

MAINTENANCE OF PUBLIC ORDER (AND PEACE) IN SERBIA: BRIEF HISTORICAL-LEGAL REVIEW

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ABSTRACT

Purpose: Public order (and peace) as an area of social life in Serbia is currently a very important topic in the context of organizing various types of protests where the police have a very important role in maintaining order (and peace). The aim of the research is to answer questions such as what the incrimination of certain human behaviors that threaten public order looked like throughout history, what the decriminalization of certain human behaviors looked like in the context of protecting public order (and peace) depending on social development, moral values, etc.

Design/Methods/Approach: The authors use the historical-legal method to analyze the development of the legal protection of maintaining public order, and the normative method to analyze the norms of regulations.

Findings: The authors identified four periods in the development of legal protection of the maintenance of order as a public service: the Middle Ages, the period after liberation from the Turkish occupation, the period after World War II, and the modern period, in which certain peculiarities but also similarities in the legal regulation of public order are observed. The analysis of the regulations identified the basic variables of the legal regulation of public order and peace, which were analyzed. In the legal regulation of maintaining order as a public service, the substantive and procedural aspects are emphasized. Through substantive law, the legislator enacts provisions on misdemeanours and defines certain aspects that were important for the area of public order at that time. The procedural part of the legislation regulated specific actions of state bodies, primarily the police, which had the ultimate goal of maintaining public order (and peace) as a public service.

Originality/Value: The scientific approaches of exploring public order's history can contribute to a better investigation and prosecution of contemporary forms of crime and misdemeanors. Researching the history of maintaining public order in Serbia leads to a better understanding of the contemporary legal regulation of this area of social life. The next step is to better understand the public order maintenance as a form of policing, which will achieve better results in investigating and establishing violations of public order as a form of crime.

Keywords: public order, public service, law, police, Serbia

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INTRODUCTION

According to the 'word of the law', the police are an organized way of performing legally regulated tasks, consisting of police officers who, in performing police and other internal affairs, protect and promote the security of citizens and property, respecting the constitutionally guaranteed human and minority rights and freedoms and other protected values in a democratic society, with the possibility of using means of coercion in accordance with the constitution and law (Art. 3 of Police Law, Official Gazette 6/16). Some other laws, such as the law of the German state of Baden-Württemberg and the Swiss Canton of Lucerne, also define the police but emphasize its role in maintaining public order (Nikač, Leštanin, 2017: 225). The tasks of the police in Sweden, among others, are to prevent crime and disturbances of public order and safety as well as to maintain public order and safety, prevent its disruption and take action when disruption occurs (Mann, 1999: 9-11).

When observed throughout history, from the very beginning of the creation of the State until today, it is possible to conclude that the appearance of the police function and organization is a part of a wider process of constitution of military-political institutions of government. Their appearance expresses the need that can be easily recognized throughout history, which is the need of the political authorities themselves for their own stability and security. The first forms of police authority and organization functioned to protect the political order of the government, and only over time did they acquire their modern dimension and segment, that is, the suppression of various forms of deviant behavior of individuals and the protection of the legal order, and only in a modern democratic state did the protection of property and personal security of all citizens arise (Zekavica, 2018: 11).

In theory, the police are defined depending on the criteria that are primarily taken into account. Thus, Jugović and Simović (2016) consider the police as a part of the state administration (executive authority), or an organizational unit, or a basic organizational unit of the Ministry (organic element) organized for the purpose of maintaining public order and security (functional element), and which applies legally established police and other powers (formal and material element), including means of coercion (coercive element). Milosavljević (1997) believes that the police should be defined as a complex professional type of a system, which is organized for the purpose of maintaining public order in society and which is provided with legal powers and necessary means, including means of coercion,



for these purposes. The term “police” is primarily used to denote a specially organized service, or multiple services, for maintaining public order and peace, for preventing and repressing crime, and for enforcing the law, as well as the members of that service or services (Mojanoski, Kulić, 2012: 40).

Regardless of which definition we take into account, the fact is that the police are a state body responsible for maintaining public order and peace. Public order (and peace) is both a constitutional and a legal category. Maintaining public order involves preventing violations of public order, or restoring public order that has already been violated. This police work is primarily carried out by uniformed police through foot patrol, patrolling by car and permanent command center activities (Leštanin, Nikač, 2016: 42). One of the ways to violate public order (and peace) is by means of violence, but according to one study, public order encompasses a much broader sphere of social life, since violence is only one segment. The revision of the legal text in 2016 brought not only new offenses but also certain controversies, especially regarding the scope of protection of public order, which is limited to public places (Leštanin, Nikač, 2016: 341).

The aim of the research is to answer the question of how the incrimination of certain human behaviors that threaten public order has progressed, as well as their decriminalization depending on social development, moral values, etc.

METHODS

Public order and peace as an area of social life is currently protected in Serbia by both criminal and misdemeanor law². Therefore, the authors use the historical-legal method to analyze the development of legal protection of public order, as well as the normative method to analyze the norms of regulations. As the main source of data, the authors used legal texts as well as historical literature, the content of which was analyzed.

FINDINGS

Middle Ages

The beginning of Serbian statehood is associated with the unification of Serbian lands and the achievement of independence from Byzantium. The most significant legislative activity dates back to the time of the adoption of Dušan's Code, and therefore our analysis began from that time. The text of the Code contains incriminations of certain forms of violation of public order. Adapted to today's forms of manifestation, at that time the following were punished: quarrel (Art. 131), indecent behavior (Art. 50), insult (Art. 50, 55, 95a, 97, 98, 166), insulting an official (Art. 111), committing violence (Art. 101 and 166) and witchcraft (Art. 20, 109) (Bubalo, 2010).

Quarrels are primarily prohibited among soldiers, with the possibility of resolving the conflict by duel and other soldiers are prohibited from participating in it. Indecent behavior and insults consisted of swearing, pulling out beards, tearing clothes, removing hats from heads or humiliating in some other way, and the perpetrators could be lords, nobles and commoners. However, they could also be victims, with the addition of the bishop as the injured party, where a stricter fine was issued. Insulting an official was aimed at protecting the judge from humiliation in any way, where both individual and collective sanctions were issued (punishing the entire village). On the one hand, the Code generally prohibited violence in the context of debt collection. On the other hand, special attention was paid to

² Further reading in Tukar, 2019



the commission of violence by assault (physical force or cold weapons) but also to insults in a state of drunkenness, for which rigorous corporal punishment was imposed. Witchcraft consisted of a ban on removing bodies from graves, where collective responsibility was imposed at the village level, but also covered fortune-telling in general, casting spells, using poisonous potions and herbs, etc.

When it comes to sanctions (penalties) for illegal behavior, the Code issued fines and corporal punishments, such as beatings or burning of the beard. The enormous influence of the Orthodox Church is noticeable, as well as a clear difference in punishment depending on status. For nobles, punishments were milder, i.e. fines, while for lower social statuses, fines and corporal punishments were cumulative.

Considering the fact that the text of the Code was rewritten over the centuries, it can be concluded that it was also in use during the Turkish occupation among the Serbian population. Turkish legislation in the occupied Serbian territory at that time was based on Sharia law and mainly aimed at suppressing resistance and rebellion of the Serbian population (Alimpić, 1905: 17-33).

The period after liberation from Turkey

The liberation of Serbia from the Turkish occupation began in 1804, accompanied by significant legal activity aimed at establishing state institutions. The regulation of the area of public order and peace only came into play in 1850 with the adoption of the Regulation on how police authorities will treat and punish police offenders, popularly known as the Police Directive Act. Most of the offenses known today in the area of public order and peace were also provided for in the Police Directive Act, with the exception of impudent and reckless behavior. It must be emphasized here that at that time, when the Serbian state and its institutions were being re-established, the police were one of the main organs of public authority through which all regulations (municipal, sanitary, veterinary, etc.) were enforced. Thus, the Police Directive Act from 1850 contained norms that defined various offenses, which were divided into twenty chapters. This regulation did not deal with the definition of public order and peace, a public place, or offenses against public order and peace.

In Chapter Two 'On Public Peace', the following offenses are issued: quarrelling, shouting, failure to respond to a call or order to disperse gathered citizens, and discharging firearms (Krstić Mistrđželović, 2009: 419-420). Here it can already be seen that the condition was that the offenses were committed in a public place. In addition, indecent behavior, insults, scuffles, insulting an official, leaving dangerous objects, vagrancy, committing violence, noise (especially near religious buildings), gambling, prostitution and witchcraft were also classified as offenses.

Penalties for public order offenses included fines as the most common, imprisonment (several types of sentences) and corporal punishment in the form of blows to the body (corporal punishment was abolished in 1873). In this period, too, one can see a difference in the method of punishment based on status in society. For example, there was the punishment of 'house arrest', that is, imprisonment served under house arrest and which could only be imposed on selected people (Krstić Mistrđželović, 2009: 428).

As for the procedural part of the Police Directive Act, the municipal courts of reconciliation, district and district mayors and the Belgrade City Administration were competent for conducting the procedure. Municipal courts of reconciliation were competent for minor offenses for which a lighter corporal punishment, imprisonment for up to 3 days and a small fine were issued. More serious offenses were referred to the district or district mayors, or to the Belgrade City Administration. At that time, the Police Directive Act also regulated the manner of police action when collecting evidence (investigating) disturbances of public order and peace, the use of criminal objects as evidence, as well as measures to secure the accused in the form of detention that was counted towards the future sentence, and even certain forms of protection from torture and torment.



An analysis of the legal regulations passed in the period from 1850 to 1949 leads to the conclusion that the original monarchy, plagued by various wars waged in the Balkans, did not deal with the specific regulation of the area of public order.

The period after the Second World War

The communist government established after the liberation from German occupation decided only in 1949 to pass a special Law on Misdemeanors against Public Order and Peace – ZPPJRM/49, Official Gazette of the PR Serbia 13/49. Offenses against public order and peace included behavior or actions that disrupted the normal way of life of citizens, obstructed movement and traffic on streets and other public places, created unrest among citizens, violated public morals, interfered with the proper use of public facilities and residential buildings, spent time in idleness, interfered with citizens' rest or otherwise violated social discipline and peace of citizens (Art 1 of ZPPJRM/49). With this definition, the emphasis is on the normal way of life and social discipline and peace of citizens. The fact that the offence was committed in a public place is not part of the essence of the offence and this law did not deal with the definition of public order and peace or a public place.

All actions that exist in the modern era were issued as misdemeanors, with the exception of violence, reckless behavior, and noise. It must be emphasized that insulting officials was directed at all public authorities, not just police officers. The law at that time did not define the actions that constitute misdemeanors, but only issued them as such (fighting, arguing, etc.). Typical misdemeanors of that time were behaving in a rowdy manner, allowing an unreported or prohibited public gathering to be held on someone's property, violating an order of a state authority prohibiting access to or staying in a certain place, fabricating or spreading false news, refusing to provide assistance during some emergency, indulging in drunkenness, engaging in smuggling or black-market trading, abusing animals, failing to respond to a summons from a competent authority, etc. (Art 2 of ZPPJRM/49). Parental or guardians' liability for violations of public order was issued for if the child committed a violation due to neglect or if they incited the commission of a violation. City, local and district state authorities had the authority to classify certain behaviors as violations against public order and peace through their general acts (Art 5 of ZPPJRM/49). This authority was abolished by the Law on Amendments to the Law on Misdemeanors against Public Order and Peace, Official Gazette 34/56.

In addition to the fact that there was a regulation on public gatherings (the Law on Associations, Assemblies and Other Public Assemblies), the ZPPJRM/49 also regulated the registration of public gatherings and gave the police the authority to prohibit gatherings if there was a danger of endangering public peace and order. Consequently, a misdemeanour offence was also introduced, consisting of organizing and holding unregistered or prohibited public gatherings, and even assisting in this (Art 4 of ZPPJRM/49).

The misdemeanor sanctions prescribed for misdemeanors against public order and peace are a fine, 'corrective' labor, which is the equivalent of today's community service, imprisonment, confiscation of property, expulsion, and community service. Considering that for certain misdemeanors, alternative punishments were issued, the imposition of corrective labor or imprisonment together with a fine was possible for more serious misdemeanors if one of two conditions was met: 1) if it was assessed that the fine was not sufficient to have a corrective effect on the perpetrator of the misdemeanor or 2) if the perpetrator is known for violating social discipline and failing to fulfill work and other obligations. If the state body conducting the proceedings concluded that the perpetrator who had already been punished would continue to commit misdemeanors, it could also impose community service on him/her (Art 3 and 6 of ZPPJRM/49).



In terms of procedure, the district and city police authorities were responsible for conducting the procedure for determining responsibility and imposing sanctions in the first instance. Community service could be imposed by a special commission/board of these authorities.

Subsequent social development led, after 20 years, to the adoption of a new Law on Misdemeanors against Public Order and Peace – ZPPJRM/69, Official Gazette 20/69. Offenses against public order and peace include behaviors or actions that endanger the safety of citizens, disrupt the unhindered movement of persons in public places, the use of public facilities, residential and other buildings, as well as the performance of official duties of state bodies and work and other organizations that exercise public authority (Art 1 of ZPPJRM/69). It can be seen that the legislator is making a turn when defining offenses against public order and peace because the emphasis is on the safety of citizens, the work of state bodies and public authorities. The fact that the offence was committed in a public place is not part of the essence of the offence but rather represents a qualifying circumstance, and the law still does not deal with the definition of public peace and order. A public place is understood in particular to mean a place where there is free access to an unspecified number of persons without any conditions (streets, squares, public roads, piers, waiting rooms, catering, trade and craft shops, public transport, etc.), or under certain conditions (sports stadiums and playgrounds, cinemas, theatres, concert halls, exhibition spaces, etc.) as well as other places that are used for such purposes at a certain time (land or premises where public gatherings, competitions, etc. are held) (Art 6 of ZPPJRM/69). This is the first time that the legislator has dealt in more detail with the definition of a public place as an essential element of misdemeanor liability. The essential elements of the definition are free access (unconditional or limited conditional), an unspecified number of persons, and other places for specific purposes. However, the application of the law has been extended to other places that are not public but are accessible from a public place (balconies, terraces, courtyards) or if the offence occurred in a public place.

This legal text introduces the misdemeanors of violence, reckless behavior and noise, but witchcraft is omitted. In addition to persons, legal entities and responsible persons may also appear as perpetrators of misdemeanors. Objective liability of parents or trustees is introduced because they have failed in their duty of care and a minor has committed a misdemeanor. For the first time, voluntary contributions and pyrotechnic devices are regulated in the field of public order.

The misdemeanor sanctions that could be imposed were penalties and protective measures. The penalties were a fine and imprisonment, and the protective measures were the confiscation of the object of the misdemeanor and mandatory treatment for alcoholism.

Only a year later (1970) there were amendments to the law that were aimed at expanding misdemeanor liability and punishing responsible persons in legal entities (Law on Amendments to the Law on Misdemeanors against Public Order and Peace, Official Gazette 49/70). Six years later (1975), the legal text was amended again, which 'hybrid' defines the concept of a public order offense, combining the definitions from the laws of 1949 and 1969 (Art 1 of Law on Amendments to the Law on Misdemeanors against Public Order and Peace, Official Gazette, 11/75. The legal text restores the offense of witchcraft, in the case of the offense of insulting, it further emphasizes the then socialist system of the state, recognizes independent catering activities as an exception to the socialist system of economic activity, reintroduces the possibility of expulsion as a misdemeanor sanction, and introduces the authority to temporarily seize objects for police officers.

What was not laid down in the legal text itself was the possibility for local governments to impose offenses against public order and peace, but there was a constitutional authority for autonomous provinces to regulate the area of public order and peace. Thus, the Law on Misdemeanors against Public Order and Peace, Official Gazette APV, 10/76 was in force on the territory of Autonomous Province



of Vojvodina, and the Law on Public Order and Peace, Official Gazette APK, 13/81 was in force on the territory of Autonomous Province of Kosovo and Metohija, which remained in force until 1992.

Legal regulation of public order in Serbia after the change in the socio-political system

In the 1990s, the communist system of society and the state collapsed and changes occurred in the legal regulation of all parts of social life, including the area of public order and peace. Also, the Law on Public Order and Peace – ZJRM, Official Gazette 51/92 was adopted. The only significant change occurred in 2005 during the codification of criminal legislation, when the criminal offense named Obstructing an Authorized Official in the Performance of Security or Maintenance of Public Order and Peace from Article 24 was deleted from this legal text and incriminated by the Criminal Code.

The ZJRM deals only with the definition of public order and peace, while the definition of misdemeanors in the field of public order and public places is left to theory or other laws of the Serbian legal system. Public order and peace imply a harmonious state of mutual relations between citizens resulting from their behavior in public places and the actions of state bodies and organizations in public life. The goal of state bodies and organizations is to ensure equal conditions for the exercise of citizens' rights to personal and property security, peace and tranquility, private life, freedom of movement, the preservation of public morality and human dignity, and the right of minors to protection (Art. 2 of ZJRM).

At the very beginning, the ZJRM established a regime for the use of pyrotechnics and the collection of voluntary contributions, which included mandatory reporting to the police, with the possibility for the police to prohibit these activities if they endanger the (safety) peace of citizens or disrupt public order and peace (Art. 3-5 of ZJRM). Later provisions of the ZJRM regulated misdemeanors from minor ones (argument, shouting, threats, etc.) to more serious ones (fight, insolent and violent behavior, prostitution, begging, etc.) as well as one felony, Obstructing an Authorized Official in the Performance of Security Duties or Maintaining Public Order and Peace, from Art. 23 of this ZJRM (Art. 6-19). The ZJRM uses terms such as fight, quarrel, shouting, insolent behavior without defining these terms in more detail, but has left the freedom to legal theory and case law to define these behaviors. The liability of the parent/trustee is also foreseen if the offense committed is a consequence of his/her failure to exercise due supervision over the minor, provided that he/she was able to exercise such supervision (Art. 20 of ZJRM).

The sanctions prescribed for misdemeanors are penalties and protective measures. The penalties that could be imposed were a fine and imprisonment for a maximum of 60 days, and the protective measures were confiscation of objects and prohibition of performing activities. The police had the possibility of temporarily confiscating the objects of a misdemeanor while other procedural provisions were not issued (Art. 6-22 of ZJRM).

The development of society, law and legal science leads to inevitable changes in the field of public order and peace, so in 2016 the currently valid Law on Public Order and Peace, Official Gazette RS, 6/16 was adopted. In the text of the explanatory memorandum, the proposer of the law considered it necessary to define a public place and other terms (quarrel, fight, etc.) in order to remove certain doubts, for the law to recognize other state bodies whose task is to maintain order (communal militia) and for the field of public order and peace to be harmonized with the systemic law regulating substantive and procedural misdemeanor law (http://www.parlament.gov.rs/upload/archive/files/cir/pdf/predlozi_zakona/3710-15.pdf#page=16.09). The law has undergone only one amendment in the form of an increase in fines for misdemeanors under Art. 17, which refers to pyrotechnics and shooting from weapons.

The analysis of regulations identified the basic variables of the legal regulation of public order and peace, namely the existence of authority to regulate public order at the local level, the existence of pro-



visions regulating felonies against police officers, the liability of parents/trustees, and imprisonment for misdemeanors (Table 1).

Table 1: *Basic characteristics of Public Order and Peace Laws*

Laws	1949	1969	1975	1992	2015
Defining public order and peace	NO	NO	NO	YES	YES
Defining public place	NO	YES	NO	NO	YES
Defining public order misdemeanor	YES	YES	YES	NO	YES
Local level regulation of public order	YES ³	YES ⁴	YES ⁵	NO	NO
Felony against police officer	NO	NO	NO	YES	YES
Responsibility of parents/trustees	YES	YES	YES	YES	NO
Imprisonment for misdemeanors	YES	YES	YES	YES	YES

Public order and peace began to be defined in the 1990s, and this solution has been retained in the currently valid law with minimal changes. The definition of public order and peace in the currently valid law is more general than that of 1992, as it refers to the exercise of all human and minority rights and freedoms of citizens guaranteed by the Constitution. The 1992 definition listed individual freedoms and rights of citizens and singled out the right to personal and property security, the right to peace and tranquility, the right to private life, freedom of movement, the preservation of public morality and human dignity, and the right of minors to protection.

Defining public order and peace misdemeanors is traditional in Serbian legislation regulating the area of public order and peace. As can be concluded, the current definition uses the term ‘unlawful acts’, while in the past laws used the formulation ‘behavior or actions’ (Table 2).

Table 2: *Definition of Public Order and Peace Misdemeanors*

Law from 1949	Law from 1969	Law from 1975	Law from 2015
Behaviors or actions that disrupt the normal way of life of citizens, hinder movement and traffic on streets and other public places, create unrest among citizens, violate public morals, interfere with the proper use of public facilities and residential buildings, spend time in idleness, interfere with citizens’ rest or otherwise disrupt social discipline and peace of citizens	Behaviors or actions that endanger the safety of citizens, disrupt the unhindered movement of persons in public places, the use of public facilities, residential and other buildings, as well as the performance of official tasks of state bodies and working and other organizations that exercise public authority	Behavior or actions that disrupt the normal way of life of citizens, endanger their safety, disrupt the unhindered movement of persons in public places, create unrest among citizens, violate public morals, hinder the use of public facilities, residential and other buildings, hinder the work and performance of official tasks of state bodies and organizations of associated labor and other organizations that exercise public authority, or otherwise violate social discipline and peace of citizens in a manner contrary to the regulations	Unlawful acts that threaten or disrupt public order and peace in a public place, create disturbance or endanger the safety of citizens, hinder the movement of citizens in public places or the exercise of their rights and freedoms, offend morals, endanger the general safety of property, insult or obstruct officials or otherwise disrupt public order and peace

³ Until 1956

⁴ Only autonomous provinces

⁵ Only autonomous provinces



The maintenance of public order and peace has existed since the formation of the Serbian state (Table 3). After liberation from German occupation, the modern period of regulating the legal protection of public order and peace began, where the material and procedural aspects were emphasized. Each period of development of the legal regulation of the maintenance of order as a public service has its own specificities, but there are also certain similarities. For example, quarreling, insults, indecent behavior, as well as witchcraft, represent traditional misdemeanors against public order and peace in Serbia. Modern misdemeanors include arrogant and reckless behavior, noise in restaurants and other establishments, and the sale of alcoholic beverages to minors or drunken persons. In modern times, vagrancy is no longer classified as a misdemeanour.

Table 3: *Misdemeanors against Public Order and Peace in Serbia through history*

		Dušan's Code	Police Directive Act	Law from 1949	Law from 1969	Law on Amendments 1975	Law from 1992	Law from 2015
1.	Quarrel	*	*	*	*	*	*	*
2.	Indecent behavior	*	*	*	*	*	*	*
3.	Insulting	*	*	*	*	*	*	*
4.	Fight		*	*	*	*	*	*
5.	Insulting of officials	*	*	*	*	*	*	*
6.	Yelling		*	*	*	*	*	*
7.	Leaving dangerous items		*	*	*	*	*	*
8.	Vagrancy		*	*	*	*	*	
9.	Perpetration of violence	*	*		*	*	*	*
10.	Noise		*		*	*	*	*6
11.	Arrogant behavior			*	*	*	*	*
12.	Reckless behavior				*	*	*	*
13.	Selling alcoholic beverages to minors/drunken persons			*				*
14.	Gambling		*	*	*	*	*	*
15.	Prostitution		*	*	*	*	*	*
16.	Firing from weapons		*	*	*	*	*	*
17.	Witchcraft, fortune-telling or similar deception	*	*	*		*	*	*

CONCLUSION

For the purposes of this research, four periods in the development of legal protection of public order were identified: the Middle Ages, the period after liberation from the Turkish occupation, the period after World War II, and the modern period.

Public order and peace as a social and legal phenomenon began to be defined in law only in 1992, while the definition of a public place appeared in the law from 1969 and exists in the currently valid law. It can be concluded that defining misdemeanours against public order is a traditional legal practice in Serbia, except for 1992 when a departure from this tradition is identified. Decentralization in



the field of regulating public order and peace was observed in the past, but since 1992 this legal practice has been abandoned and local governments are not given the opportunity to regulate misdemeanors against public order and peace. The regulation of felonies to the detriment of police officers began only in 1992, while the liability of parents/trustees existed until 2015, when this system of objective liability was abandoned. Prison sentences have always been issued for more serious misdemeanors against public order and peace.

The 2015 law makes a public place an essential element of a public order and peace misdemeanor, which is why it is defined by law. This is not the first time that this has been done, as we can see that the 1969 law also had a definition of a public place, with the difference that it was very detailed, while the 2015 definition is more general, but they do not differ in essence.

Through substantive law, misdemeanor actions were imposed and certain segments that were important for the area of public order and peace were defined at that time (public place, public order and peace, or misdemeanors against public order and peace). The procedural part of the legislation regulated certain actions of state bodies, primarily the police, which had as their ultimate goal the maintenance of public order (and peace) as a part of policing.

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