авторот). Скопје: Факултет за безбедност.
8. Kinney, G.F., & Wiruth, A.D. (1976). *Practical Risk Analysis for Safety Management*. China Lake CA: Naval Weapons Center.
9. Кековиќ З., Бакрески О., Стефановски С., Павловиќ С. (2016). *Планирање и проценка на ризик: во функција на заштита на лица, имот и работење*. Скопје: Комора на Република Македонија за приватно обезбедување.
10. Кековиќ З., Глишиќ Г., Комазец Н. (2010). "Приступ методологији интегралног управљања ризиком у организацији". *Војно дело*. сс: 243-257.
11. Keković Z., Glišić G., Komazec N. (2009), "Prístup metodologiji procene rizika". *Nauka, Bezbednost, Policija NBP, Žurnal za kriminalistiku i pravo*. ss: 103-116.

12. Moraru, R. I. (2012). *Current Trends and Future Developments in Occupational Health and Safety Risk Management: Risk Management for the Future - Theory and Cases*. Rijeka: Intech.
13. Мургоски, З. (2005). *Речник на македонскиот јазик*. Скопје: Филолошки факултет „Блаже Конески“.
14. Stanković M. & Stanković V. (2013). “Comparative analysis of methods for risk assessment-Kinney and AUVA”. *Safety engineering*. Vol. 3, No. 3. pp: 129-136.
15. Станковски, Љ. (2013). “Планови за обезбедување и процена на безбедносната ситуација”. *Современа македонска одбрана*. Том 13. Бр. 24. сс: 137-148.
16. Starčević J., Ilić M., Paunović-Pfaf J. (2010). *Priručnik za procenu rizika*. Beograd: Globe Design.
17. Hubbard, D. W.(2009). *The Failure of Risk Management*. Hoboken NJ: John Willey & Sons.
18. CoESS & UNI Europa (2004). *Preventing occupational hazards in the private security sector*. Wemmel: CoESS.

CORPORATE SECURITY IN PRIVATE SECTOR OF THE REPUBLIC OF SERBIA

Ljubo Pejanović, PhD

Faculty of Legal and Business Studies, Novi Sad, Serbia

E-mail: pejanovicljubo@gmail.com

Marija Mitić, PhD candidate

Faculty of Legal and Business Studies, Novi Sad, Serbia

Abstract

This paper is aimed to corporate security, their connections, similarities and differences in relation to the corporation are engaged the security in the Republic of Serbia. Corporate security problem is presented in numerous ways, names, explanations and interpretations, which makes it necessary concrete explanation, definition and articulation in a better and more specific mode of action of these institutions in the private security sector. To solve the problem scientifically explain the corporate and corporate security, it is necessary to do empirical research within the framework of existing institutions and engaged corporate security within corporations. In order to reach the goal of this article shall apply the method of analysis, which will be made unbundling more complex concepts into simple elements, to dissect the elements and their interrelations and connections. While the method of synthesis will be made of its research and explanations and connecting ideas in a simple thought complex and connecting parts and their relationships in a continent such as corporation. After the research questions, will be adequate answers, definitions and reasoning given problem.

Key words: Corporate, corporate, agreed, conventional, security.

1. Introduction

This paper deals with the problem of corporate security as the subject of conventional security in the private sector, whether it is in corporations, companies, agencies, companies and the citizens. Thereby, this phenomenon In doing so, this phenomenon implies stable, responsive, established and traditional-social approach to protecting corporations from all forms of destructive threats and risks. This activity involves the realization of the security property, capital and people who exercise of all forms of destructive threats in a certain area that is space Corporations itself. In this regard, the Corporation, is a special form of organization of a number of people of the same profession and the capital, which is in accordance with the laws of the state where the organize certain activities. In this sense, the corporation represents the corporate system of joint activities and capital. Accordingly, in the conceptual definition of the term corporation refers to corporate activity, in which the corporate security contained as an internal and agreed to protect corporate entity. This type of organization, approved by the state in order to operate and conduct business in which it acquires capital which is the goal of this association. The aim of the research in this article is focused precisely on internal protection of the capital and all values in the Corporation. One of the key problems in the study of needs, professional activities and the role of the private corporate security activities in the Republic of Serbia, which refers to the prevention of destructive activities, it is inadequate laws and subordinate legislation. When it comes to the law on private security is inadequate in relation to the Corporation's foreign capital, because it does not involve the same corporate security. While, in the form of sub-legal norms of the Rules is not yet saw the light of day, and on the application we can not talk yet. Therefore, internal norms in corporations can be adjusted according to the laws that have not been completed in accordance with these Institutions. In this sense, the problem in this area and in the social sector where jobs are organized independent safety and protection of people and property that does not protect its country. Therefore, the law on private security is not only corporate, but also regulate private security and their activities in foreign corporations. While foreign corporations internal corporate security regulate its internal bylaws. In this regard the law on private security was partially regulates the issue of private security and its agreed-conventional function in the security of people and property.

When it comes to the society of the Republic of Serbia and its legality related to this activity, in which appears between the other and the problem of applying the law of the Corporation, which was organized and established in another country, a part thereof or daughter company is in the territory of the Republic Serbia. The problem in the

implementation of the Law on Police and Law on Private Security also it does not mention the corporation as an entity that is subject to these regulations. In this case, these laws apply only institution to provide services to the Corporation. In this regard, the problem raises the issue of the functioning of the Law on Private Security Corporation of the institutions themselves. The state did not regulate the secondary legislation, and the same can not be applied. While the Corporation developed its own rules based on the laws that regulate the function of the Corporation.

2. Defining corporate security

Before we go on to possible definition and the definition of the concept of corporate or corporate security, it is necessary to point out to its original terms is characterized by, directed and characterized this name and its meaning. „**Corporation**, the specific legal form of organization of persons and material resources, which authorizes states in order to conduct a business. In contrast to two other important forms of business ownership, both individual and partnership, the corporation has several characteristics that make it more flexible instrument for large-scale economic aktrivnosti.“ If we consider the above definition as a basis for an explanation of our corporation, we reach a certain impression and conclusion. The corporation is an organized system and made a number of persons associated with its capital, which becomes the property of the persons called the Corporation, with the aim of doing business and the realization of capital. In this sense formed corporation, means the joint association of a group of people who have agreed, and joined together with their capital and become the owners of capital. What is important to note that the precise agreed percentage invested or attached kapitalalom. So affiliated persons or people in most cases are the same profession and the profession. This form of association based its roots in capitalist society, and stayed in the same system, and now in the majority, while i appeared in another form of organization that is in other systems on a smaller scale. To form a complete conceptual definition and the definition of a corporation with the appropriate bases and original words and their similarities, differences, ie, it is necessary to adopt other similar words such as: corporate, corporate system, corporatism etc. „*Corporate* latin not individually, but as an association (for. example, when appearances); total; in common. Thus, corporate, belongs to the capacity of a corporation that is related to a corporation, under which the company is made up of an association in which they are affiliated employers and workers, it is usually the same profession. „*Corporation* - is (latin korporation, v, korpus), Association, an organization of people of the same profession,

occupation and the like. formed on the basis of group interests, guild, guild." In this regard the conceptual meaning of a corporation means an association of organized people and capital of the same profession and occupation with common interests, goals and acquiring capital, and thus profits. And finally, a word corporatism, also implies association, which is subordinated to the state and not the interests of a group of people, and in most cases this association formed in industrial production, and that the company would be determined by authority subordinate to the state or state authorities, and which would not controlled. In other words, corporatism would be considered corporate management of the corporation or an association owned by the state. Thus, the corporation is associated and organized activity interested groups and professional staff who have common goals and interests of the end for profit and capital. A time identified with the capitalist system that is not a country but an organized group. While, the association involves a corporate group of people of the same trade and profession, who manage the corporation and corporations that fit in front of the society.

3. Models of corporate-integrated security Corporations in the Republic of Serbia

"Public-private partnership is a long-term contractual partnership between the public and private sectors, which may include the financing, design, construction, operation and/or maintenance of infrastructure and/or the provision of services by the private sector, which traditionally procured and provided by the public sector. When it comes to the implementation of public-private partnership, it is a model that brings benefit to both sides, which requires an effective combination of targets public and private sectors... Private security companies have become the reality of the implementation of security of many countries and are an integral part of their security sector. His presence fills the spaces that state institutions for objective and subjective reasons are not able to fill." The author is fully addressed in the discussion of the private sector within the framework of state institutions and the exercise of general security often quoted without specific companies, agencies or companies that provide security services. The majority of his work is devoted to private companies in public utilities, and military companies and their participation in the realization of security. When it comes to the relations between state and private partnership in the Republic of Serbia has a similar status but on a smaller scale and the capacity in which the private sector participates in the state sector. However, the private sector provides far less in terms of security within the state sector, its services are mostly offered and accepted in the private sector. Private security in

the Republic of Serbia has also become a reality and occupies an important place in the realization of security, both in the private and state levels. For the purposes of this study were collected from a number of financial corporation Republic of Serbia, with the aim of reviewing their organization's security model. In this sense, it was identified and found similarities and differences corporate-corporate-conventional security guards. Model, organizing corporate-corporate security on the one hand, and agreed service security from the aspect of physical protection by conventional means and equipment safety.

4. Models and experiences of security in corporations and companies

-Research results-

1.3.1. The corporation state ownership *Komercijalna Banka* whose capital is associated with a 75% domestic and 25% foreign capital. However, security is organized on the model of the double security in one system. The security department of the Bank was organized by departments in the organization of the bank and contracted works with other professional institutions of private security. Thus, the Bank's internal security services are: informational, financial, business, data protection and security part of health at work. This type of organization includes corporate security. While the second part of the contracted security service activities with other institutions in the framework of the private sector for the protection and realization of safety and security services through: Physical and technical security, security of facilities, provision of money transportation, fire protection, security part of health, exercise fizičkko a conventional security because they use weapons, tools and equipment for these purposes. In addition to these service industries, performs and other forms of service delivery in the following: staff training, inspection and maintenance of protective equipment, contracts and risk assessment. When it comes to laws and statutory rules on the exercise of security apply to all laws of the Republic of Serbia relating to the security of that activity, while the bank's work safety (protection of classified information, information security, environmental security and economic security) which includes corporate security apply the Bank's standards, policies and legal documents on the functioning of the Bank. So, in this corporation is organized Corporate-agreed and conventional safety, according to the model of their own organization and consultation with other institutions of private security, which has given the Corporate condition-corporate and agreed security, which is surrounded by corporate security company. On the question whether the security of your

corporate or corporate? To which an answer is corporate corporation itself, a security is its internal activity called corporation security. Thus in this corporation is organized as „Corporate security“.

1.3.2. When it comes to *SBERBANK* in Belgrade, security service was organized by the two entities, i.e. from the bank's security and other institutions involved. When it comes to the bank's security organized by the professional services that perform safety through the Department of risks, the department of information security. Agencies involved from the composition of private security provide protection and realization of security through protection of buildings and persons, fire protection, technical protection and health and safety at work. Regarding the issue of the application of legal norms, mainly governed by the laws of the Republic of Serbia in the field of those services. When it comes to the application of foreign laws, which are related to safety recommendations apply to the country of origin of the Corporation. Therefore, in the above corporation organized corporate-agreed and conventional safety, which includes parts of the corporate and parts of other institutions and it, is done-integrated corporate security.

1.3.3. *Bank INTEZA*, as the financial corporation with headquarters in Belgrade, prevails on the whole territory of the Republic of Serbia, with a specially organized security sector, which is defined with special security services through which covers the entire security of the Corporation. Internal corporate security is defined and organized through services for information security management service continuity of business services for the prevention and abuse, and services for the safety of health at work. When it comes to the safety engaged and agreed with other agencies is achieved through a team of physical security, technical security team, the field of protection and fire protection. Considering the organizational structure of the Corporation's security, also agreed a corporate and integrated safety and conventional protection, contained from corporate and other private security institutions. Also in this corporation shall be governed by the laws pertaining to the security of the Republic of Serbia, and the implementation of legal documents, the country of origin of corporations is done through procedures, recommendations and decisions.

1.3.4. *OTP Bank* with headquarters in Novi Sad is one of the few banks that security is organized and set the level of the Directorate for Security. The Directorate is organized into two departments i.e. Department of General Security Department and IT security. Department of General Safety deals with the protection and implementation of security through: Security technique, Security Bank, security against risk, the bank's security card, security facilities and safety of employees. Department of IT security is organized through specialized activities: Information technical (IT) security; is achieved through strategic planning, strategy encrypted

protective operations, development gives software protection, security training, control functions and the like. As regards the application of legislation, apply to all legislation in the field of security of the Republic of Serbia. As far as the legal document banks apply all internal requirements such as security policy banks, Security Strategy, Rules of security OTP Bank, the bank's General Instructions, Guidelines for the Security of the risks, the Data Protection Ordinance, the Ordinance for protection against computer viruses, Rules for the IT system and the like. Consideration of the security system of the Corporation, has been organized by the system of free internal corporate security without special-involved other institutions.

- Exploring and trade institution METRO in Belgrade, where we have set up and their experience in achieving security retail chain of the company. Therefore, the realization of corporate security and data protection technology, information security, economic security and the like, is performed internal security companies, while physical technical and fire protection is via a conventional private security specialist for these purposes. These, and in this case it is a corporate-integrated safety from its own staff and engaged activities for securing people, property and facilities.

5. Conclusion

Conceived and incremental assumption of a dilemma and the name of corporate, private and conventional security are explored in corporations and companies that own and use this type of security. The study also indicated certain necessary information and that those names were stable in all forms in different corporations and companies. Planned research had for objective findings and confirmation that the real name of the corporate security or corporate or private way of security. The dilemma was solved based on identified responses to the questions, what is for them a corporate, what corporate and what is agreed upon private security. For questions received the answer that comes to corporate entities, corporate, private, integrated and conventional security. Based on these facts, the conclusion is that the Corporations are protected through corporate, private and integrated security using conventional equipment and resources. With the use of named subjects and their statements, we came to conclusion that is corporate security within corporation. So corporate-integrated and agreed security are ensured a unique name Corporate Security Corporation. Corporate name allowed us the basics of Corporate i.e. associated more people or entities with capital being created corporation. In addition, the above condition can also serve as a basis for

the establishment of Security Corporation as independent institutions that will be part of a corporation with a market capital, and thus will provide a service to other corporations.

Planned and hypothesis as the assumption that the problem of the Law on safety in the Republic of Serbia, after the research has been partially confirmed and partially underwent. The hypothesis is not entirely confirmed as the legal norms in part carried out in the documents the corporation and the work of the Law of the Republic of Serbia. In security, fire protection and safety of health at work are organized under the Law of RS and implemented by the security services deployed outside the corporation. However, the internal security services (IT, economic and data protection) provide protection based on corporate policies and procedures. Therefore, in reality corporate security is organized as a Corporate-conventional security, which protects the Corporation and its overall value.

Literature

1. Dragan Simeunović, Terorizam, Pravni fakultet, Beograd, 2009.
2. Ivan Klajin, Milan Šipka, Veliki rečnik stranih reči i izraza, Prometej, Novi Sad, 2006.
3. Milo Bošković, Zdravko Skakavac, Organizovani kriminalitet, Fakultet za pravne i poslovne studije, Novi Sad, 2009.
4. Milan Daničić, Ljubomir Stajić, Privatna bezbjednost, Visoka škola unutrašnjih poslova, Banja Luka, 2008.
5. Obren Đorđević, Leksikon bezbednosti, Partizanska knjiga, Beograd, 1986.
6. Robert Mikac, Suvremena sigurnost i privatne sigurnosne kompanije (privatizacija, sigurnost i posljedice) Naklada Jesenski i Turk, Zagreb, 2013
7. Slobodan Marković, Korporativna i korporacijska bezbednost, Fakultet za pravne i poslovne studije dr Lazar Vrkatić, Novi Sad, 2014.
8. Grupa autora, Miodrag Simović i dr. Privatne bezbednosne kompanije u Srbiji, prijatelji ili pretnje, Centra za civilno-vojne odnose, Beograd, 2008.
9. Grupa autora, Dragomir Jovičić i dr. Privatna bezbjednost u BiH i Republici Srpskoj, stanje i perspektive, Fakultet bezbjednosti i zaštite, Banja Luka, 2007.
10. Grupa autora, Zdravko Skakavac i dr. Privatna bezbednost, stanje i perspektive, Fakultet za pravne i poslovne studije, Novi Sad, 2008.
11. Grupa autora, Sonja Stojanović i dr. Primena savremenih metoda i sredstava u suzbijanju kriminaliteta, Internacionalna asocijacija kriminalista, Brčko, 2008.

12. Pejanović Ljubo, Laković Vojo, Stojanović Stevan, Ugrožavanje i fizičko-tehnička zaštita, Institut za političke studije, Beograd, 2007.
13. Rakić Mile, Bezbednosna preventiva, Institut za političke studije, Beograd, 2006.
14. Simić R. Bošković M. Fizičko-tehnička zaštita objekata, Institut bezbednosti, Beograd, 1991.

LIST OF REVIEWERS

- Bernard BOENE, PhD, University of Rennes, France.
- Biljana VANKOVSKA, PhD, University Ss. Cyril and Methodius, Faculty of Philosophy, Institute of security, defence and peace, Republic of Macedonia.
- Costas DANOPOULOS, PhD, San Jose State University, Department of Political Science, USA.
- Dejan JOVIC, PhD, University of Zagreb. Croatia.
- Desirée Pangerc, PhD, CIELS University Campus – Padova, Italy.
- Dusan RELJIC, PhD, German Institute for International and Security Affairs - SWP, Berlin. Germany.
- Emanuela C. DEL RE, PhD, University Niccolò Cusano of Rome, Faculty of Political Science, chair of EPOS International Mediating and Negotiating Operational Agency, Italy.
- Franz-Lothar ALTMAN, PhD, Bucharest University, UNESCO Dpt. for Intercultural and International Relations, member of the Board of Southeast Europe Association, Germany.
- Iztok PREZELJ, PhD, University of Ljubljana, Faculty of Social Sciences, Slovenia.
- James PETTIFER, PhD, University of Oxford, Faculty of History, Great Britain.
- Jan OBERG, PhD, Director of Transnational Foundation for Peace and Future Research, Sweden.
- Jovan TEOKAREVIC, PhD, University of Belgrade. Republic of Serbia.
- Lidija GEORGIEVA, PhD, University Ss. Cyril and Methodius, Faculty of Philosophy, Institute of security, defence and peace, Republic of Macedonia.
- Ljubica JELUŠIČ, PhD, University of Ljubljana, Faculty of Social science - Department of Political Science, Slovenia.
- Maria IVANOVA, PhD of Global Governance, John W. McCormack Graduate School of Policy and Global Studies, University of Massachusetts Boston. USA.
- Marina MALISH-SAZDOVSKA, PhD, University St. Kliment Ohridski, Bitola, Faculty of Security, Republic of Macedonia.
- Marina MITREVSKA, PhD, University Ss. Cyril and Methodius, Faculty of Philosophy, Institute of security, defence and peace, Republic of Macedonia.
- Marjan MALESIC, PhD, University of Ljubljana. Republic of Slovenia.
- Michael SHULTZ, PhD, University of Gothenburg, School of global studies, Sweden.

- Mirko BILANDZIĆ, PhD, University of Zagreb, Faculty of Humanities and Social Sciences - Department of Sociology, Croatia.
- Mitko KOTOVCHEVSKI, PhD, University Ss. Cyril and Methodius, Faculty of Philosophy, Institute of security, defence and peace, Republic of Macedonia.
- Michael Pugh, PhD, University of Bradford, United Kingdom.
- Nikolina KENIG, PhD, University Ss. Cyril and Methodius, Faculty of Philosophy, Institute of Psychology, Republic of Macedonia.
- Oliver BAKRESKI, PhD, University Ss. Cyril and Methodius, Faculty of Philosophy, Institute of security, defence and peace, Republic of Macedonia.
- Patricia Faraldo Cabana, PhD, University of A Corunna, Spain.
- Rina KIRKOVA, PhD, University Ss. Cyril and Methodius, Faculty of Philosophy, Institute of security, defence and peace, Republic of Macedonia.
- Sinisha DASKALOVSKI, PhD, University Ss. Cyril and Methodius, Faculty of Philosophy, Institute of security, defence and peace, Republic of Macedonia.
- Sase GERASIMOSKI, PhD, University St. Kliment Ohridski, Bitola, Faculty of Security, Republic of Macedonia.
- Stojan Slaveski, PhD, EURM European University-Republic of Macedonia.
- Toni MILESKI, PhD, University Ss. Cyril and Methodius, Faculty of Philosophy, Institute of security, defence and peace, Republic of Macedonia.
- Vancho Kenkov, PhD, University Ss. Cyril and Methodius, Faculty of Philosophy, Institute of security, defence and peace, Republic of Macedonia.
- Vesna Dimitrova, PhD, Faculty of Computer Science and Engineering Ss. Cyril and Methodius University –Skopje, Republic of Macedonia.
- Vanja Rokvic, PhD, Faculty of Security Studies, University of Belgrade, Serbia.
- Žarko PUHOVSKI, PhD, University of Zagreb, Faculty of Humanities and Social Sciences – Department of Philosophy, Croatia.
- Želimir KEŠETVIĆ, PhD, Faculty of Security Studies, University of Belgrade, Serbia.
- Zoran Matevski, PhD, University Ss. Cyril and Methodius, Faculty of Philosophy, Institute of sociology, Republic of Macedonia.
- Zoran NACEV, PhD, University Ss. Cyril and Methodius, Faculty of Philosophy, Institute of security, defence and peace, Republic of Macedonia.
- Zoran Kekovic, PhD, Faculty of Security Studies, University of Belgrade, Serbia.
- Yu-Chin, CHENG, PhD, Charles University in Prague, Institute of Political Studies, Czech Republic.

BO OBOJ БРОЈ: ADAM WHITE
BILJANA VANKOVSKA
ALEKSANDRA DEANOSKA-TREDAFILOVA
OLIVER BAKRESKI
MARJAN NIKOLOVSKI, BORCE PETREVSKI, PREDRAG MICEVSKI
ZORICA SALTIROVSKA
SAŠE GERASIMOSKI
LJUBO PEJANOVIĆ, MARIJA MITIĆ