THE LEGITIMACY OF THE POLICE IN SERBIA[1]

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Summary: This paper analyses the changes in the legitimacy of the Serbian police in wider social and political contexts that occurred in the last two decades. The paper presents the analysis of the legitimacy of governmental/political authority and police in the Serbian academic community. Through the analysis of the social context and the empirical findings of surveys on the public opinion, the authors examined the delegitimization of the Serbian police during 1990-2000, and an attempt for its re-legitimisation after the launch of the reforms of the Ministry of the Interior in 2000. In this research, a survey was conducted on a sample of the students at the Academy of Criminalistic and Police Studies and the students at the Faculty of Security Studies of the University of Belgrade in order to determine how they perceive the legitimacy of the Serbian police. The attitudes of the students from the two faculties were compared after the survey results. In conclusion, the paper provides a review on possible perspectives of perceptions on the legitimacy of the Serbian police.
Keywords: Police, legitimacy, students' attitudes, delegitimization

1. Meanings of Legitimacy in Serbian Political and Legal Theory

The question of political legitimacy, as one of the oldest questions of political theory of the state, holds a very important place in political and legal theories. It was in this context that it was discussed within the Serbian academic community, and there was no lack of effort to determine and define it by the most important theorists of legitimacy, especially the classical philosophers such as Locke, Rousseau, Weber and Habermas, as well as the more modern scholars such as Dahl, Lipset and others.

In the Serbian reference encyclopaedia, 'Political Encyclopaedia' and 'Sociological Lexicon', there are two definitions of legitimacy provided by local authors. Interestingly, the two-volume edition of 'Legal Encyclopaedia' do not contain a single entry on legitimacy.

In 'Political Encyclopaedia', former Serbian Prime-Minister, Vojislav Koštunica, suggests that legitimacy "means accepting certain government institutions and officials of power by members of a political body or by society, because these institutions are in accordance with some higher principle or procedural rules on the exercise of power."[4]

In 'Sociological Lexicon', Momir Stojković defines legitimacy as "the principle of acceptance of and respect for certain institutions (or the officials) of power by the members of the political elite and society as a whole", and states that legitimacy at present, "is reduced to the positive attitude of public opinion towards the institutions of government and the ruling class." Since this (time), 'Lexicon' was published during the reign of the Marxist paradigm (class approach), and the author adds that the Marxist concept of legitimacy is based on "connections and historical circumstances and social laws with the moral-democratic elements of the government (class) and its role in society."[5]

Among the contemporary Serbian authors who explored a theoretical approach of political legitimacy, more comprehensively, were political scientists Milan Podunavac[6] and Vojislav Stanovčić,[7] and lawyers (Budimir Košutić, Danilo Basta and Kosta Čavoški). The empirical research regarding legitimacy of the political government of Slobodan Milošević in the last decade of the XX century was thoroughly conducted by the sociologist Slobodan Antonić.[8]

While study of the history of legitimacy dates back to Aristotle, criminologists began to intensify their interest in the legitimacy of criminal justice system institutions only in the last two decades, after a few inspiring studies by Tom Tyler and his associates. In his pioneering Chicago Study, Tyler suggests that perceptions of police and the juridical system by citizens are primarily shaped by

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4 V. Koštunica, *Legitimnost*, In J. Đorđević, H. Čemerlić, P. Dimitrijević, A. Fira, L. Geršković, A. Hristov, et al, (Eds.) Politička enciklopedija (pp. 502-503), Savremena administracija, Beograd, 1975, p. 502.

5 M. M. Stojković, "Legitimitet". In R. Lukić, & M. Pečujlić (Eds.), *Sociološki leksikon*, Savremena administracija, Beograd, 1982, p. 318.

6 M. Podunavac, *Politički legitimitet*, Rad, Beograd. 1988.

7 V. Stanovčić, *Moć i legitimnost*, Službeni glasnik, Beograd, 2006.

8 S. Antonić, „Priroda poretka u Srbiji u poslednjim godinama Miloševićeve vlasti", *Sociologija*, 42(4), 2000, pp. 585–616.

the process and the way in which they are treated by these institutions, rather than the very solutions and decisions made in order to keep the citizens responsible and accountable for their actions.[9] Therefore, a fair and correct treatment is more important than the outcome, (regardless of whether those citizens possess the ability of self-control). Contacts between police and citizens are seen as fair and just in those situations where police makes good decisions (e.g. allowing the citizens the opportunity to fully present their version of an event to the police), and when they are being treated with respect and courtesy.[10] More recently, a large number of authors have explored the topic of police legitimacy, which resulted in a number of valuable studies. Unlike the approach taken by other researchers, in the Serbian academic community there were no explicit attempts to determine a theoretical notion of the legitimacy of the police or its operationalization, and to test it through empirical research. Some authors also viewed the legitimacy of the police in the context of some other problems. Furthermore, indirect conclusions about the legitimacy of the police in Serbia can be drawn from certain empirical studies related to other challenges of police legitimacy, as well as from periodic surveys of public opinions about the police, with a special focus on the public's trust in it.

In the discussion on relations between police and law in the works of Skolnick,[11] Berkeley,[12] Reiner[13] and Loubet del Bayle,[14] the issue of police legitimacy was addressed by Bogoljub Milosavljević.[15] Milosevic points out that police can regularly have just "limited legitimacy"(if by legitimacy we mean 'the universal acceptance and approval of its role of all social groups and the entire population'). As long as police solves certain conflicts and applies coercion, their actions will be challenged by the public in every society, or by certain social groups and individuals. Thus, the legitimacy of police can only be understood as a category of limited significance and for its existence it is important that the majority of population accepts and approves the authority of police and their role, despite disagreements with certain police actions.[16]

Similarly, Kešetović notes that a framework for good relations and mutual understanding between government and citizens and, within that, between police and the public, exist in a country where there is a basic consensus among political parties regarding basic political values. In the country where democratically elected, accountable and changeable government represents, in true sense of the expression, the will of the voters and respects human rights

9 *See*: T. R. Tyler, *Why people obey the law*, New Haven: Yale University Press, 1990.

10 J. Sunshine, & T. R. Tyler, "The role of procedural justice and legitimacy in shaping public support for policing", *Law and Society Review*, 37(3), 2003, pp. 513–547.

11 J. Skolnick, *Justice without Trial: Law Enforcement in Democratic Society*, New York: John Wiley and Sons, 1975.

12 G. E. Berkley, *The Democratic Policeman*. Beacon Press: Boston, 1969.

13 R. Reiner, *The Politics of the Police*, Brighton: Wheat sheaf Books. 1992.

14 J. L. Loubet del Bayle, *La police: Approche socio-politique*, Paris: Montchrestien, 1992.

15 B. Milosavljević, *Reform of the police and security services in Serbia and Montenegro: Attained results or betrayed expectations*, In P. Fluri& M. Hadžić (Eds.), *Sourcebook on security sector reform* (pp. 249- 274), Geneva, Belgrade: Geneva Centre for the Democratic Control of Armed Forces and Centre for Civil-Military Relations, 2004.

16 B. Milosavljevic, *Uvod u teoriju ustavnog prava*, Pravni fakultet Univerziteta Union, JP Sluzbeni glasnik, Beograd, 2011.

and freedoms. *Legitimate police can only exist in a political system which itself is legitimate*. In order for the police to be accepted as legitimate, it is not necessary that all social groups and all individuals in one society agree with the content or conduct of specific police operations. However, in terms of relative social harmony, acceptance of usual police work is much easier. However, as the police activity is inextricably linked to the regulation of conflicts, achieving the "general consensus" and universal approval is not possible.[17]

Slaviša Vuković views legitimacy of the police in the context of crime prevention. According to this author, the principle of legitimacy or consent of the majority of citizens with the work of police is a necessary precondition for engagement of citizens in crime prevention programs and, ultimately, the effectiveness of the preventive actions of police.[18]

2. The Legitimacy of the Police in Serbia – Social Contexts and Empirical Findings

After leaving behind the communist ideology and value system more appropriate for a socialist society, transitional countries generally had to manage the challenge of legitimacy of their institutions, especially police, which carried a heavy burden of the legacy of the previous era. This is particularly applicable to Serbia and its police, which in the last decade of the XX century experienced serious delegitimization due to the impact of a range of international and domestic social and political circumstances. After the overthrow of the political regime in 2000, the Serbian government began reforming the security sector in an effort to regain the trust of its citizens.

Delegitimization of the Serbian police 1990–2000

Turbulent events within the Serbian state and society reflected also on the Serbian police. After World War II and the establishment of the socialist system (1945-1989), the police was strongly influenced by the communist ideology, and under the Communist Party the rule of law and respect for human rights were secondary. The Communist Party used a variety of means, above all political propaganda, and had done a lot for the non-repressive socialization of social values, including those relating to safety. The number of people who became apathetic is not negligible, and a certain "social distance" had developed between one part of the public and the security organs.[19]

With the demise of Yugoslavia and the socialist system, Serbia had formally entered into a multi-party system, though in practice it was Slobodan Milosevic who established his own regime though the Socialist Party of Serbia, and ruled

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17 Ž. Kešetović, *Odnosi policije i javnosti*, Viša škola unutrašnjih poslova, Beograd, 2000.
18 S. Vuković, "Принципи законитости и легитимности у поступању полиције у превенцији криминалитета", *Bezbednost*, 1-2, 179–192, 2009.
19 See; J. Pečar, „Organi za notranje zadeve in neinstitucionalizirana javnost", *Varnost*, 4, 87, 1987.

with his own personal power insofar as he primarily relied on the loyalty of police and control of the media. A series of events in the last decade of the XX century provided significant impetus to the development of organized crime, the reliance of the authoritarian regime on force and the control of the media. Such events included the war in former Yugoslavia in the 1990s, the disintegration of the federal state framework, growing tensions in Kosovo, isolation of Serbia from the international community and the sanctions by the UN Security Council that provided significant impetus to the development of organized crime, the authoritarian regime relying on the force and controlled media. Serbian society was practically in a state of anomie. Absence of stigma and reactions to the violation of the social order and the legal system, as well as the weakening of the normative system and social control have created new antiheroes. Non-compliance with the law was more frequent and the culprits were both the state and the citizens.

The main task of the police, the protection of citizens, was replaced by the protection of the political regime and the ruling elite. Separated from citizens, the police was used for political purposes such as surveillance of political opponents and control of elections. It was also utilized for the media censorship and against political opponents. As a result of international sanctions against Serbia and wars in the neighbouring countries, Serbian police had become criminalized, including senior police officials who were connected with organized crime groups. It had also become highly centralized and, later, militarized, and the heads of police forces who belonged to the national minorities were gradually dismissed from the police force of Serbia. The career path in the police sector was primarily based on obedience and loyalty to the political structures.[20]

The above-mentioned circumstances have caused the police to lose its professionalism and integrity. This was followed by a sharp decline of the public trust in the police and a serious damage to its legitimacy. A study about the (dis)satisfaction of the public regarding the work of the state institutions (the Government of the Republic of Serbia, the police, the judiciary and the Yugoslav Army) was conducted in the period from 2–8 March 1996, by "Partner Agency". The study revealed that only 28.2 % of respondents were satisfied with the work of the police. This was preceded by the Yugoslav Army (38.5% satisfied), and was ahead of the judiciary (26.0% satisfied) and the Republican Government (20.1% satisfied). Based on the percentage of respondents who were dissatisfied with police work (32.3%) the police was also in the second place behind the Government (42.5%), and ahead of the judiciary (30.8%) and the military (20.1 %).[21]

Empirical research about the victims of crime carried out on a sample of 1094 inhabitants of Belgrade in the spring of 1996, as a sub-project of a wider study of victims, and conducted by UNICRI (United Nations Interregional Crime and Justice Research Institute) showed that only 26.1% of respondents thought that the police was satisfactory in their job; 42.4% were dissatisfied, while 31.5% were undecided. The relationship between the satisfaction with the police and socio

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20 Ž. Kešetović, *Serbian Police: Troubled Transition from Police Force to Police Service*, In G. Meško, C. B. Fields, B. Lobnikar, & A. Sotlar (Eds.), *Handbook on Policing in Central and Eastern Europe*, New York: Springer, 2013, pp. 217–238.
21 Ž. Kešetović, *Odnosi policije i javnosti,*. p. 170

demographic characteristics of the respondents (age, gender, education and occupation) was taken into consideration. There was also a certain difference in the rating of the work of the police among the respondents who were previously the victims of some criminal act and those who were not, where the former ranked the work of the police lower. The respondents who were the victims of crime stated the following as reasons for their dissatisfaction: the way the police reacted to criminal charges; the way the police handled those charges, insufficient involvement of the police, lack of return of stolen property, failure of the police to capture offenders, indifference of the police, omission by the police about the course of investigation, unfair, disrespectful and slow response. This research provided information that could benefit further study into challenges caused by the lack of citizens' trust in police. Actually, 189 respondents said that, during 1995, some of the civil servants demanded bribes from the public or made it clear that they expected bribes for their services. Of this number, 40.7% of respondents stated that that person implying bribes was a police officer. Asked whether they had reported the corruption to the police, only one of them gave an affirmative response.

Finally, we should mention the research of the Institute of Political Studies from January 1997, in which 7.1% of respondents reported a great trust in the police, and 19.7% reported a partial trust in the police. Further to that 33% of respondents had a low level of trust in the police and 33.7% had none.[22] The distrust toward police was particularly pronounced among ethnic minorities.

The Head of the Secretariat of the Interior in Belgrade, Major General Petar Zeković, in his speech before the members of the City Hall in July in 1996, referred to a disturbingly low level of legitimacy of the police. He stated that "unlike the Western European countries and countries in transition, there is an almost complete absence of willingness among our citizens to cooperate with police". Responding to the questions from Councillors in relation to the most serious crimes, such as murder and robbery, he added: "Of particular concern is the lack of willingness from the citizens to help the police in solving these crimes. We should be concerned by the possibility of someone being killed in broad daylight, in a public place, and that none of those present would not want, even anonymously, to submit any information that would focus the investigation in the right direction."[23]

The Legitimization Attempt of the Serbian Police after 2000

After the fall of Slobodan Milosevic, one of the first tasks imposed upon the new government were reforms of the security sector and relegitimization of the Serbian police. Foreign experts Richard Monk and John Slater helped with the evaluation of the then present state. The OSCE expert Monk stated that "the police have become isolated from the community it is supposed to serve [...] and that the public has no confidence in it."[24]

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22 Ibidem
23 Ibidem
24 R.A. Monk, *Study on Policing in the Federal Republic of Yugoslavia*, Vienna: OSCE, 2001, p. 5

Main directions of reforms were labelled as 4Ds: depoliticization, decentralization, demilitarization and decriminalization. The project included the OSCE, the Council of Europe, and the Danish Centre for Human Rights as well as the local experts.

The years 2001 and 2002 marked the beginning of termination with the negative legacy from the past. A new organization called Ministry of Interior – MoI, was established, and the Department of the State Security became a separate state agency - the Security Information Agency (Bezbednosno informativna agencija - BIA). A set of guidelines for the reform of the police were defined, including the changes in the legislation, education, training and overall modernization of the police. Certain changes within personnel at management level took place, and efforts were also made for the police to become a representative of the wider population, especially women and ethnic minorities. The concept of community policing was promoted as well as the implementation of new technologies in some areas of police work. A series of laws and regulations that governed the work of the police were enacted.

In statements by police officials, this reform process was generally very positively evaluated, with no elements of criticism.[25] However, foreign experts and local independent researchers and NGOs were very critical of the effectiveness and achievements of the police reform.[26] Thus, for example, in the analysis of the Centre for Conflict Research it was concluded that the police reform had been slow, and that none of the administrations after Milošević had a comprehensive reform strategy, which led to a lack of internal capacity and no precise timelines. For the results to be considered sustainable, a long-term development strategy of the Interior was necessary.[27]

Some empirical researches on the attitudes of police officers in Serbia indicate the development of democratic consciousness and convictions of significant majority of respondents. They stated that the role of the police should primarily be directed toward the suppression of crime and the protection of the constitution and laws of the guaranteed rights and freedoms of citizens.[28] This is certainly a clear indication that, according to the opinion of police officers in Serbia, the role of the police is to be directed toward interests of the whole community, and not toward the political system and self-interests of those in power.

25 M. Kuribak, *Police reform in Serbia*, In M. Hadžić (Ed.), *Security sector reform in Serbia: Achievements and prospects*, Centre for Civil-Military Relations, Belgrade, 2008, pp. 51–64.
26 B. Bakić, & N. Gajić, *Police reform in Serbia: Five years later,* OSCE, Retrieved from www. osce.org/publications/fry/2004/01/18262_550_en.pdf, 2006; M. Downes, *Police reform in Serbia: Towards the creation of a modern and accountable police service,* OSCE Mission to Serbia and Montenegro, Law Enforcement Department, Belgrade, 2004.; B. Milosavljević, *Reform of the police and security services in Serbia and Montenegro: Attained results or betrayed expectations*. In P. Fluri, & M. Hadžić (Eds.), *Sourcebook on security sector reform*, Geneva, Geneva Centre for the Democratic Control of Armed Forces and Centre for Civil-Military Relations, Belgrade, 2004, pp. 249- 274.
27 See: B., Bakić, & N. Gajić, *Opus citatum*.
28 R, Zekavica, Ž, Kešetović, & T. Kesić, "Democratic policing in Serbia – attitudes towards law, human rights and police effectiveness in Belgrade police department." *Journal of Criminal Justice and Security*, 13(2), 2011, pp. 169–187.

Regardless of the conflicting views of experts and scientists about the depth and quality of the reform(s) of the MoI it can be concluded, based on surveys of the public opinion, that there has been some increase in the legitimacy of the Serbian police compared to the 1990s. Since the beginning of the reforms, several surveys of the public opinion about the police were conducted and yielded different results. According to the Strategic Marketing Agency in 2008, as much as 74% of respondents believed that politicians influenced the work of MoI. The same percentage of respondents believed that the police served to protect the interests of the Government, and 66% that it was there to protect political parties - only 38% agreed that the police acted as an ombudsman. According to this study, confidence in the institutions places police in the fourth place, behind the church (59% trust vs. 12% distrust), military (38% vs. 21%) and the education system (33% vs. 32%).The trust in police officers was stated among the 45% of the respondents, 25% did not trust while 28% had no opinion. Research of October 2010 showed that 32% of respondents had confidence in the police, while 24% did not[29] (CESID, 2011). Therefore, this demonstrates that the confidence in the police has increased by over 10%, while the number of those who have no confidence remained almost identical. The following table illustrates the confidence in MoI and the confidence in other institutions.

Table 1: Percentages of the Trust in the Institutions (Source: CESID, 2011).

	Does Not Know	Does Not Trust	Neither Trusts or Distrusts	Trusts	Total
The Church	4	19	18	59	100
The Police / Police officers	2	25	28	45	100
The Army / Soldiers	7	21	28	44	100
Ministry of Interior	2	26	30	42	100
Educational System	4	28	28	40	100
Health System	1	36	26	37	100
Ministry of Defense	7	28	32	33	100
Local authorities / Local government	4	42	29	25	100
The Government	3	47	30	20	100
Justice System / Juridical System	4	52	26	18	100
Civic Association	10	43	29	18	100
The Parliament	3	53	28	16	100
Political Parties	4	66	21	9	100

Although this level of trust among the general public and the media is often treated equally, a certain difference about the confidence of citizens in MoI and the police remains (Figure 1).

29 Centar za slobodne izbore i demokratiju, CESID, 2011, Attitude of Serbia's citizens towards the police work. Retrieved from: http://www.mup.rs/cms/resursi.nsf/Public%20Opinion %20 Research %202011.doc
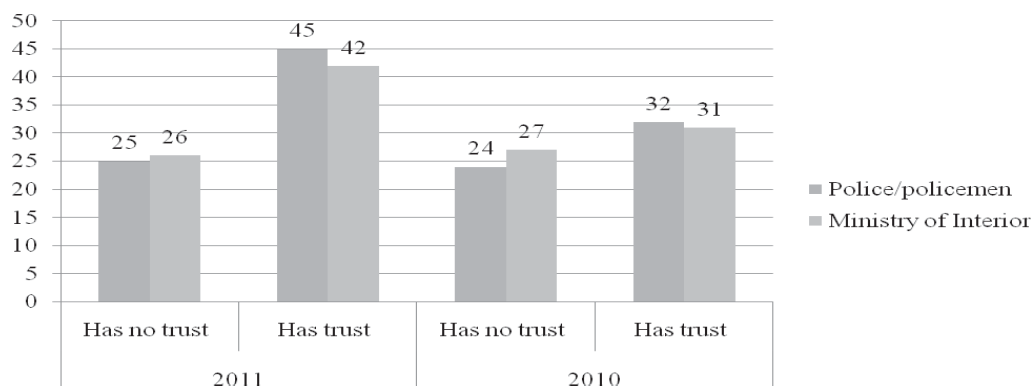
Figure 1: Percentages of the Trust in the Ministry of Interior and the
police officers (Source: CESID, 2011)

When the confidence in the police officers and MoI as an institution are compared, it is clear that there is no significant statistical correlation regarding any demographic indicator. The correlation is not high even when it comes to political preferences of the respondents, unless those are voters of the SPS / PUPS / JS coalition. Regional distribution of trust in the police is illustrated in Figure 2.

Figure 2: Regional Distribution of the Trust in the Police
(Source: CESID, 2011)

The indicator which points out that the legitimacy of the police is still small and is reflected in the (un)willingness of citizens to report a crime to the police. Therefore, there is a lack of willingness of citizens to cooperate with the police (Figure 3).
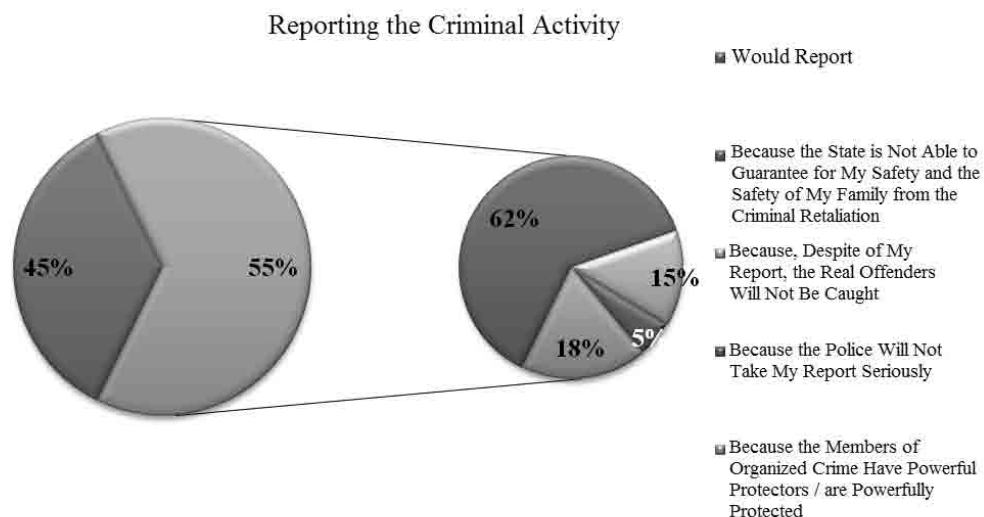
Figure 3: Reporting the Criminal Activity (Source: CESID, 2011)

3. Perceived Legitimacy of the Police in Serbia – Survey Results of Students' Attitudes

Objectives, goals and the importance of the survey

The objectives of this survey are the attitudes of the students of the Faculty of Security Studies - University of Belgrade (hereinafter FSS) and the students of the Academy of Criminalistic and Police Studies (hereinafter ACPS) in Belgrade. The primary goal of this research is the identification of attitudes related to: self-perception of respondents in the questionnaire, experience with the criminal justice system and possible victimization of respondents, the legitimacy of the police and perceptions of an undesirable behaviour. Taking into account the intended scope and topic of this paper, we will point out in main features, the applied research methodology and the results of the data analysis obtained in relation to students' attitudes related to the legitimacy of the police.

Methodology

Target population and sample characteristics

This survey was conducted on a simple random sample that, within its structure, reflected the opinions of the students of both the FSS and the ACPS. The study involved the students of all ages, in proportion to their numbers in certain semesters/years of the studies.

The survey was conducted in the period April–May 2014, on a sample of 322 students, of which 184 were from the FSS and 134 were from the ACPS.

As for the socio demographic aspects, it should be noted that a significant percentage of students (about 40% at ACPS and 41 at FCC) from both institutions refused to provide answers to socio-demographic questions (Table 2). 41% of students in total have provided an answer to all questions.

Table 2: Sample structure, %

		ACPS n=(134)		FCC n=(188)	
		no answers excluded		no answers excluded	
	Total	**100**	**100**	**100**	**100**
Gender	No answer/Interrupt		39		41
	Female	33	20	68	40
	Male	67	41	32	19
Year of study	No answer/Interrupt		40		41
	First	48	29	51	30
	Second	17	10	4	2
	Third	21	13	23	14
	Fourth	11	7	18	11
	Fifth	1	1	2	1
	Sixth		-	1	1
Marital status	No answer/Interrupt		38		41
	Single	72	44	56	33
	Single but in a stable relationship	27	16	41	24
	Married	1	0.7	1	1
	Divorced	0	0.0	0	0
	Widow / widower	0	0.0	2	1
Living arrangements	No answer/Interrupt		39		41
	Live alone	10	6	14	8
	Live with my partner	7	4	4	2
	Live with my parents	37	22	47	28
	Live with a roommate	46	28	35	21

Table 2 (continued): Sample structure

		ACPS n=(134)		FCC n=(188)	
		no answers excluded		no answers excluded	
	Total	**100**	**100**	**100**	**100**
Economic / financial status	No answer/Interrupt		40		41
	Own income	5	3	1	1
	Income from other sources or from another person	60	37	66	39
	The combination of their own income and income from other sources / persons	17	10	29	17
	Scholarship	17	10	4	2
Educational level of your parents	No answer/Interrupt		39		41
	Primary school	0	0	0	0
	Vocational school	2	1	2	1
	High school	76	46	57	34
	University studies	18	11	32	19
	Postgraduate Studies (PhD)	4	2	8	5
The social status of your family	No answer/Interrupt		39		41
	Far above average	0	0	1	1
	Above average	5	3	15	9
	Average	73	45	64	38
	Below average	18	11	17	10
	Far below average	4	2	2	1

Research technique of data collection

The research technique utilized was CAPI (Computer Assisted Personal Interviewing). In addition, a questionnaire was used to ensure complete anonymity.

Research instrument

The questionnaire was divided into four sections: self-perception of respondents (Section A), experience of respondents with the criminal justice system and possible victimization of respondents (Section B), police legitimacy (Section C) and perception of an undesirable behaviour (Section D). Quantitative analysis was used for processing of the data. Descriptive statistics were based on a displayed percentage and arithmetic means.

About model (Model)

The main research points about the police legitimacy (Section C) include evaluation of statements related to the police legitimacy by one side, and identification of key aspects (factors) of the legitimacy. The reason for this emphasizes that agreement on evaluated statements may not automatically play an important role in the lives of students, and that disagreements may not imply poor perception of the police legitimacy. Consequently, an important dimension of the police legitimacy can be pinpointed in order to navigate direction in a long-term influence on desired condition.

Figure 4 displays the areas which impact the legitimacy of the police. For each area the respondents have evaluated how much they agree with certain aspects. The estimates of agreement are given on a scale of 1 to 4, where 1 means disagree, 2 - mainly disagree, 3 – mainly agree and 4 - agree. This scale allows a finer distinction of different levels of agreement.
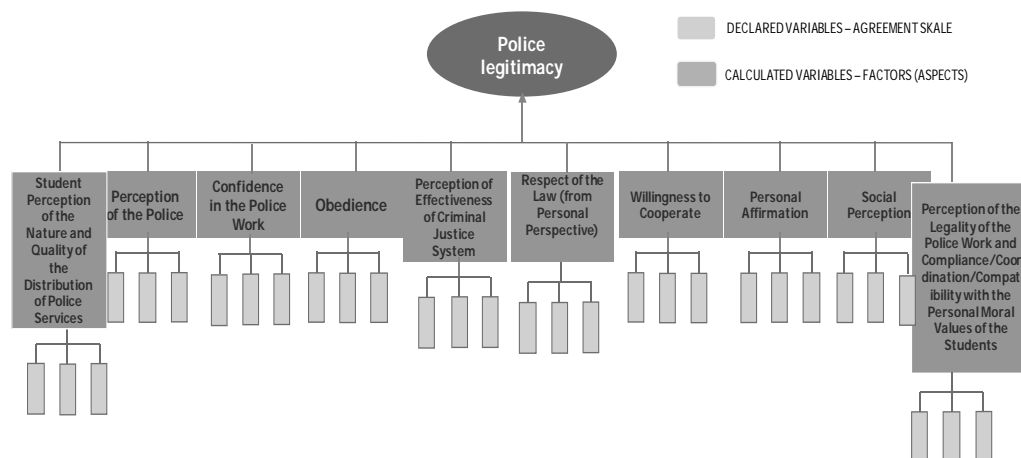

Figure 4. Model of police legitimacy

In order to identify key aspects of legitimacy, a factor analysis was introduced in this research. Factor analysis, by definition, is a statistical method used to describe variability among observed, correlated variables in terms of a potentially lower number of unobserved variables called factors. Since factors are already defined, the aim of the research focused on the calculation of variances of individual variables (so-called extracted communalities) and summed up in the category (factor) level (10 in totals) to which it belongs (Figure 4).

Evaluation of statements related to police legitimacy

Regarding *Perception of the Nature and Quality of the Distribution of Police Services towards the Citizens*, the FSS students expressed a greater degree of disagreement with all the statements that represented police and its relationship with citizens in an affirmative way, the way the police work, and the like. In order to change the perception of legitimacy in a positive direction, police should pay

special attention to the way in which they relate to citizens while performing their regular duties (with respect and dignity). The necessity for greater transparency and tolerance during interrogation of citizens by the police (black framed statements) in Table 3 should also be considered.

Table 3: Perception of the Nature and Quality of the Distribution of Police Services towards the Citizens

Category–Perception of the Nature and Quality of the Distribution of Police Services towards the Citizens	Agreement Levels / Averages		
	TOTAL	ACPS	FSS
Total	2.5	2.7	2.4
The police treat citizens with respect.	2.4	2.7	2.2
The police respect citizens' rights.	2.6	2.9	2.4
The police make decisions to handle problems fairly.	2.5	2.7	2.3
The police treat citizens with respect.	2.5	2.8	2.3
The police treat everyone with dignity.	2.2	2.5	2.0
The police are courteous to citizens they come into contact with.	2.5	2.8	2.3
The police take time to listen to people.	2.4	2.6	2.2
The police follow through on their decisions and promises they make.	2.5	2.7	2.3
The police make decisions based on the facts.	2.6	2.8	2.4
The police explain their decisions to the people they deal with.	2.4	2.6	2.2
The police provide better services to wealthier citizens	2.8	2.5	3.0
The police do not often listen to all of the citizens involved before deciding what to do.	2.5	2.3	2.7

☐ ☐ Significantly higher than

As shown in Table 3, unlike the FSS' students, the students of the ACPS had a more positive attitude toward all claims which put an affirmative and positive light on the police and its work in the community.

In the context of the *Perception of the Police* (Table 4), except for the items related to the provision of services for wealthier citizens and for helping minorities because of their race, a higher level of agreement was shown among the ACPS students than those of the FSS.

Table 4: Perception of the Police

Category– Perception of the Police	Agreement Levels / Averages		
	TOTAL	ACPS	FSS
Total	2.5	2.6	2.4
The police provide the same quality of service to all citizens.	2.4	2.8	2.1
The police are always ready to provide satisfactory assistance to victims of crime.	2.7	2.9	2.6
The police enforce the law consistently when dealing with ALL people.	2.2	2.6	1.9
The police are always able to provide the assistance the public needs from them.	2.7	2.9	2.5
The police are doing well in controlling violent crime.	2.4	2.8	2.2
The police do a good job maintaining order in my neighborhood.	2.6	2.7	2.4
The police make sure citizens receive the outcomes they deserve under the law.	2.7	2.8	2.6
The police are doing a good job preventing crime in my neighborhood.	2.3	2.5	2.1
The police provide better service to wealthier citizens.	2.8	2.5	3.1
The police respond promptly to calls about crime.	2.7	2.8	2.5
Crime levels in my neighborhood have changed for the better in the last year.	2.3	2.4	2.2
There is not much crime in my neighborhood.	2.5	2.6	2.4
The police give minorities less help because of their race.	2.2	2.0	2.3

☐ ☐ Significantly higher than

Similarly, when it comes to *Confidence in the Police Work* (Table 5), this further confirms the significantly lower overall level of legitimacy of the police when perceived by the FSS students compared to the ACPS students.

Table 5: Confidence in the Police Work

Category – Confidence in the Police Work	Agreement Levels / Averages		
	TOTAL	ACPS	FSS
Total	2.5	2.7	2.3
The police in my community are trustworthy.	2.5	2.7	2.3
I have confidence in the police.	2.5	2.9	2.2
I am proud of the police in my community.	2.3	2.6	2.1
People's basic rights are well protected by the police.	2.5	2.8	2.3
The police are usually honest.	2.5	2.7	2.3
The police in my community are often dishonest.	2.4	2.2	2.6
The police can be trusted to make decisions that are right for the community.	2.5	2.8	2.3

☐ ☐ Significantly higher than

As for *Obedience* (Table 6), compared to the ACPS students, the FSS students agreed less that they would accept the decisions of the police, because it is an adequate and a proper thing to do, and that disobedience of the police is rarely justified.

Table 6: Obedience

Category - Obedience	Agreement Levels/Averages		
	TOTAL	ACPS	FSS
Total	2.8	2.9	2.8
You will accept the decision of the police, because it is adequate and proper thing to do.	2.8	3	2.6
You will do what the police say you only if you understand the reasons for orders / instructions.	3.1	3.1	3
You will obey the directive by the police only if you believe that their actions are lawful.	3.1	3.1	3.2
People like me have no choice but to obey the directives of the police.	2.5	2.5	2.5
Disobedience to police is rarely justified.	2.8	3	2.7
It is difficult to break the law and continue to maintain self-esteem.	2.9	3	2.9
You will do what the police want from you even though you do not agree with that.	2.5	2.5	2.5
The police will accept the decision even if you think they are wrong.	2.3	2.3	2.2
People should respect the law, no matter how much it interferes with his personal ambitions / interests.	3.3	3.3	3.2

☐ ☐ Significantly higher than

The evaluation of *effectiveness of criminal justice system* given in Table 7, shows that students from both institutions disagree with statements that law is good because it ensures that criminals get the punishment they deserve, regardless of the money they have, and that innocent people who are accused of crimes are always protected by law. These disagreements are more emphasized by the FSS student than those of the ACPS.

Table 7: Perception of Effectiveness of Criminal Justice System

Category - Perception of Effectiveness of Criminal Justice System	Agreement Levels/Averages		
	TOTAL	ACPS	FSS
Total	2.6	2.7	2.6
In order to get what they deserve, criminals should be punished in accordance with the law.	3.6	3.5	3.7
A lot of people I know think that the law often punishes people who do not deserve it.	2.6	2.6	2.6
The law is good because it ensures that criminals get the punishment they deserve, no matter how much money they have.	2.6	2.8	2.5
The law is good because it ensures that criminals get the punishment they deserve, no matter how much money they have.	2.2	2.3	2.1
Innocent people who are accused of crimes are always protected by law.	2.1	2.3	2.0

Significantly higher than

The students' point of view on the respect of the law demonstrates that they strongly disagree that the law is there to be violated. This confirms the view that law represents a certain value to the students (see Table 8). Also, students have negative opinion toward illegal ways to earn money and short-term life plans, and finally that family and friend conflicts are not reserved only for them.

By institutions, the ACPS students disagree more with the notion that it is okay to do anything one wants as long as it does not offend anyone and that today there are no right and wrong ways of earning money, compared to the FSS students.

Table 8: Respect of the Law (from Personal Perspective)

| Category - Respect of the Law (from Personal Perspective)	Agreement Levels/Averages		
	TOTAL	ACPS	FSS
Total	2.0	1.9	2.1
The laws exist to be broken.	1.5	1.5	1.5
It's alright to do anything you want, as long as it does not offend anyone.	2.5	2.3	2.7
In order to earn money, there is no proper or the wrong way, but only easier or harder way.	2.0	1.8	2.2
Modern man largely has to live for today and not worry too much about what will happen tomorrow.	1.9	1.8	2.0
The conflict between friends or within the family concerns only them.	2.3	2.1	2.4

Significantly higher than

Overall, a large number of students have shown their willingness to report crimes (Table 9). Also it is important to note a significant number of those who report items occasionally and rarely indicate conditionality and complexity on a practical level.

Table 9: Willingness to Cooperate
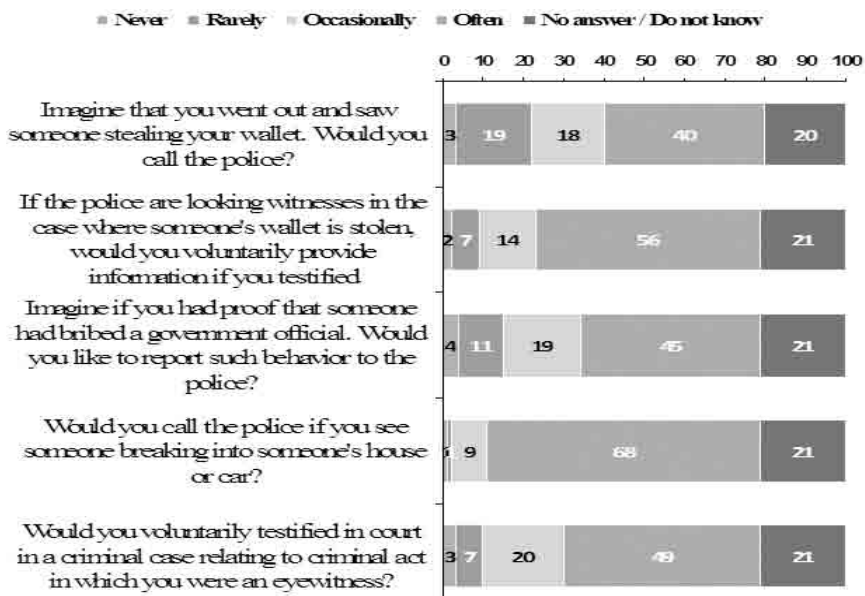
By institutions, the ACPS shows a greater willingness to respond to the complexity of committed acts in terms of reports of thefts of wallets, reports on bribes of government officials and voluntary testimony in criminal cases where they were eyewitnesses (Table 10).

Table 10: Willingness to Cooperate - by institutions
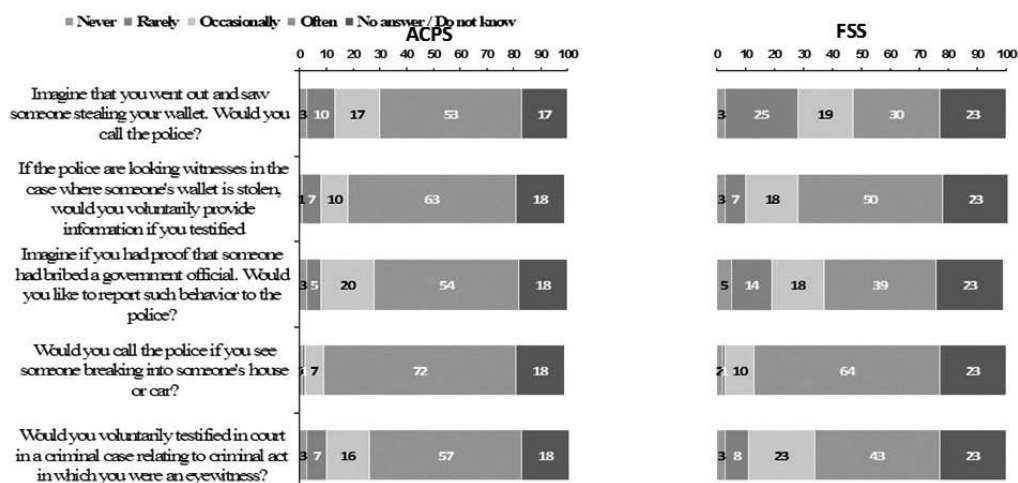
In total, there is a positive signal to promote vital and professional dimensions (of police work). There is also a willingness to be included in interest groups, and at the same time, a neutral attitude towards the involvement of non-profit organizations. It is interesting to note that that there are more FSS students who want greater standard of living, compared to their ACPS counterparts (Table 11).

Table 11: Personal Affirmation

Category - Personal Affirmation	Agreement Levels/Averages		
	TOTAL	ACPS	FSS
Total			
Have high social status.	3.0	3.0	3.0
Enjoy life.	3.6	3.6	3.7
Be able to regularly enjoy new experiences.	3.3	3.2	3.3
Afford the clothes according to the latest fashion.	2.2	2.1	2.3
Have network of close friends.	3.6	3.6	3.7
Have good pay one job.	3.6	3.5	3.7
Have a good standard of living.	3.6	3.5	3.7
Be involved in a special interest groups such as environmental associations and the like.	2.6	2.6	2.7
At some level, to be involved in a work of non-profit organizations.	2.5	2.5	2.5

☐ Significantly higher than ☐

Regarding social perception, the students think that even people understand global events; more importance is attached to personal planning for the future and building of moral identity. On the other hand, there is a neutral attitude towards the inclusion of political and military forces in order to maintain social order and participation in political processes. By institutions, it should be noted that the FSS students are more of the view that people are indifferent to the world events, and that it is necessary to engage in political processes, as opposed to the ACPS students (Table 12).

Table12: Social Perception

Category - Social Perception	Agreement Levels/Averages		
	TOTAL	ACPS	FSS
Total			
I find it difficult to understand what is happening in the world.	2.4	2.3	2.4
I feel that most people take care about what is happening in the modern world.	2.1	2.4	1.9
I feel that today most people lack moral integrity.	3.5	3.5	3.5
If the economy has led to social problems then we should be more tolerant to those who steal because of apparent necessity.	1.4	1.4	1.5
Thinking and planning for the future provides great comfort.	2.7	2.8	2.7
People are too busy with what is happening today to think about tomorrow.	2.9	2.9	2.9
At the time of social crises it is not constructive to use political or military forces to maintain social order.	2.5	2.4	2.5
I feel that it is important for me to get involved in general political processes.	2.5	2.4	2.6

☐ Significantly higher than ☐

When it comes to respect of the law by the police and the compliance of its work with personal moral values of the students, the FSS students expressed greater scepticism about the respect and the compliance with the law by the police itself, and its actions regarding whether the police always followed the law and acted in accordance with it when dealing with people. The ACPS students showed a greater degree of agreement with the fact that the police acted in a manner consistent with their personal moral beliefs, unlike the FSS students who showed a lower percentage of agreement regarding these statements (black-framed statements in Table 13). It should be noted that moral values of respondents in the survey were not determined, they are rather the expectations and perception of police work that students have based on their generally accepted moral values.

Table 13: Perception of the legality of the police work and compliance with the personal moral values of the students

Category - Perception of the legality of the police work and compliance with the personal moral values of the students	Agreement Levels / Averages		
	TOTAL	ACPS	FSS
Total	2.4	2.7	2.3
1. The police always obey the law	2.2	2.4	1.9
2. When the police deal with the people, they always behave according to the law.	2.2	2.5	2.0
3. If I were to talk to police officers in my community, I would find their values to be very similar to my own.	2.5	2.8	2.3
4. The police act in ways that are consistent with my own moral values.	2.4	2.7	2.2
5. The law represents the values of people like me.	2.9	3.0	2.8

Significantly higher than

Key aspects (factors) of police legitimacy

In order to influence students' perception of the legitimacy of the police, it is necessary to determine major aspects (factors). The model applied in this research analyses ten aspects (factors) of legitimacy: Perception of the Nature and Quality of the Distribution of Police Services towards the Citizens, Perception of the Police, Confidence in the Police Work, Obedience, Perception of Effectiveness of Criminal Justice System, Respect of the Law (from Personal Perspective), Willingness to Cooperate, Personal Affirmation, Social Perception, Perception of the Legality of the Police Work and Compliance with the Personal Moral Values of the Students.

Therefore, for the purpose of determining the key aspects of legitimacy, the statistical analysis (factor analysis) is used, and it provides a basis for the

calculation of variance (extracted communalities) of all evaluated statements, summed to a category (factor) level and compared to the total variance. Consequently, a degree of influence (importance) is expressed in percentage of the total possible influence.

The results (Figure 5) show that key aspects of students' perception related to the police legitimacy are: students' perception of the distribution of police services, the nature and the quality of those services, the perception of the police, the confidence in police work and finally, the perception of the legality of the work of the police and the compliance with personal moral values of students.
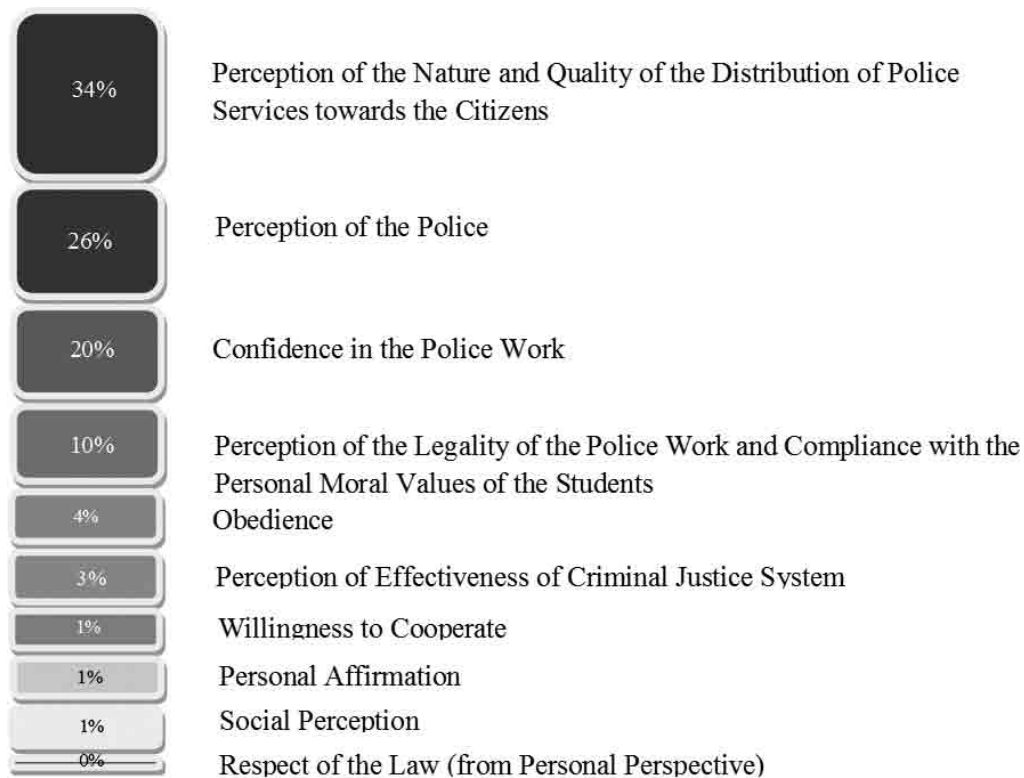
34%	Perception of the Nature and Quality of the Distribution of Police Services towards the Citizens
26%	Perception of the Police
20%	Confidence in the Police Work
10%	Perception of the Legality of the Police Work and Compliance with the Personal Moral Values of the Students
4%	Obedience
3%	Perception of Effectiveness of Criminal Justice System
1%	Willingness to Cooperate
1%	Personal Affirmation
1%	Social Perception
0%	Respect of the Law (from Personal Perspective)

Figure 5: Influence factors for the perception of police legitimacy

Strategic Table of Legitimacy

Keeping previous remarks related to evaluation on statements and determination of key aspects of legitimacy, it should be noted that, compared with the students from FSS, students from the ACPS have, on average, a positive perception regarding the four major determining factors of police legitimacy (Table 14).

Table 14: Strategic Table of Legitimacy

	Extracted Communalities	Agreement Levels	ACPS	FSS
Social Perception	1%	2.49	2.49	2.49
Personal Affirmation	1%	3.11	3.05	3.15
Willingness to Cooperate	1%	3.47	3.60	3.37
Perception of the Legality of the Police Work and Compliance/Coordination/Compatibility with the Personal Moral Values of the Students	10%	2.44	2.69 ✓	2.26
Obedience	4%	2.80	2.88	2.75
Confidence in the Police Work	20%	2.46	2.68 ✓	2.22
Perception of the Nature and Quality of the Distribution of Police Services Towards the Citizens	34%	2.49	2.66 ✓	2.35
Perception of the Police	26%	2.50	2.64 ✓	2.38
Respect of the Law (from Personal Perspective)	0%	2.04	1.91	2.15
Perception of Effectiveness of Criminal Justice System	3%	2.63	2.70	2.56

Finally, within the context of comparative analysis of the survey results for the ACPS and FSS students as well as the public, there were differences between these groups of respondents in terms of general perception of police activities in society. The closer the respondents were to the civilian sector (such as the FSS students and the citizens) the more burdened was the legitimacy and the role of the police was with scepticism (including the decline in perception of the police legitimacy). This was the most noticeable in the attitudes related to the distribution of justice and the overall quality of the police services to the citizens, and the confidence in the work of the police in general. In nearly all of the statements, the ACPS students showed a higher degree of compliance with those claims which emphasized, in a positive context, the work of the police, its role in the society and the way in which it performed its tasks.

Serving the Law or the Political Elite – Concluding Remarks

Establishing the legitimacy of the institutions of the criminal justice system in general, and police in particular, in transitional societies, is neither easy nor a one-way, continuous process. This process is profoundly political because different groups, by granting or revoking the legitimacy of police, have different priorities and norms that are unequally valued. Also, they are looking for a balance between security and justice, which favours their sentiments and interests. This work is incomplete. The process of legitimization is continuous, and the level of legitimacy that the (new) police and the society gain will reflect the changing political dynamics of the country (Caparini & Marenin, 2004).

In addition, the members of transitional societies remember the attempts utilized to establish social equality and solidarity. For them, there is also the problem of accepting legal norms of the neo-liberal concept for economy and society, because of the assumption of coercion, i.e. police action.

All problems related to the establishment of the rule of law and regulations, and the fact that there are difficulties in creating a relation between the police and the community are more pronounced and last much longer in Serbia than in other transitional countries (Meško, Lobnikar, Sotlar, &Jere, 2013).

The results presented in this paper confirmed the hypothesis that younger and more educated members of the society are more critical of the police and therefore critically observe its legitimacy. At the same time, there are some significant differences in perceptions of the legitimacy of the police among the students of the Academy of Criminalistic and Police Studies. That is, the students of the ACPS perceived the legitimacy of the police in a more favourable way than the students of the Faculty of Security Studies. This can be explained by the fact that by enrolling in the ACPS, the students are practically dedicated to the profession of a police officer and instantly view police as a legitimate entity. Also, a proportion of them comes from the police background, or has immediate and/or distant family members in the police environment, which also affects their perceptions and attitudes. On the other hand, the Faculty of Security Studies is a completely civilian institution and since it is part of the University of Belgrade, the graduates receive the title of Manager of Security. This gives them a prospect of employment in other security institutions or in the sector of private security, and not only a position in the police force. Furthermore, the study curricula and methods of teaching (knowledge, skills and values) in the two institutions are different. It is believed that this would certainly impact the students' perceptions of the police.

Determination of political factors to finally embark on fundamental reforms of the Serbian police and to adapt it to the needs of a modern democratic society will provide positive consequences on the perception of the police legitimacy among the general public and in particular among the students.

References

1. Antonić, S; *Priroda poretka u Srbiji u poslednjim godinama Miloševićeve vlasti* [Character of the Late Milošević's Regime]. Sociologija, 42(4), 2000, 585–616.

2. Bakić, B., & Gajić, N; *Police reform in Serbia: Five years later*, OSCE. 2006, Retrieved from www.osce.org/publications/fry/2004/01/18262_550_en.pdf

3. Berkley, G. E; *The Democratic Policeman*, Beacon Press: Boston, 1969.

4. Caparini, M., & Marenin, O;. Transforming Police in Eastern and Central Europe. Geneva: Centre for the Democratic Control of the Armed Forces/ LIT, 2004.

5. Centar za slobodne izbore i demokratiju [CESID]; *Attitude of Serbia's citizens towards the police work,* 2011, Retrieved from http://www.mup.rs/cms/ resursi.nsf/Public%20Opinion %20Research %202011.doc

6. Downes, M; *Police reform in Serbia: Towards the creation of a modern and accountable police service*, Belgrade: OSCE Mission to Serbia and Montenegro, Law Enforcement Department, 2004.

7. I. P. *Građani uvereni da je MUP politizovan* [Citizens believe MoI is politicised], *Danas*, 2010. Retrieved from http://www.danas.rs/vesti/hronika/ gradjani_ uvereni_da_je_mup_politizovan_.3.html? news_id=153984

8. Kešetović, Ž; Serbian Police: Troubled Transition from Police Force to Police Service. In G. Meško, C. B. Fields, B. Lobnikar, & A. Sotlar (Eds.), *Handbook on Policing in Central and Eastern Europe* (pp. 217–238). New York: Springer, 2013.

9. Kešetović, Ž; *Odnosi policije i javnosti* [Relations between police and public]. Beograd: Viša škola unutrašnjih poslova, 2000.

10. Koštunica, V; Legitimnost. In Đorđević, J., Čemerlić, H., Dimitrijević, P., Fira, A., Geršković, L., Hristov, A. et al, (Eds.) *Politička enciklopedija* (pp. 502-503,), Beograd: Savremena administracija, 1975.

11. Kuribak, M; Police reform in Serbia. In M. Hadžić (Ed.), *Security sector reform in Serbia: Achievements and prospects* (pp. 51–64). Belgrade: Centre for Civil-Military Relations, 2008.

12. Loubet del Bayle, J. L ; *La police: Approche socio-politique*, Paris: Montchrestien, 1992.

13. Meško, G., Lobnikar, B., Sotlar, A., & Jere, M; Recent developments of policing in Slovenia. In G. Meško, C. B. Fields, B. Lobnikar, & A. Sotlar (Eds.), *Handbook on policing in Central and Eastern Europe* (pp. 263-286),NewYork: Springer, 2013.

14. Milosavljević, B, Reform of the police and security services in Serbia and Montenegro: Attained results or betrayed expectations. In P. Fluri& M. Hadžić (Eds.), *Sourcebook on security sector reform* (pp. 249- 274). Geneva, Belgrade: Geneva Centre for the Democratic Control of Armed Forces and Centre for Civil-Military Relations, 2004.

15. Milosavljevic, B; *Uvod u teoriju ustavnog prava* [Introduction to the Constitutional Law Theory]. Beograd: Pravni fakultet Univerziteta Union, JP Sluzbeni glasnik, 2011.

16. Monk, R; *A study on policing in the Federal Republic of Yugoslavia*, Vienna: OSCE, 2001

17. Pečar, J; Organizanotranje zadeve in neinstitucionalizirana javnost", *Varnost*, 4, 87, 1987.

18. Podunavac, M; *Politički legitimitet*, Beograd: Rad, 1988.

19. Reiner, R; *The Politics of the Police,* Brighton: Wheat sheaf Books, 1992.

20. Skolnick, J; *Justice Without Trial: Law Enforcement in Democratic Society*, New York: John Wiley and Sons, 1975.

21. Stanovčić, V; *Moć i legitimnost*, Beograd: Službeni glasnik, 2006.

22. Stojković, M. M; "Legitimitet". In R. Lukić, & M. Pečujlić (Eds.), *Sociološki leksikon* (p. 318). Beograd: Savremena administracija, 1982.

23. Sunshine, J., & Tyler, T. R; "The role of procedural justice and legitimacy in shaping public support for policing." *Law and Society Review*, 37(3), 2003, 513–547.

24. Tyler, T. R; *Why people obey the law*, New Haven: Yale University Press, 1990.

25. Vuković, S; "Принципи законитости и легитимности у поступању полиције у превенцији криминалитета" [Legality and legitimacy - police activity principles in crime prevention], *Bezbednost*, 1-2, 2009, 179–192.

26. Zekavica, R., Kešetović, Ž.,&Kesić; "Democratic policing in Serbia – attitudes towards law, human rights and police effectiveness in Belgrade police department." *Journal of Criminal Justice and Security*, 13(2), 2011, 169–187.

LEGITIMITET POLICIJE U SRBIJI

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Sažetak: Autori u radu analiziraju promene legitimiteta srpske policije u širim društvenim i političkim kontekstima koji su se desili u poslednje dve decenije. Rad predstavlja analizu legitimnosti vladinih institucija i njenog političkog autoriteta, kao i shvatanje legitimiteta u srpskoj akademskoj zajednici. Kroz analizu društvenog konteksta i empirijskih nalaza istraživanja na javno mnjenje, autori ispituju delegitimizaciju srpske policije tokom 1990-2000, i pokušaj za njenom ponovnom legitimizacijom nakon započinjanja reformi Ministarstva unutrašnjih poslova 2000. godine. Osim svog teorijskog dela, rad sadrži analizu rezultata empirijskog istraživanja stavova studenata Fakulteta bezbednosti Univerziteta u Beogradu i studenata Kriminalističko-policijske akademije u Beogradu, koje je sprovedeno u drugoj polovini 2014. godine. Cilj istraživanja je bio da se utvrdi percepcija studenata o legitimitetu policije kao institucije, kao i legitimitetu policijske funkcije uopšte. Rezultati prikazani u ovom radu su potvrdili hipotezu da su mlađi i obrazovaniji članovi društva više kritički nastrojeni prema pitanu legitimiteta policije. Istovremeno, postoje značajne razlike u percepciji legitimnosti policije među studentima Kriminalističko-policijske akademije i studenata Fakulteta bezbednosti. To jest, studenti KPA doživljavaju legitimitet policije na povoljniji način nego studenti Fakulteta bezbednosti. Ovo

se može objasniti činjenicom da su studenti KPA, samim odabirom obrazovne institucije unapred izrazili svoj afirmativni stav perma policiji. S druge strane, Fakultet bezbednosti je potpuno civilna institucija i deo je Univerziteta u Beogradu, To im daje mogućnost zaposlenja u drugim bezbednosnim institucijama ili u sektoru privatnog obezbeđenja, a ne samo u policiji. U zaključku autori daju pregled o mogućim perspektivama percepcije o legitimnosti srpske policije.