

Private Policing in the Former Yugoslavia: a Menace to Society?

Ronald van Steden, Rick Sarre

Purpose:

This paper aims to give an empirical overview of the 'privatization' of security (or, in a more narrow sense, policing) services within the former countries of the Socialist Federal Republic of Yugoslavia namely, Slovenia, Croatia, Serbia, Kosovo, Bosnia-Herzegovina, Macedonia and Montenegro. Observations are put in light of the extant literature on private policing worldwide.

Design/Methodology/Approach:

The paper draws on a literature review of academic publications, NGO-reports and other relevant written sources.

Findings:

Although it is not possible to offer a full picture of the current developments in the region, we argue that the rise of private security markets shows significant variety throughout former Yugoslavian countries, as does the level of state regulation. Moreover, contrary to the views of doomsayers critical of the provision of commercial security, academics and observers alike are optimistic about private security personnel becoming a legitimate and stabilizing presence in post-conflict zones such as the Balkans.

Research implications:

The persistence of divergence in private policing trajectories within the former Yugoslavia underscores the need for more detailed cross-national studies that take account of differences, as well as similarities, in how commercial security industries are governed and regulated by state institutions.

Practical implications:

Public as well as private policy-makers in the field of security serve as appropriate anchor points to facilitate, direct and regulate private policing activities across the former Yugoslav republics.

Originality/Value:

The growing body of knowledge on private policing is heavily suffused by predominantly North American, Canadian, British and Australian studies. Nonetheless, research from countries outside the English speaking world has much to contribute to an understanding of private security industries. An examination of the Balkan countries that emerged from the breakup of Yugoslavia is particularly interesting when viewed as a post-conflict legacy.

UDC: 351.746.2(497.1)

Keywords: policing, private security, ex-Yugoslavia, cross-national comparison

1 INTRODUCTION

In the field of criminal justice studies it is widely acknowledged that private security industries are mushrooming rapidly. Much research has been conducted on the so-called 'manned guarding sector'. This sector is, by number, the largest and most visible group of security staff within national borders. The presence of private security guards (or private security 'officers' as they are often referred to) has considerably intensified alongside the police and other (quasi-) policing bodies that are regularly deployed for safeguarding society (Crawford, Lister, Blackburn, & Burnett, 2005; Johnston, 2003). Previous comparative work in this area has unequivocally highlighted the substantial contribution of private security companies to internal security within Europe, and worldwide (South, 1994; van Steden, 2007; van Steden & Sarre, 2007; de Waard, 1999). That trend appears to be continuing, and possibly even accelerating. According to the Confederation of European Security Services (CoESS, 2008), an umbrella organization for national private security associations, the European market for manned guarding services, in overall numbers, has grown from about 1 million in 2004 to over 1.6 million in 2008 – an increase that is, to a certain extent, due to changes in data gathering methodology. On top of the 27 EU-member states, the report now also covers 7 countries outside the Union (Bosnia-Herzegovina, Bulgaria, Croatia, Cyprus, Rumania, Serbia and Turkey), mainly located in South-Eastern Europe. Commercial security companies have thus become part and parcel of a highly significant 'pluralization' (Loader, 2000) or 'diffusion' (Kempa, 2007) of policing models across the European continent.

Nonetheless, nearly all academic research published in English is concerned with Anglo-Saxon countries. Most attention has been given to the United States (e.g. Forst & Manning, 1999; Pastor, 2003), Canada (e.g. Rigakos, 2002), the United Kingdom (e.g. Button, 2002; Jones & Newburn, 1998), Australia (e.g. Sarre & Prenzler, 2009) and New Zealand (e.g. Bradley & Sedgwick, 2009). In this respect, there remains (relatively speaking) a dearth of cross-national research into private security – a 'blind spot' that is reflected in the lack of international comparisons in police sociology and criminology more generally (Mawby, 1990; Manning, 2005). Yet, at the same time, there seems to be an increasing awareness of the vital contributions cross-national comparisons can make to the body of knowledge of criminal justice studies, particularly in the area of 'public' (state) and 'private' (non-state, commercial) policing (Jones & Newburn, 2006). Comparative studies are fundamental to a better understanding of the similarities, as well as the differences, between national contexts. They allow us to gain deeper insights into the reach and impact of the privatization phenomenon as it manifests itself in various jurisdictions.

The massive growth of private policing in countries making up the former Yugoslavia is an understudied field. Our aim is to provide a cautious illustration of the reach and regulation of commercial security industries in these countries.

This overview is unavoidably broad and somewhat superficial, but is explored here, notwithstanding, for three reasons. First, we know very little about private security in ex-Yugoslavia when compared to developments in other parts of the globe. Second, unlike the rest of Europe, Yugoslavia was torn apart by wars raging in the early 1990s – a reality which, for better or for worse, has affected public as well as private policing trajectories in many and assorted ways. Third, and related to this, the countries arising from the Yugoslavian wars of independence each have followed diverse paths in developing their political and legal systems in recent years. For example, Slovenia is now a calm and democratic country, and became a member of the European Union (EU) in 2004 (Mrak, Rojec & Silva-Jáuregui, 2004). It introduced the Euro in 2007. By way of comparison, Kosovo, since February 2008 recognized as an autonomous and independent state, is still a highly disputed territory in the Balkans, and is very much in transition both economically and politically.

Against this background, we provide a modest comparative snapshot of commercialized security industries which have developed after the breakup of Yugoslavia. In order to undertake this task, we have decided to use the country reports published by the South Eastern Europe Clearinghouse for the Control of Small and Light Weapons (SEESAC, 2005), mandated by the United Nations in support of enhancing long-term development and stability in the region. Furthermore, we make use of data provided by the Confederation of European Security Services (CoESS, 2008). In addition, several academic publications (e.g. Sotlar, 2009) offer us knowledgeable information and some useful statistical data. In the paragraphs to follow we begin by briefly introducing the concept of ‘private security’. We then draw a picture of private security growth and the means by which industries are monitored and regulated in the countries under review. Finally, we discuss the role of states in regulating private security and propose some topics for future empirical investigation.

2 THE CONCEPT OF PRIVATE SECURITY

Private security, and more specifically private policing, is hard to define. Indeed, Joh (2004) refers to it as a ‘paradoxical’ term. Although the law draws a distinction between ‘public’ and ‘private’ industries, these sectors in the policing world are increasingly difficult to tell apart. Today, the police and the private security industries perform many of the same tasks and have many of the same sorts of responsibilities (Stenning, 2000). Similar to the police, security personnel perform, among other things, patrolling, order maintenance and investigation activities as a central component of their occupation and duties. However, security personnel also do many things that are different from the police. Police officers have never been engaged in, for example, housekeeping and customer care duties like reception work, the storage of keys and the management of car parks (Wakefield, 2006). Yet, as a manifestation of the larger commercial security industry, private policing involves the purchase and sale of services in a market place with the central goal to protect persons and property against physical threats and damages (South, 1988;

Wakefield, 2003). Given all of the above, we define the phenomenon thus: private police are *those persons who are employed or sponsored by a commercial enterprise on a contract or 'in-house' basis, using public or private funds, to engage in tasks where the principal component is a security or regulatory function* (see Sarre, 2005; Sarre & Prenzler, 2009). Drawing on this definition, we focus on the presence of those non-state private security personnel who are hired and financed to engage in a large variety of policing roles and tasks.

It is paramount to realize that 'privatization' of policing has commonly not occurred in terms of literally 'hiving off' government services and assets, as has happened to banking, electricity supplies and public transport services in many countries. Nevertheless, there may be exceptions to this in former Yugoslavia, as there is evidence of (paramilitary) private security forces becoming affiliated with the state. As Caparini and Marenin observe: '[t]hese [private security] agencies have become providers of many functions conventionally performed by the state, including law enforcement, but also administrative justice, resolving disputes, protecting people and property, debt enforcement and intelligence-gathering' (Caparini & Marenin, 2005: 9). As such, we can speak of a 'shadow state' or 'dark' security networks (Raab & Milward, 2003), largely controlled by an economy of organized crime groupings that do not hesitate to resort to brutal intimidation and violence. There is little reason to doubt that this type of network has spilled over into lawful forms of policing and protection in Central and Eastern Europe.

With policing being restructured along the lines of commercial companies and commodity markets, questions have been raised about (assumed) changes in the nature and shape of police work (Bayley & Shearing, 1996; Jones & Newburn, 2002); about social and ethical issues surrounding the (presumed) 'exclusionary nature' of private policing (Crawford, 2006; Loader, 1997); and about the accountability of private security industries (Jones, 2007; Stenning, 2009). The upsurge of a (vigilante) 'market for force' (Avant, 2001) adds an extra dimension to the challenges private security pose to nation-states and their 'civil' societies. In the following section, we take an inventory of the private security situation in the states of the former Yugoslavia on which future empirical research can be built. Subsequently, we delve into the theoretical discussions highlighted above.

3 AN EMPIRICAL SNAPSHOT

The region of the former Yugoslavia now presents a diversity of countries ranging from consolidated democracies to quite unstable territories. Sound data are very hard to obtain from the latter category. Despite the fact that any attempts to measure the scope and reach of private security are thus problematic, there is consensus among observers about the mounting pervasiveness of commercial guarding companies in these countries (CoESS, 2008; SEESAC, 2005; Sotlar, 2009). The snapshots provided in the following paragraphs and in Table 1 devote attention to the size of private security relative to the public police and the accountability (regulation) of private security industries. Some assorted information about, for example, permission to

Private Policing in the Former Yugoslavia: a Menace to Society?

carry firearms and public-private cooperation, is also included in the discussion where such information is available and of interest.

Table 1:
Comparison
of police and
private security
in ex-Yugoslavia

Country	Population (million)	Police officers	Security officers	Police / private security ratio	Private security/ 100,000 population
Slovenia	2.0	8,500	6,200	1:0.73	1/310
Croatia	4.5	19,000	16,000	1:0.84	1/357
Serbia	7.4	34,000	>28,000	1:0.82	1/379
Kosovo	2.1	6,300	2,600	1:0.41	1/124
Bos-Herze	4.6	16,000	2,000-4,000	1:0.12	1/44
Macedonia	2.0	12,000	16,000	1:1.33	1/800
Montenegro	0.7	4,500	2,500	1:0,55	1/357
Europe (34 countries)	594.6	2.1 mill	1.6 mill	1:0.76	1/268

Sources: SEESAC (2005); CoESS (2008); Sotlar (2009); Bakreski & Miloševska (2009); Kržalić (2009).

3.1 Slovenia

Slovenia is a member of the European Union, one of the smallest in terms of population, namely approximately 2 million people. The country's private security industry employs around 6,200 personnel (Sotlar, 2010). With an 8,500 officer strong police force, this represents a ratio of 1 to 0.73 police to private security. There are about 120 commercial firms in operation. Compared to other ex-Yugoslavian countries, Slovenia enjoys a long-standing tradition of regulation. Initial legislation dates back to 1994 when the National Assembly of Slovenia introduced legal regulations to the private security market. A Chamber for Private Security was established which, according to the Ministry of the Interior, oversaw standards of skills, professionalism and knowledge testing within the industry, and approved (or withdrew) licenses. In 2003, this situation changed with the introduction of the Act on Private Security. Under the new Act, the Ministry of the Interior became solely responsible for granting and revoking working permits to companies, whilst the Chamber kept some public powers connected to training programs and the formal examination of private security staff. Three years later, in 2007, amendments were made to the 2003 Private Security Act after fatal incidents that partly resulted from private security staff violating procedures. In response, the Ministry of the Interior took back all remaining powers from the Chamber. Membership of the Chamber is now voluntary for companies, and observers expect that it will increasingly face competition from other private security chambers and associations in the years to come (Sotlar & Meško, 2009). Whether these shifts in regulatory activity have had the desired effect, however, is a moot point. Research among college students, for example, shows that they 'do not necessarily have a positive view of security officers' (Nalla, Meško, Sotlar, & Johnson, 2006: 320). At the heart of this observation

is a negative attitude of citizens and professionals towards the industry. Indeed, relationships between the public and private security sectors in Slovenia have been depicted as 'living apart together'. An important explanation here is resistance from the police to establish solid partnerships with private security companies (Meško, Nalla, & Sotlar, 2005). Nevertheless, it can be concluded that police officers and security guards for the most part coexist reasonably well in Slovenia.

3.2 Croatia

Croatia (4.5 million inhabitants) has had a more dramatic recent history than its neighbor Slovenia. During a ten day independence war in 1990, Slovenia suffered little from military actions, while, in Croatia, the collapse of the state was heavy and destructive. The transformation from totalitarian socialism to a democratic, market-based society placed great stress on its police force. The 'new' Croatian police (currently 19,000 officers strong) have sprung up from the relics of a dictatorial organization, with a military-style image, and communist mentality (Ivković & Haberfeld, 2000). Private security then grew from widespread outsourcing of the protection of businesses, persons and property, a development that dates from the reintroduction of a market economy in 1991, and rising crime rates thereafter. There are 16,000 security guards now registered in Croatia. This comes down to a police/private security ratio of 1:0.84. The industry covers 250 commercial companies, which are regulated by the 2003 Private Protection Act, the 2007 Firearms Act and legislation surrounding the transportation of cash and valuables, along with by-laws to meet education and training, examination and licensing criteria. Although the majority of companies are appropriately regulated, there have been allegations of organized crime infiltrating some private security sectors. Furthermore, security companies are important job providers for demobilized paramilitary and parapolice forces. As indicated by Sotlar's (2009) analysis, contemporary private security industries in Croatia are, in overall terms, functioning in a modern and transparent way. However, a few companies are trying to alter regulations in ways which favor their employees in carrying not only light handguns, but also heavier weapons such as rifles and shotguns. If such legislation were to pass, it may provoke an undesired spiral of violence, because criminals are likely to retaliate using the same firepower.

3.3 Serbia

With a population of 7.4 million people, Serbia is the largest of the former Yugoslav republics. Its private security industry gained momentum during the 1990s due to a burgeoning 'grey economy' in the aftermath of UN-imposed sanctions against the country. Its economy lacked official police protection and therefore its businesses often explored the security services offered by armed mafia syndicates. After the overthrow of Slobodan Milošević in October 2005, the situation has moved towards stabilization. An Association of Companies for Physical and Technical

security aims to 'sober' the industry (Petrović, 2008: 50), one that employs 28,000 to 60,000 guards at this moment. Nevertheless, private security continues to be a precarious business in Serbia. Different from policing models in Western Europe, the main incentive for Serbian private security to develop and grow was not neo-liberal policy 'responsibilizing' third parties in the field of criminal justice, but the complete collapse of basic state functions. Consequently, a significant number of entrepreneurs made a leap from semi-criminal careers to legal forms of policing activities. Moreover, after the Balkan Wars, many (paramilitary) soldiers returned from the battlefield where they had been trained to use armed force. These people had few other choices than to seek employment in the security industry, which further contributes to a worrisome intermingling of violence and commercial policing. Until today, special legislation regulating private security is lacking in Serbia. Even worse, besides the private sector, the public police sector, too, struggles with institutional changes and stagnating reforms. Davidović refers to a so-called '4D' project of 'depolitization', 'decentralization', 'decriminalization' and 'demilitarization' – all ambitions that 'have often been publicly championed' by Serbia's public administration, but 'were not systematically developed as government policy' (Davidović, 2009: 345). Private security companies and the police alike can help reconstruct policing in Serbia, but only if they are professionalized in line with EU-standards.

3.4 Kosovo

The entity of Kosovo (slightly more than 2.1 million population) occupies an exceptional place on the Balkan Peninsula. Kosovo's legitimacy has been disputed ever since it achieved the de-facto status of an UN protectorate in 1999. Although Kosovo is not unproblematically recognized as an independent state (especially by Serbia and Russia), the present political situation is that the international community did so in February 2008. Over the past decade, a tremendous amount of international aid has been invested in the capacity-building of state institutions, including the police (now about 6,300 personnel). Of major concern, however, is an apparent animosity between police forces and private security companies (employing 2,600 staff, although verifiable data is hard to obtain), deriving from the alleged contacts between commercial security personnel and ethnic (Albanian) armed gangs. Regulation of private security businesses is still in the hands of the United Nations Mission in Kosovo (UNMIK). The SEESAC report (2005) concludes that, despite its youth, the private security industry in Kosovo is doing relatively well. However, a potential source of instability is that substantial numbers of ex-paramilitary fighters have found employment in the industry. Entire former military units seem to be incorporated into private security companies, which may again spark war-time practises and culture.

3.5 Bosnia-Herzegovina

Like Croatia, Serbia and Kosovo, Bosnia-Herzegovina, with 4.6 million citizens, caught the full blast of war over the first half of the 1990s. As a result, and in line with its unfortunate neighbors, the country experienced traumas arising from the systematic deployment of public police militia in ethnic cleansing, human right abuses, and large-scale corruption. Aitchison (2007) underlines traditions of Yugoslav security 'self-management', not merely structured around paramilitary lines, but also as an aspect of 'services for hire' akin to commercial guarding enterprises. With 2,000 (Sotlar, 2009: 497) to 4,000 registered staff (Kržalić, 2009: 34), the private security industry is a comparatively minor player in Bosnia-Herzegovina (even if the figures are not entirely reliable). It is hard to pinpoint how private security is exactly evolving throughout the country. As the SEESAC-report underlines, '[u]nfortunately, there is still insufficient information about the industry. Many PSC staff approached for this research were suspicious and not willing to speak, while the general public and the media appear to have little interest in the topic. It seems that many government officials share this lack of interest, which accounts for the poor oversight of the sector' (SEESAC, 2005: 25). Accordingly, there is virtual unanimity among researchers that the Bosnian private security industry is not appropriately regulated, nor properly overseen. In summer 2006, stakeholders including representatives from the Bosnian government, international peacekeepers, observers and business groups adopted The Sarajevo Code of Conduct for Private Security Companies covering standards for the selection, recruitment and training of security guards, the 'minimal use' of firearms and force, and respect for human rights (Richards & Smith, 2007: 14). Working from a voluntary process, this code has laid the foundation for future improvement of the democratic regulation of private security activities within Bosnia-Herzegovina, if not abroad. In Kržalić's view (2009), such steps have changed the situation for the better over the past few years. There are currently several pieces of legislation governing the private security industry which need to be harmonized. Nevertheless, Sotlar (2009) writes of recent scandals where private security officers were involved in large-scale robberies during money transportation. A more adequate compliance with procedures and regulations is necessary in order to build a more trustworthy industry.

3.6 Macedonia

Private security is largely an armed presence in Macedonia, a small country of just over 2 million inhabitants. In terms of numbers, private security companies (16,000 guarding staff) overshadow the police (12,000 officers), a 1:1.33 police/ private security ratio. Private security operates under the Law on Securing Property and Persons, and the Law on Detective Activity, both adopted in 1999 and amended in 2007. In addition, the Ministry of the Interior and the Chamber for Securing Persons and Property are responsible for supervision and control of security companies and detective agencies. These governmental bodies share roles in organizing exams

and issuing licenses. They are also active in repressing and excluding undesirable elements within the industry. Nonetheless, observers claim that existing legislation has 'already been taken over by practice' (Spaseski, 2009: 311) and 'is becoming more and more obsolete as the sector develops rapidly and innovation in this sphere appears inevitable' (Gerasimoski, 2009: 320). Security personnel in (approximately) 150 private security companies are estimated to hold at least 13,800 legally registered firearms (2003 statistics, according to the Ministry of Interior). In a large study commissioned by the United Nations Development Program (UNDP), Grillot, Paes, Shelly and Stoneman (2004) reported on a 'fragile peace' being threatened by these gun holders (and those who own them illegally too) within the industry. Bakreski and Miloševska continue to urge for democratically-elected oversight by means of empowering parliamentary commissions 'in a regional context where there exists an abundance of men of arms, and of illicit economic activities' (Bakreski & Miloševska, 2009: 302). The Macedonian administration is on record as being desirous of strengthening accountability mechanisms among private security markets. New legislation would be capable of guaranteeing 'a reasonably good basis' (SEESAC, 2005: 58) for supervision and oversight of the industry.

3.7 Montenegro

Montenegro survived the dissolution of the Socialist Federal Republic of Yugoslavia remarkably peacefully. In May 2006, this country of less than 700,000 inhabitants voted for independence from the Republic of Serbia, a result that was quickly acknowledged by the international community. As in many other countries in the Balkans, organized crime is the chief security threat facing Montenegro, and it has been against this backdrop that private security companies are flourishing throughout the republic. There are now approximately 10 to 15 security companies that have been established since the end of communism, although the number of (armed) personnel they employ is largely unknown. Whilst 1,900 private security guards hold legal working permits, another 500 (or more) remain unregistered (SEESAC, 2005: 109). Several laws, such as the Law on Arms, and the Law on Business, have been designed to regulate the activities of all organizations and persons offering private protection services. There is compulsory registration at the Central Economic Court. Further specialist legislation is presently being drafted. The number of police staff is set at nearly 4,500, some of whom are 'moonlighting'; they undertake work as private security guards after hours. This is potentially worrisome if a conflict of interest arises from an officer's dual functions in the public and private sectors. SEESAC notes that private security guards in Montenegro 'do not attract a large amount of attention or concern' (ibid.: 85). This finding can be interpreted either positively or negatively. On the one hand, most of the industry appears to carry out 'legitimate work' in response to the social and political transitions in Montenegro. On the other hand, citizens may be so used to high levels of corruption that they simply assume that guards operate in a 'semi-legitimate grey area with links to government, police, and criminal organizations'

(ibid.: 85). Private security, in other words, is seen as no different from other economic sectors, good and bad, around the country.

4 PRIVATE SECURITY AND THE ROLE OF THE STATE

Private security industries are rapidly expanding throughout the countries of the former Yugoslavia. This fact challenges the provision of policing in a number of ways. With the augmentation of private security, policing has been scattered away from the 'blue colored' public forces, challenging 'many vital functions that states traditionally perform' (Los, 2002: 176), including, for example, the protection of goods and people, law enforcement, and conflict resolution. This assumes that policing and, from a broader vantage point, the 'governance of security' (Johnston & Shearing, 2003) is decreasingly the role of state authorized bodies. Surveillance, crime prevention and 'thief taking' have become everybody's business, with the growth of 'marketized' or 'commercialized' policing being the most pervasive development. From public service and common good perspectives, police work has changed irrevocably. Security is now something that people can buy and sell in a market. This must come as something of a shock to former socialist (or communist) systems that are based on collective ownership (Sotlar, 2009) but it should not be unexpected. After all, the crumbling of public authorities in the face of civil war gave a boost to the growth of private alternatives. Around ex-Yugoslavia, state police are now slowly but surely losing ground to neo-liberal ideologies.

A common objection with regards private security guards is that they are, by legal contract, required to act in an exclusionary manner, and will selfishly protect only those who have contracted with them, to the detriment of others. Moreover, the availability of policing and security services in an open marketplace allows wealthy individuals and organizations to buy more protection than their less privileged counterparts (Prenzler, 2004; Zedner, 2006). Another objection relates to the quality of private personnel; the low professionalism and potentially thug-like behavior of some security guards is well recognized (Livingstone & Hart, 2003; Prenzler & Sarre, 2008). In all, they have been termed a 'necessary evil' (van Steden & Sarre, 2010: 14), hired under pressure of external factors such as insurance companies' standards or the incapacity of the state to guarantee a satisfactory level of public order.

By the same token, however, post-conflict reconciliation – as is the current situation in a number of former Yugoslav republics – gives rise to much optimism about the benefits private security companies may have for the maintenance of social order. Slovenia, as an EU-member, is the unmistakable flag-bearer in this respect. Despite indifference and neglect between the police and private security sectors, the presence of guarding staff 'significantly contributes to the internal security of the state' (Nalla et al., 2006: 311). And, as Caparini emphasizes, 'there is a legitimate role for private security in security governance, including in transition states ... the private security approach can be complementary to that of the state's police institutions' (Caparini, 2006: 271). On this view, private security personnel are not a detrimental force, but rather a welcome response to governance deficits in as

much as they can generate positive outcomes in settings where state bureaucracies may be dysfunctional. Police and (para) military forces cannot, on their own, build peace. They need to assemble public-private partnerships, built upon mutual respect and trust between state and non-state sectors.

Finally, for public as well as private policing to function effectively and legitimately, proper accountability mechanisms must be in place. In academic circles it is repeatedly asserted that regulation of the private policing is usually inferior to that of the public police, while private security personnel, on the other hand, believe that they are adequately accountable for their performance. The truth is somewhat more subtle and lies between these two extremes. First, national accountability mechanisms vary greatly from 'wide' to 'narrow' in the extent to which different private security sectors – manned guarding services, private detectives, forensic accountants (or fraud investigators), installers of technical equipment, and the like – are regulated (Button, 2007). Second, the 'depth' of such regulation, ranging from minimum entrance requirements to strong compliance rules, also shows considerable discrepancy between nation-states (Button & George, 2006). In short, the purpose and effectiveness of accountability measures vary greatly around the globe.

Like in other regions of the European continent and beyond, as our brief survey highlights, regulatory models in former Yugoslavia are not uniform. For example, in Slovenia and Croatia legal standards are wide-ranging, whilst state legislation and regulation tend to be minimal in Bosnia-Herzegovina, Serbia and Montenegro. This may well explain why, in the former countries, private security has matured and stabilized more quickly than in the latter. Nonetheless, besides specific state-led regulatory mechanisms, there are a number of broader ways to hold private security companies and their staff accountable. Although the regulatory effects of, for example, civil law, criminal law and market forces may be ad hoc and ill-defined, their potential 'to influence corporate and individual behavior cannot be overstated' (Sarre & Prenzler, 1999: 21). Democratically anchored state policies, as well as self-regulatory mechanisms, are thus crucial to ensure private security personnel act correctly and respectfully, and in accordance with basic human rights.

5 DISCUSSION AND CONCLUSION

This paper contains a literature review of the body of knowledge on private security in ex-Yugoslavia. It develops three arguments. First, we framed information about private security industries in this peculiar part of Europe within the extant literature. In so doing, we have set studies into 'marketized' post-conflict policing in a wider perspective of theoretical and empirical analysis. Second, we outlined the size and reach of security industries in the former Yugoslav republics. Private policing, in terms of personnel numbers, now occupies an important, if not essential, position alongside public police forces. Third, we found surprising confidence from observers in their assessments of the ways these industries are developing successfully today. 'Though concerns about its professionalization and conduct

remain', SEESAC (2005: 118) stresses, 'the private security industry in South Eastern Europe has made great progress in terms of improved professionalism over the last decade or so, to the point where, in most cases, its members pose little or no security threat'.

This is not to say, however, that private security companies pose no challenge at all. But the concerns vary considerably across the former Yugoslavia. The situation in, for example, Serbia and Macedonia is more problematic than in Slovenia and Croatia. It is hypothesized that the differences one finds reflect important political and judicial realities, and are dependent upon the state's role in establishing and preserving good government in each country. Central to this hypothesis is the number of democratic 'credentials' public and private security agencies have, and the institutional creativity that states can develop. Such creativity is not restricted to national boundaries alone, as the 'marketization' or 'commodification' of policing and security has also allowed for, if not encouraged, the rise of multinational conglomerates (Johnston, 2000; Walker, 2003). Giant firms such as the Securitas Group and Group 4 Securicor have enabled the 'globalization' of commercialized security to develop, along with an inevitable harmonization of practices.

In order to gain a better understanding of the multifaceted (and complicated) phenomenon that is private security, researchers should now be tasked to assess the dichotomy of security in 'advanced' versus 'weak' states. The more democratically advanced a state bureaucracy is, the more capable it should be in regulating private security sectors; conversely, in weak or transitional states, we can probably expect that informal institutions will largely take over important governance functions (Dupont, Grabosky, & Shearing, 2003; Holmqvist, 2005). Not all of these informal institutions (one can quickly think of vigilante activities) will deliver desired and appropriate contributions to society. The absence of proper state regulation heightens the risk of organized crime infiltrating private security industries. In line with this, we urge researchers to explore innovative ways to shape the governance of security that make life difficult, if not impossible, for security personnel (and their masters) who do not carry out their functions in accordance with the law and having proper regard for fundamental human rights.

In summary, then, given that police, military and intelligence services can be both a problem for, and the solution to, good governance, democratic experiments in policing should not be limited to state agencies, but also involve non-state (civic as well as market-based) initiatives (Shearing & Kempa, 2000; Wood & Shearing, 2007). Some examples might include the establishment of local boards that, in consultation with stakeholders (including police and private security companies, representatives of schools, social services and other civil society associations), are tasked to analyze the security needs of communities. The information that they glean should be used to shape response strategies. Citizens should then be kept informed about the work of all of the collaborating partners (Meško et al., 2005: 137-138). To that end, the rise of commercialized security might not inevitably herald the 'end of public policing' (McLaughlin & Murji, 1995), but rather allow the state to regenerate or re-establish its democratic credentials. Our panoramic overview of the burgeoning private security industry in ex-Yugoslavia offers a starting point for future research into this interesting conundrum. It may be that the rise of private

security, rather than being a catalyst for policing trends that are unrepresentative, will, in fact, be the harbinger of greater democracy in policing.

REFERENCES

- Aitchison, A. (2007). Police reform in Bosnia and Herzegovina: State, democracy and international assistance. *Policing & Society*, 17(4), 321-343.
- Avant, D. (2001). *The market for force: the consequences of privatizing security*. Cambridge: Cambridge University Press.
- Bakreski, S., & Miloševska, T. (2009). Links between private and public sectors in the Republic of Macedonia. *Varstvoslovje* [Journal of Criminal Justice and Security], 11(2), 286-304.
- Bayley, D. H., & Shearing, C. D. (1996). The future of policing. *Law and Society Review*, 30(3), 585-606.
- Bradley, T., & Sedgwick, C. (2009). Policing beyond the police: A 'first cut' study of private security in New Zealand. *Policing and Society*, 19(4), 468-492.
- Button, M. (2002). *Private policing*. Cullompton: Willan.
- Button, M. (2007). Assessing the regulation of private security across Europe. *European Journal of Criminology*, 4(1), 109-128.
- Button, M., & George, B. (2006). Regulation of private security: Models for analysis. In M. Gill (Ed.), *The handbook of security* (pp. 563-585). Basingstoke: Palgrave Macmillan.
- Caparini, M. (2006). Applying a security governance perspective to the privatization of security. In A. Bryden, & M. Caparini (Eds.), *Private actors in security governance* (pp. 263-282). Berlin: LIT/Geneva Centre for the Democratic Control of Armed Forces.
- Caparini, M., & Marenin, O. (2005). Crime, insecurity and police reform in post-socialist CEE. *The Journal of Power Institutions in Post-Soviet Societies*, 2, 1-14.
- CoESS. (2008). *Private security in Europe: Facts and figures*. Wemmel: CoESS.
- Crawford, A. (2006). Policing and security as 'club goods': The new enclosures? In J. Wood, & B. Dupont (Eds.), *Democracy, society and the governance of security* (pp. 111-138). Cambridge: Cambridge University Press.
- Crawford, A., Lister, S., Blackburn, S., & Burnett, J. (2005). *Plural policing: The mixed economy of visible patrols in England and Wales*. Bristol: Policy Press.
- Davidović, D. (2009). Public-private security sector partnership in Serbia: Problems and future development. *Varstvoslovje* [Journal of Criminal Justice and Security], 11(2), 345-351.
- Dupont, B., Grabosky, P., & Shearing, C. (2003). The governance of security in weak and failing states. *Criminal Justice*, 3(4), 331-349.
- Forst, B., & Manning, P. K. (1999). *The privatization of policing: Two views*. Washington: Georgetown University Press.
- Gerasimoski, S. (2009). Experiences and perspectives of private security. *Varstvoslovje* [Journal of Criminal Justice and Security], 11(2), 316-328.
- Grillot, S. R., Paes, W. C., Risser, H., & Stoneman, S. O. (2004). *A fragile peace: Guns and security in post-conflict Macedonia*. UNDP.

- Holmqvist, C. (2005). *Private security companies: The case for regulation*. Stockholm: SIPRI.
- Ivković, S., & Habersfeld, M. (2000). Transformation from militia police in Croatia and Poland: A comparative perspective. *Policing: An International Journal of Police Strategies & Management*, 23(2), 194-217.
- Joh, E. (2004). The paradox of private policing. *Journal of Criminal Law and Criminology*, 95(1), 49-131.
- Johnston, L. (2000). Transnational private policing: The impact of global commercial security. In J. W. E. Sheptycki (Ed.), *Issues in transnational policing* (pp. 21-42). London: Routledge.
- Johnston, L. (2003). From "pluralization" to the "police extended family": Discourses on the governance of community policing in Britain. *International Journal of the Sociology of Law*, 31(3), 185-204.
- Johnston, L., & Shearing, C. D. (2003). *Governing security: Explorations in policing and justice*. London: Routledge.
- Jones, T., (2007). The governance of security: pluralization, privatization, and polarization in crime control. In M. Maguire, R. Morgan, & R. Reiner (Eds.), *The Oxford handbook of criminology* (4th ed., pp. 842-865). Oxford: Oxford University Press.
- Jones, T., & Newburn, T. (1998). *Private security and public policing*. Oxford: Clarendon Press.
- Jones, T., & Newburn, T. (2002). The transformation of policing? Understanding current trends in policing systems. *British Journal of Criminology*, 42(1), 129-146.
- Jones, T., & Newburn, T. (Eds.) (2006). *Plural policing: a comparative perspective*. London: Routledge.
- Livingstone, K., & Hart, J. (2003). The wrong arm of the law?: Public images of private security. *Policing and Society*, 13(2), 159-170.
- Loader, I. (1997). Thinking normatively about private security. *Journal of Law and Society*, 24(3), 377-394.
- Loader, I. (2000). Plural policing and democratic governance. *Social and Legal Studies*, 9(3), 323-345.
- Los, M. (2002). Post-communist fear of crime and the commercialization of security. *Theoretical Criminology*, 6(2), 165-188.
- Kempa, M. (2007). Tracing the diffusion of policing governance models from the British Isles and back again: Some directions for democratic reform in troubled times. *Policing & Society*, 8(2), 107-123.
- Kržalić, A. (2009). *Private security in Bosnia and Herzegovina*. Sarajevo: Center for Security Studies.
- Manning, P. K. (2005). The study of policing. *Police Quarterly*, 8(1), 23-43.
- Mawby, R. I. (1990). *Policing across the world: Issues for the twenty-first century*. London: Routledge.
- McLaughlin, E., & Murji, K. (1995). The end of public policing? Police reform and 'the new managerialism'. In L. Noaks, M. Levi, & M. Maguire (Eds.), *Contemporary issues in criminology* (pp. 110-127). Cardiff: University of Wales Press.

- Meško, G., Nalla, M. K., & Sotlar, A. (2005). Cooperation of police and private security officers in crime prevention in Slovenia. In E. Marks, A. Meyer, & R. Linszen (Eds.), *Quality in crime prevention* (pp. 133-143). Norderstedt: Books on Demand.
- Mrak, M., Rojec, M., & Silva-Jáuregui, C. (Eds.) (2004). *Slovenia: from Yugoslavia to the European Union*. Washington: The World Bank.
- Nalla, M. K., Meško, G., Sotlar, A., & Johnson, J. D. (2006). Professionalism, goals and the nature of private police in Slovenia. *Varstvoslovje [Journal of Criminal Justice and Security]*, 8(3/4), 309-322.
- Pastor, J. F. (2003). *The privatization of police in America*. Jefferson: McFarland.
- Petrović, P. (2008). Privatizing security in Serbia. In *Private security relations in Serbia – A friend or foe?* (pp. 42-51). Belgrade: Centre for Civil-Military Relations.
- Prenzler, T. (2004). The privatization of policing. In R. Sarre, & J. Tomaino (Eds.), *Key issues in criminal justice* (pp. 267-296). Adelaide: Australian Humanities Press.
- Prenzler, T., & Sarre, R. (2008). Protective security in Australia: Scandal, media images and reform. *Journal of Policing, Intelligence and Counter Terrorism*, 3(2), 23-37.
- Raab, J., & Milward, H. B. (2003). Dark networks as problems. *Journal of Public Administration Research and Theory*, 13(4), 413-439.
- Richards, A., & Smith, H. (2007). *Addressing the role of private security companies within security sector reform programmes*. London: Saferworld.
- Rigakos, G. S. (2002). *The new parapolice: Risk markets and commodified social control*. Toronto: University of Toronto Press.
- Sarre, R. (2005). Researching private policing: Challenges and agendas for researchers. *Security Journal*, 18(3), 57-70.
- Sarre, R., & Prenzler, T. (1999). The regulation of private policing: Reviewing mechanisms of accountability. *Crime Prevention and Community Safety: An International Journal*, 1, 17-28.
- Sarre, R., & Prenzler, T. (2009). *The law of private security in Australia* (2nd ed.). Pyrmont: Thomson LBC.
- SEESAC. (2005). *SALW and private security companies in South Eastern Europe: a cause or effect of insecurity?* Belgrade: SEESAC.
- Shearing, C., & Kempa, M. (2000). The role of “private security” in transitional democracies. In *Crime and policing in transitional societies: seminar report of a conference, University of Witwatersrand, Johannesburg, South Africa, 30 August-1 September 2000* (pp. 205-214). Johannesburg: University of Witwatersrand.
- Sotlar, A. (2009). Post-conflict private policing: Experiences from several former Yugoslav countries. *Policing: An International Journal of Police Strategies & Management*, 32(3), 489-507.
- Sotlar, A. (2010). Private security in a plural policing environment in Slovenia. *Journal of Police Studies [Cahiers Politiestudies]*, 16(3), 335-354.
- Sotlar, A., & Meško, G. (2009). The relationship between the public and private security sectors in Slovenia – from coexistence to partnership? *Varstvoslovje [Journal of Criminal Justice and Security]*, 11(2), 269-285.
- Spaseski, J. (2009). Private security as an integral part of the single security system. *Varstvoslovje [Journal of Criminal Justice and Security]*, 11(2), 305-315.
- South, N. (1988). *Policing for profit: The private security sector*. London: Sage.

- South, N. (1994). Privatizing policing in the European market: Some issues for theory, policy and research. *European Sociological Review*, 10(3), 219-233.
- van Steden, R. (2007). *Privatizing policing: Describing and explaining the growth of private security*. The Hague: BJU Legal Publishers.
- van Steden, R., & Sarre, R. (2007). The growth of private security: Trends in the European Union. *Security Journal*, 20(4), 222-235.
- van Steden, R., & Sarre, R. (2010). The tragic quality of contract guards: A discussion on the reach and theory of private security in the world today. *The Journal of Criminal Justice Research*, 1(1), 1-19.
- Stenning, P. C. (2000). Powers and accountability of private police. *European Journal on Criminal Policy and Research*, 8(3), 325-352.
- Stenning, P. C. (2009). Governance and accountability in a plural policing environment – the story so far. *Policing*, 3(1), 22-33.
- de Waard, J. (1999). The private security industry in international perspective. *European Journal on Criminal Policy and Research*, 7(2), 143-174.
- Wakefield, A. (2003). *Selling security: The private policing of public space*. Cullompton: Willan.
- Wakefield, A. (2006). The security officer. In M. Gill (Ed.), *The handbook of security* (pp. 383-407). Basingstoke: Palgrave Macmillan.
- Walker, N. (2003). The pattern of transnational policing. In T. Newburn (Ed.), *Handbook of policing* (pp. 111-135). Cullompton: Willan.
- Wood, J., & Shearing, C. D. (2007). *Imagining security*. Cullompton: Willan.
- Zedner, L. (2006). Liquid security: Managing the market for crime control. *Criminology and Criminal Justice*, 6(3), 267-288.

About the Authors:

Ronald van Steden is Assistant Professor of Governance Studies in the Faculty of Social Sciences at VU University, The Netherlands.

Rick Sarre is Professor of Law and Criminal Justice in the School of Commerce at the University of South Australia.