REALIZATION OF SOCIAL SELF-PROTECTION – EXPERIENCES OF IMPORTANCE FOR COMMUNITY POLICING

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Abstract: Social self-protection and community policing are two concepts that, although created in different historical, are ideological and socio-political conditions, having the same challenge - reviving the idea that citizens are responsible for the security and quality of life in their community.

The paper compares the concept of social self-protection and community policing through several aspects: theoretical determination, strategic-legal bases and practical realization and the results achieved in the process of their application, in an attempt to answer whether the implementation of community policing can use one's own experiences gained through social self-protection, and also - what is more efficient in its realization: the use of one's own experiences, the adopted foreign solutions or the combination of both.[2]

Keywords: community policing, social self-protection, legal determinations and experiences of practice, problem-oriented policing, cooperation with citizens.

INTRODUCTION

From the experience, it is known that in order to solve the current social challenges, including the security ones, the actors consult and question their own experiences in relation to how similar problems have been solved in the past. At the same time, foreign experiences and knowledge are used, especially certain examples from practice. Both examples serve as an inspiration and an idea, not as a ready-made solution to the current problems. The solution must always be the result of the work and thinking of the subject who is primarily in charge of solving the current problems in the current times.

This approach should be distinctive in the implementation of community policing in our country. However, we are witnessing that what is mostly used in its implementation are the experiences from abroad and ready-made solutions of the developed western countries. Experiences gained in the concept of social self-protection of ours are being neglected, and we do not see them in the official strategic and legal documents, although it had undoubtedly advanced legal solutions and good results in practice.

This paper tries to point out the need for critical valorisation of the concept of social self-protection relative to solving the current security problems by applying the model of community policing, with the plea of not returning to the old.

Next to the introduction and conclusion, the paper will briefly present: 1. Theoretical determinations of social self-protection and community policing; 2. Strategic and legal bases of social self-protection and community policing; 3. Practical realization of social self-protection of importance for application of community policing, and 4. Similarities and differences between social self-protection and community policing.

THEORETICAL DETERMINATIONS OF SOCIAL SELF-PROTECTION AND COMMUNITY POLICING

Social self-protection appeared in the 1960s as a new form of (social) consciousness about security not being an issue only the Ministry of Internal Affairs is dealing with, but all subjects of social self-protection (a working man and a citizen - as a base, the organizations of associated labour and local community office, socio-political and other organizations and socio-political communities, judicial bodies, the Ministry of Internal Affairs and other state bodies). It is basically the idea of socializing the security function through a system of social self-protection, which is perceived as "the path of weakening the role of the state and transfer of the functions of the state and its organs to working people and citizens and their organizations and associations" (Petrović, 1986: 104). The intention is to organize the security of the country and the protection of the vital values of society from the position of the individual and society, not only the Ministry of Internal Affairs, with "the goal of preserving social value and goods to avoid ideological, political and material consequences" (Dejanović, 1985: 110). In the very idea of its creation, the way of realization and the goal of social self-protection, its ideological and political colours of that time can be seen.

The application of social self-protection should have led to the broadest social prevention - by delegating the issue of security to the level of working people and citizens, it encompasses much more activities than those undertaken by the Ministry of Internal Affairs. This concept is based on the timely recognition and removal of the causes of crime and other socially harmful behaviours. The task of prevention is recognized as "a comprehensive perception of the problem and the study of phenomena, as well as the methodological elimination of the causes of criminogenic factors" (Petrović, 1986: 119). The ideological and political coloration of social self-protection is also reflected in the perception of the causes of crime, with the claim that the conditions and causes of crime in our country are usually not of social nature and do not have exploitation, misery and poverty as their basis (Petrović, 1986: 107).

Social self-protection has a preventive effect, not only in various criminal acts, but also other socially harmful behaviours, such as: alcoholism, antisocial behaviour of children, intolerance and conflicts of individual citizens, damage of parks and greenery, environmental pollution, etc. In addition to these goals, social self-protection had the final goal of protecting the state and the constitutional order, as

well as meeting the needs of the government structures. The main reason of the collapse of this concept was its great politicization and political manipulation.

A layer of the untouchable directors and political leaders was created, who were "exempted" from the action of social self-protection. This concept did not work in the area of protection of social property from financial manipulations of the then economic leaders, but it was very efficient towards ordinary workers. All of this weakened the foundations of the concept and led to distrust of the broadest strata of citizens (Nikač, 2019: 222).

Community policing, as well as social self-protection, bases its usage on the support and cooperation of citizens. Here lies the basic idea of it - with the participation of citizens in the conduct of security work, the responsibility for security ceases to be only the responsibility of the police and spreads over the wider social community.

Community policing can be considered as one of the "most significant trends in the history of policing" (Rosenthal et al., 2003: 17). This model of policing began to develop in the 1980s, in the developed democratic countries, because of the inefficiency of the traditional way of policing. "Modern western societies and their institutions are organized in relation to fear, risk assessment and providing of security. This is true for most Western European societies and will be true for the next few years for the Eastern European societies, as long as the "free economic market" (i.e. capitalism) suppresses and replaces the planned economy (i.e. socialism) - with the result that close social connections and communication between people disappear. Theft, fraud and other forms of crime will become widespread, and people will again seek a more powerful police and state" (Feltes, 2003: 110).

The beginning of democratic changes in our country in 2000 was a good time to introduce the concept of community policing. This is because the democratization of society was a necessary precondition for a new model of policing, which would be responsible to the public and not to the centre of political power, as the case is in autocratic states. Community policing is a new philosophy, not just a technique of policing, which means a new organization of the police force, a way of acting, a new value system, a different way of thinking and a creative approach to the problem.

Community policing has the intention of gradually transforming the police from a commanding and repressive body into a public service, whose priorities are crime prevention, problem solving, cooperation with the community and a proactive approach. Problem-oriented policing is used for preventive action, which implies moving the police operation to the front field of criminal. The police should focus on the conditions and causes of crime and other forms of socially undesirable behaviour and the implementation of preventive strategies and programs, not to react only when the consequences occur, as the police usually do.

"The goals of community policing are to reduce crime and public disorder, improve the quality of life in communities, reduce the fear of crime and make better the relationship between citizens and the police" (Fridell, 2004: 4).

The focus of community policing is on the citizen who is considered a partner in the fight against crime. This is because legal status of the individual has changed in modern society, and the qualitative improvement of the relationship between the police and citizens became an imperative of legal state long ago based on democratic values. In such a state, the police should serve the citizens, and the attitudes and expectations of the citizens must be taken as a relevant factor that should significantly influence the direction and character of the activities of state authorities, and the police in particular (Ristović, 2013: 114).

STRATEGIC AND LEGAL BASIS OF SOCIAL SELF-PROTECTION AND COMMUNITY POLICING

Social self-protection became a constitutional category in 1971, when the Amendment 29 of the 1971 SFRY Constitution prescribed, for the first time, that people, nationalities, working people and citizens, among other things, realize and provide social self-protection ("Official Gazette of the SFRJ", 29/1971).

According to the SFRY Constitution from the 1974 ("Official Gazette of the SFRJ", 9/1974), social self-protection is no longer just a constitutional category but one of the basic principles of the socio-political system, which also contains the constitutional basis of the participation of the units of Internal Affairs in the system of social self-protection.

In determining the place and role of the Ministry of Internal Affairs in the system of social self-protection, we must start from the regulations in the field of interior affairs, because the law on social self-protection does not regulate this issue. According to these legal norms, the units of Internal Affairs are a part of social self-protection and their tasks are prescribed, but without detailed prescribing of rights, duties and authorities within this system.

Social self-protection as a term is first mentioned in Article 4, paragraph 3, of the Law on Interior Affairs of the SR of Serbia of 1972 ("Official Gazette of the SRS", 53/72), which reads: "the units of Internal Affairs provide professional and other assistance to citizens, organizations of associated labour and other bodies and organizations, in achieving social self-protection".

Not even the amended Law on Interior Affairs of the SR of Serbia of 1977 ("Official Gazette of the SRS", 40 and 44/1977) does not pay special attention to social self-protection, although in its provisions we find the legal basis and obligation of the bodies of Internal Affairs to provide professional assistance to other subjects.

Article 50 of this Law prescribes that the tasks and duties performed by police officers, such as protection of the constitutional order, protection of life and personal safety of people, prevention of criminal offenses and capturing of their perpetrators, as well as tasks of maintaining public order and peace and other jobs within the scope of the public security service, are at the same time jobs of social self-protection.

From the aforementioned legal norms, it can be concluded that the role of the bodies of Internal Affairs in realizing social self-protection is insufficiently regulated; in fact, it is reduced to only providing professional and other assistance to other subjects of social self-protection. The most important thing is that these regulations determine the bodies of Internal Affairs as a part of the system of social self-protection and recognize them as its specialized parts.

More detailed regulation can be found in bylaws. Providing professional assistance by the bodies of Internal Affairs is regulated by the Rulebook of job performing methods of the Public Security Service. In particular, Article 366 prescribes that the Public Security Service is obliged to provide professional assistance to subjects of social self-protection "when they request assistance for the purpose of immediate protection"; then, in cases of "regulating social self-protection, undertaking more important measures and activities of self-protection and training citizens and working people for self-protection"; also, to local communities in taking preventive measures; as well as in the field of public information "in order to develop the awareness of citizens, encourage and engage wider social forces in combating socially dangerous and other harmful phenomena and behaviour"; to inform "about the problems and condition of social self-protection within its scope"; and, finally, to consider the proposals and requests "made for the purpose of achieving social self-protection, and to inform the applicants of their attitude and the measures taken" (1974: 142-143).

Although the Constitution and laws especially emphasize the role of working people and citizens, the legal regulations of that time devote too little space to regulating the legal obligations of citizens in the system of social self-protection.

There are two reasons for this. First of all, it was considered that the entire system and concept of social self-protection is so focused that over time it will necessarily lead to shifting the burden of the fight against socially harmful phenomena to the side of citizens, as well as because it was believed (and emphasized) that it was more of a moral obligation of citizens than a legal one, which is why a broad legal regulation in that sense is not necessary.

Community policing is mentioned for the first time in the Vision document of the Ministry of Interior adopted after the democratic changes in 2000, which indicates the directions of police reform. In it, community policing is recognized as one of five priority areas of reform.

The transformation and development of the police into a modern institution and public service has been approached very seriously and systematically, not in a usual, voluntary way. The adopted Community Policing Strategy speaks in favour of that ("Official Gazette of the RS", 43/2013) which projected and set new and complete conceptual and strategic bases for the development and realization of community policing in the Republic of Serbia. The Strategy recognizes the leading elements that form the basis of Community Policing in the Republic of Serbia: prevention, community-oriented policing, problem-oriented policing and security partnership.

The current Development Strategy of the Ministry of Internal Affairs for the period 2018-2023 (http://www.mup.gov.rs) continues with the tendencies identified in the previous Development Strategy (2011-2016), which aim to create a police whose primary task will be to serve the citizens. Full democratization of policing and its change from "use of force" to "provision of services" conditions the need to create a new philosophy, organization and style of policing which are in the basis of establishment and implementation of modern forms of community policing as a strategic priority of the current Development Strategy of the Ministry of Interior.

As for the legal bases as preconditions for the application of community policing, they were created by the Law on Police in 2005 ("Official Gazette of RS", 101/05, 63/09 – US, 92/11 and 64/15), which contains provisions on cooperation with the bodies of territorial autonomy and local self-government for the safety of people and property. It also stipulates that the police "cooperate with other bodies and institutions, non-governmental and other organizations, minority and other organized groups and self-organized individuals in order to develop partnerships in preventing or detecting delicts and their perpetrators and achieving other security goals" (Article 6).

The current Law on Police ("Official Gazette of the RS", 6/2016, 24/2018, 87/2018) uses the term community policing for the first time, stating that the police is developing a cooperation and partnership with citizens and other community subjects, coordinating common interests and the need to create a favourable security environment in the community, providing support in advisory bodies within local government units for crime prevention, while simultaneously developing the professional capacities, competencies and ethics of police officers (Article 27).

In accordance with the Community Policing Strategy and the Action Plan for its implementation, the Community Policing Manual was adopted (OSCE, MUP RS, 2017). It provides the basic information on community policing, prevention, problem-oriented policing with practical aspects of work and guidelines for doing police job, as well as specific guidelines for community work.

PRACTICAL REALIZATION OF SOCIAL SELF-PROTECTION OF IMPORTANCE FOR APPLICATION OF COMMUNITY POLICING

Actions of bodies of Internal Affairs as subjects of social self-protection can be presented through several types of activities: 1. providing professional assistance; 2. cooperation with other subjects; 3. safety education of working people and citizens, and 4. informing the appropriate subjects.

1. 1. ***Providing professional assistance*** to other subjects of social self-protection is very diverse in terms of type, scope, forms and content. Providing this assistance to *working people and citizens* most often consisted of training for self-protection of personal and property security, pointing out the sources and forms of threats and how to behave in these situations. Professional assistance to the *organizations of associated labour* consisted of assessing the security situation, arranging and organizing social self-protection in the normative and organizational sense, organization of physical and technical security, etc. As for *other self-governing organizations and communities* (banks, insurance companies, working communities, state bodies, associations, etc.), the assistance consisted of security assessment, internal security, transfer of funds, etc. At the level of the *local community*, the militia assisted in security assessment, arranging, organizing, forms of realization and bodies of social self-protection in local communities, house councils, larger residential buildings, and tenant assembly.

2. In the previous activity, the bodies of Internal Affairs appear as professional bodies, in the role of "teachers". They also have another role, and that is the role of an equal and desirable partner who ***cooperates with other subjects of social self-protection***.

Cooperation with working people and citizens took place through daily contacts, mutual assistance, building mutual trust, protection of personal and property security, assistance in achieving rights, specific instructions for acting in certain security situations, etc.

As for cooperation with *organizations of associated labour and other self-governing organizations and communities*, it was achieved by taking a number of joint measures and activities, such as, for example: protection of social property from unlawful appropriation or damage; protection of self-governing and other rights of workers; physical and technical protection of workers and values in the organization of associated labour, etc.

3. ***Safety education of working people and citizens*** is one of the priority tasks of the bodies of Internal Affairs as a subject of social self-protection. These can be: lectures in schools or in public forums; appearances in the media; production and presentation of propaganda brochures, leaflets, films; exhibitions on technical, scientific and professional achievements of security services and social self-protection in general. Particular emphasis is placed on participation in the training and education of the population for protection and defence.

4. ***Informing appropriate subjects*** of social self-protection implies submitting information materials (reports, information, analysis, other written documents dealing with security issues) about knowledge and data that are important for preventing and combating socially harmful and dangerous actions.

There are great similarities in the forms of realization of social self-protection and community policing.[3] Perhaps the enthusiasm or passion for an idea is the biggest difference in realizing social self-protection and community policing.

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3   About specific activities undertaken within the implementation of community policing in Serbia see: Nikač, Ž., (2012), *Koncept policije u zajednici i početna iskustva u Srbiji,* Beograd, Kriminalističko-policijska akademija, i Nikač, Ž., (2019), *Policija u zajednici,* Beograd, Kriminalističko-policijski univerzitet.

The concept of community policing, which is the basis of police work in most modern countries, is the commitment of our police in the last 20 years as well. A strategic and legal framework has been established, directions for further action have been identified and some specific activities have been undertaken in the process of realizing community policing.

SIMILARITIES AND DIFFERENCES BETWEEN SOCIAL SELF-PROTECTION AND COMMUNITY POLICING

Similarities between social self-protection and community policing:

1. At the centre of the activities of social self-protection and community policing is an individual, i.e. a working man or citizen.
2. In both social self-protection and community policing, the citizen is a partner, an indispensable subject in the realization of security and protection.
3. Both concepts prefer preventive action in combating crime.
4. Both social self-protection and community policing striving to make their operation focus on the conditions and causes of crime, other forms of socially undesirable behaviour and the implementation of prevention programs more, and not react only when the consequences occur, as the police usually do.
5. Practical forms of social self-protection and community policing are similar, and in some cases identical (education of citizens and other subjects on security issues in the community in order to acquire new and improve the existing security knowledge and skills; distribution of brochures, flyers, newsletters, etc.; holding press conferences; appearances in various media, public discussions, round tables; coverage and support of police actions by the media; meetings with citizens in the local community, street, building; visiting schools, etc.).
6. It can be said that the aim of achieving social self-protection, i.e. community policing, is similar, because both concepts have the protection of personal and property security of citizens in their focus, their freedom and rights, with the difference that in social self-protection the protection of vital values of the socialist self-management society is emphasized, where in addition to the stated values the protection of the constitutional order, self-management rights of working people, free social development, social property is especially emphasized, and in community policing, providing better quality services to citizens, converting the police into a public service, improving the relationship between police and community, strategic partnerships, sustainable solutions to community security problems.

DIFFERENCES BETWEEN SOCIAL SELF-PROTECTION AND COMMUNITY POLICING:

1. Social self-protection is a state project, and community policing is a police project that has risen to the level of a state project.
2. Social self-protection is our original concept, and community policing is a foreign, imported concept.

3. The precondition for the emergence of social self-protection is the decision made at the highest state leadership, the precondition of community policing is the development of democracy and human rights.

4. The militia which applies social self-protection is responsible to the political centres of power, the police who apply the new model of community policing is responsible to the public and citizens.

5. Social self-protection originated during the socialist autocratic regime, community policing originated during democratic changes.

6. Social self-protection is a result of our historical and socio-political development, community policing is, in addition to our reasons of socio-historical development and democratic orientation, partly, perhaps predominantly, due to the demands of the international community, a condition for accession to European integration.

7. There are different reasons for the occurrence of them - social self-protection is the socialization of the defence, security system and weakening the state role, community policing is the inefficiency of the classic work of the police.

CONCLUSION

In the establishing of the community policing concept in our country so far, foreign literature and getting to know the practice of the Western countries and, like us, the countries in transition have been used most often. Use of positive experiences of social self-protection which can certainly be useful today was lacking, as well as the analysis and perception of its bad solutions and weaknesses, so that it would not be repeated today. What makes the link between these two systems, regardless of the ideological and political starting points, and the legal and conceptual solutions conditioned by them, are the citizens, who are in the focus of protection and the indispensable subject in achieving that protection.

Although community policing qualifies as a new model of work, it should use some legal solutions and practical experiences from times of social self-protection. This is because the security situation during social self-protection was satisfactory, what cannot be claimed for today's security situation.

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