

## EDITORIAL

Dear Readers,

The forth issue of the scientific journal *Facta Universitatis: Law and Politics* for the year 2017 is titled “*Security in the Society: Challenges in exploring national security topics*”. Given that the first five scientific articles cover an array of national security topics, this thematic issue is co-edited by *Prof. dr Dragan Đurđević*, acting in the capacity of Guest Editor. The second part of this issue includes a range of articles in the field of criminal law and criminal procedure, juvenile justice and economic analysis of law.

**Assist. Prof. Miroslav Stevanović** and **Prof. Dr. Dragan Đurđević**, National Security Academy, submitted the paper titled “*Greening Economies: a Normative Challenge in International Relations*”, where they examine the concept of “greening economy” from the aspect of the interest of States, as actors in international relations responsible for providing vital values of political communities. Although mainstreaming the environment into economic development through 'green economy' may be logical in substance, the authors find that it is still no more than an emerging theoretical discourse, which is suitable for the needs of globalization. They conclude that “greening” is a contemporary political economy, which features unsustainability on the production level and lacks a clear definition of development. This concept promotes an administrating process on the global level, which is a challenge for national security, given that national authorities should be responsible for sustainable development as a vital value.

**Assist. Prof. Predrag Pavličević**, National Security Academy, submitted the paper titled “*Rationality of Terrorist Acts, Counterterrorism and Risk Analysis*”. The author considers various theoretical aspects of the correlation between rationality of terrorism and other key elements that make the phenomenology of terrorism, and ultimately affect risk assessment and counterterrorism policy. Emphasizing the significance of analytical models, the author supports the conclusions of researchers that only comprehensive understanding of rationality from different scientific perspectives may generate the basis for building an efficient counterterrorism strategy. Yet, in understanding the phenomenon of terrorism, it must be noted that the political motives, goals and the instrumental rationality of terrorism remain in the forefront.

**Milena Manojlović**, a PhD student of the National Security Academy, submitted the paper “*Multiculturalism and Political Integration in Modern Nation States*”. The author analyzes complex relations between the concept of multiculturalism and modern liberal nation states based on the principle of common citizenship, discussing the impact of multiculturalism on the process of integration in these societies and complex relations between a modern liberal democracy and national identity. In particular, the author elaborates on the impact of public policies with a multicultural agenda on citizens' equal treatment of, the relationship between liberalism and assimilation and liberalism, and the national identity perceived as a necessary precondition for integration. The author also underscores the conception of politics as a field of self-expression and communications with others in the public arena.

**Danijela Milošević**, Specialist in Politics and Religion, National Security Academy, submitted the paper titled "*The Orthodox Understanding of War and Violence*". The author examines the important issue concerning the influence of religion and teachings of certain religions on the understanding of certain cultural, social and political phenomena, either individually or collectively. The impact of religion is of considerable importance particularly when those teachings refer to the manifestations of political violence. The author elaborates on the Orthodox understanding of political violence and how it manifests itself, relying on the dogmatic teaching of the Orthodox Church whose primary sources are the Holy Bible and canonical law.

**Nedeljko Cvetković**, Master Manager in terrorism, organized crime and security, submitted the paper titled "*Secret Monitoring: a Method of Fighting against Terrorism*". The author examines the dangers of terrorism as a social phenomenon increasingly threatening both individual states and the international community at large. In counteracting terrorism, secret surveillance is inevitably used as a means of covert collection of data about subjects who may be involved in possibly dangerous activities. Yet, the use of secret surveillance, including secret monitoring and recording, interferes with the basic human rights and freedoms. Apart from enacting relevant legislation which should be fully observed in the security sector activities, there is a need for high-quality professional training of security agents involved in applying these measures.

This part of the scientific journal *Facta Universitatis: Law and Politics* includes a range of articles in the field of criminal law and procedure, juvenile justice and economic analysis of law.

**Miša Vujičić**, PhD Student of the Law Faculty, University of Niš, submitted the paper "*The Reform of the Criminal Procedure Legislation: The concept of investigation*". The key issue in reforming the normative framework of efficient criminal procedure in Serbia is the choice of the criminal investigation concept. By using a comparative method, the author discusses the advantages and disadvantages of the two criminal investigation concepts: the inquisitorial and the adversarial system, elaborates on the observed characteristics of the prosecutorial investigation in the Serbian criminal procedure, and proposes possible modifications in light of observing the principles of procedural efficiency and procedural fairness, and human rights and freedoms enshrined in the Serbian Constitution and ratified international law documents.

**Emil Turković**, PhD student of the Law Faculty, University of Nis, submitted the paper "*A New Function of Prison Industry and Private Prisons in Developed Countries, and the possibility of their implementation in the Republic of Serbia*". The author discusses different approaches to the problems related to prisoners' labor in developed countries in the 1990s and penal reforms that instituted a new concept of organized prison labor, the so-called "prison industry" programs. The reformers endeavored to ensure the prisoners' welfare and enable all prisoners to work and participate in the labor market as competitive workforce, both by leasing their labor and through the sale of final products on the free market. The author urges for further discussion on this issue, including the likelihood of instituting private prisons which should be constantly supervised by the public sector in order to ensure the observance of human rights.

**Marijana Vučićević** (LL.M.), Teaching Associate of the Law Faculty, University of Kragujevac, submitted the paper "*Social Reaction to Juvenile Crime*". The author discusses the evolution of social reaction to juvenile crime and the measures applied against juvenile

offenders. Initially, juveniles were punished like adults and the primary purpose of punishment was repression. Today, the most commonly used educational measures are intensive supervision measures which imply greater control over a minor by parents, a family member or the guardianship authority. Institutional (correctional) measures are less common, whereas the punishment of imprisonment is perceived as the last resort. The Serbian juvenile justice system is primarily based on preventive and educational measures aimed at providing assistance, supervision and rehabilitation of juveniles, and preventing commission of crimes in the future.

**Marija Milojević** (LL.M.), a PhD student of the Law Faculty, University of Niš, submitted the paper "*Temporary Measures in Criminal Proceedings against Juveniles*". The author presents the distinctive features of temporary measures envisaged in Serbian juvenile criminal law, analyzes the concepts of temporary accommodation and referral of juveniles to professional institutions for further assessment, and discusses to what extent the international standards on juveniles are observed in our legislation in terms of these temporary measures. With reference to the new draft of the Juvenile Justice Act, the paper provides an overview of the amended provisions and analyzes their purpose and implications.

**Dragana Spasić** (LL.M.), Teaching Associate of the Law Faculty, University of Kragujevac, submitted the paper titled "*Suspended Sentence in Criminal Legislation of the Republic of Serbia*". As a cautionary measure, suspended sentence is one of the most frequently applied criminal sanctions. After providing a brief overview of the historical development of the suspended sentence, the author discusses that the concept and characteristics, legal requirements for imposing and revoking a suspended sentence, as well as a suspended sentence with protective supervision, in the Serbian criminal law. Focusing on the application of suspended sentence in domestic judicial practice, the author provides a comparative overview of statistical data from three different periods (from the 1970s to date) on the frequency of pronouncing the suspended sentence.

**Aleksandar Mihajlović** (LL.M.), a PhD student of the Law Faculty, University of Niš, submitted the paper "*Economic Analysis of Healthcare Protection*". The particular nature of healthcare protection and healthcare insurance calls for government intervention, which may be justified by legal and economic reasons alike. Socio-economic changes have shaped different models of healthcare protection and insurance. Despite a commonly used phrase "free" healthcare protection and insurance, the fact remains that it is not free but paid by the society and its members. More investment in the field of healthcare insurance does not necessarily imply better health or a longer life span. In order to ensure the best possible effects of healthcare protection, the available resources are to be used efficiently and economically.

We hope you will enjoy reading the results of scientific research on the criminal law issues that the contributing authors have chosen to discuss in their theoretical and empirical research. The multidisciplinary nature of the submitted papers and the authors' choice of current legal issues indicate that our scientific journal *Facta Universitatis: Law and Politics* is open to different approaches to the legal matter under observation and committed to publishing scientific articles across a wide range of social sciences and humanities. In that context, we invite you to submit research articles on topics of your professional interest.

During the year 2017, the thematic issues of the scientific journal *Facta Univesitatis: Law and Politics Series* have been co-edited by renowned professors and colleagues: Prof. Dr. Dragan Đurđević, Prof. Dr. Marko Trajković, and Assist. Prof. Darko Dimovski. We highly appreciate and commend their overall commitment to the co-editing process and selection of articles for publication have contributed to expanding the thematic scope of the journal and making it more appealing to a broader circle of academic community readership in the country and abroad.

We would like to extend our special gratitude to our distinguished reviewers whose professional attitude to double-blind peer review has significantly contributed to the quality of our scientific journal.

We wish you a happy New Year and we invite you for further cooperation.

**Editor-in-Chief**

Prof. Miomira Kostić, LL.D.

**Guest Editor**

Prof. Dragan Djurdjević, PhD

Niš, 20<sup>th</sup> November 2017