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**Research Article**

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# National security as a comprehensive notion, state security from the aspect of international law and its political manifesto

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## Abstract

Although the perception of state security differs from country to country, it tends to be a single document, addressing at least three basic themes: The role of the state in the international system; the challenges and opportunities perceived inside and outside the country and; the responsibilities of implementation actors to address these challenges and opportunities. The first theme seeks to define the state's vision for the international system, as well as the role played by the state in that system. This requires to take into account the interests and values of the state, structures, management and decision-making processes. This usually culminates in a long-term vision where the future state and society belong. Another topic is risk assessment, current and future opportunities. In theory this should include both internal and external risks although in practice many National Security Policy focus on external risks and opportunities. Attitudes and preferences are also politically addressed as they connect with international security partners, which can lead to the emergence of opportunities for cooperation.
Historically speaking, national security as a concept is an idea of modern society, the first premises of the concept of national security date back to the 17th century during the Thirty Years' War in Europe and the Civil War in England. In 1648, the Peace of Westphalia was concluded, in which the foundations were laid for the idea that the nation or state should have control and sovereignty not only in matters of religion, but also in external security. The idea of the nation state is common today, let's say that all the countries of the world are nation states, however it would be wrong to assume that this is the only way to ensure national security in isolation from international security. The pre-Westphalian international system was based on the assumption that there was a universal principle governing the affairs of states led by emperors, popes, kings and princes. That was indeed the principle of the Holy Roman Empire. This idea was challenged by the German philosopher Immanuel Kant (1724–1804), who revived the idea of a universal principle not in the old religious context, but of a secular (non-religious) state inspired by the Enlightenment. National states must subordinate their national interests to universal interests for the common good and be guided by international law. Thus, was born a secular view of the institution of the state over the nation, through which international affairs are managed, which today is reflected in the global

worldview of liberalism, internationalism and is more clearly manifested under the auspices of the United Nations (UN). The new idea of the nation state had a different approach. Peace and stability would be better served if people did not kill each other, but were guided by a universal principle. It would be far better to have an international system based on a balance of nation states committed to limited national goals. When we talk about the security components of the state, we need to know what the state actually is and what the security risk factors that threaten it are. In this sense, when it comes to security risks, the biggest threat is aggression. The state is the basic and most important form of organization of any class society. A state is a territory with its inhabitants, which the government holds under its authority in a uniquely compact way. The National Security Policy (NSP) is a framework document that describes how the country provides security for the country and its citizens and is often presented as a generalized document. This document can also be called a plan, strategy, concept or doctrine. NSP has a role for the present and for the future, because it outlines the basic interests of the country and defines guidelines for dealing with risks and current and future opportunities. Of course, NSPs are in a superior hierarchy to other security policies, such as military doctrine, internal security strategy, etc., which deal with agency-based national security or specific issues. The NSP is also distinguished by this policy from a number of topics it deals with and tries to outline both internal and external risks. Finally, it tries to integrate and coordinate the contributions of national security actors in relation to the interests and risks that are considered most important. Some countries, such as the United Kingdom, France and China, do not have a separate and unique NSP document, but rely on defense policy or in "white papers" - project policy documents, which focus only on national protection. Many states do not publish their policy documents or do not have written comprehensive policies for security or protection.

**Keywords:** State security, security policy, national state, use of power, security strategy.

## 1. Introduction

Before giving some definitions of national security, it is important to understand some of the concepts involved in the term national security. The first is the concept of power. Power can be defined as the possession of a nation, territory, ethnicity, as well as control over its sovereignty and the destiny of that territory. It implies a certain degree of control over the extent to which external forces can harm in various ways, mainly military power is control, while conquest is mainly influence or an attempt to convince others, using short methods of war, to make something under control. Instruments of power have a spectrum of measures and means available, from the use of force on the one hand or diplomatic means of persuasion on the other. Such instruments include the armed forces, law enforcement and intelligence agencies and various government agencies dedicated to bilateral and public diplomacy and international financial control. Power variables include military power, economic capacity, the willingness of the government and people to use power and the degree of legitimacy, either in the eyes of the people or in the eyes of other nations or international organizations. The measure of power depends not only on the facts of strength, but also on the perception of will and reputation. Another term that needs to be properly understood is military power. This term refers to the military capacity and capabilities of the armed forces and represents a capacity that cannot

actually be used. It is often understood as a static measure of a country's power but in reality, military power is a variable subject to all sorts of factors, including the strength of the adversary, the degree to which it is used effectively or if it is not used at all. Force means the use of military force or the ability to enforce laws to achieve some goal. Careless or unsuccessful use of force can reduce the power of the force. Force is only one of the instruments in the hands of power as a tool. Therefore, force should be understood as an instrument of coercion. Finally, national defense refers to the ability of the armed forces to protect the sovereignty and integrity of the state and the lives of its citizens. The security policy has a higher position compared to other strategic documents that regulate the security of the state, the security policy is an integrated strategic document that includes many security topics that are the subject of national integrative cooperation and international cooperation within the wider security community. Security in the broadest political or legal sense implies measures and activities to protect the independence and integrity of a country, people and internal constitutional order. Political security refers to the protection of the sovereignty of the government, the political system and the security of society against illegal internal threats and external threats or pressures. This includes both national and homeland security and law enforcement. The national security system includes all security components such as: Economic security, security of energy and natural, national security, cyber security, human security, environmental security.

## 2. Methodology and objectives of the study

Qualitative and authentic methods have been used for the drafting of this paper. Qualitative and authentic methods include the analysis of literature and various documents, where an attempt has been made to elaborate practical experiences related to the field of leadership and the operation of law enforcement mechanisms in practice, as well as strategies in the field of security, especially that of regional cooperation and international security bodies that have been considered for the realization of this work.

## 3. The main challenges of national security

First, NSPs must balance openness and secrecy. Some countries try to avoid this problem by using vague language (which is also known as "strategic ambiguity"), but this can reduce the effectiveness of the document. Other countries also maintain public versions as well as reserved versions of the National Security Strategy. However, if the NSP is subject to public discussion, its content will probably reflect the general goals of national security, and the implementation will be left to them by their secondary doctrines or other planning mechanisms.

Second, some see a conflict between the need to maintain freedom of action and the constraints imposed on the actions of leaders. For this reason, many countries in their NSP prefer to deal with specific issues rather than from specific places, although in cases where national security policy is made to give a clear signal to a power otherwise, it can be mentioned by name.

Third, the need to revise the national security policy should be balanced with their costs, either in human terms or in that material. While reviews are necessary in a strategic environment where significant changes occur or if current security policy is judged inappropriately, if they are too often mandated, it can be a burden on resources, especially since a good national security policy requires the input of those officials involved in policy implementation. Fourth, national security policy must balance public debate with expert input. While public debate is essential to ownership, if there is a perception that the document has become hostage to political interests, this can undermine its usefulness. The last thing the head of state should do is not to have political dissent as a threat to the country's security; while surveillance and intelligence-gathering capabilities are essential to combating any threat, including terrorism, it is imperative that state leaders hold the line to eliminate the threat.

4. **The concept of state**

The concept of the state is used in different meanings. In a narrower sense, the term "state" means the state apparatus, a hierarchical organism composed of individual and collective holders of state power and all officials and employees who are part of its various organs. In this sense, the state is in direct opposition to the society over which this power is exercised. The state is also a subject of international relations. Despite the fact that the state acts as an external force of society and rests on it, it is ultimately only a form of constitution of class society, inseparable from it. Taking this into account, the state can also be spoken of in a broader sense. In such a case, by the state we mean the entire society included in the state organization, so not only the state apparatus, but also the territory and inhabitants who are under the authority of the state. The state is also a historical phenomenon. It arose when the development of the productive forces of society finally destroyed the homogeneous social structure of the first primitive communities.

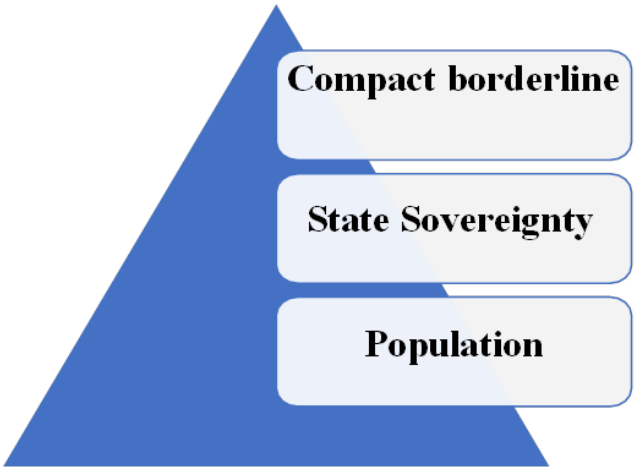



**Figure - Constituent elements of the state**

## 5. Degrees of danger to the state

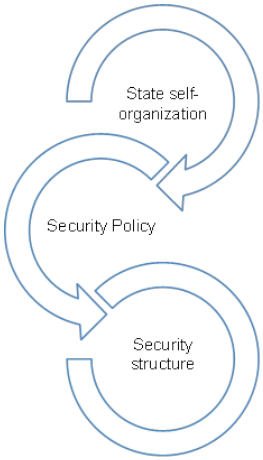
The dangers for the state are multiple and different, but the most explicit form of danger for the state is aggression. Aggression represents the greatest degree of danger for the state. What is aggression and who can be aggressors? Generally speaking, aggression is an external attack on a state, it represents the most drastic form of violation of the rights of another state, which manifests itself in any form of violence. In the simplest case, aggression is an unprovoked attack by one or more states on the sovereignty and territorial integrity of another state, with the aim of territorial conquest or violent change of the internal order, or to achieve other political goals and plans, threaten the independence and sovereignty or territorial integrity of the attacked country (Collins, A "Contemporary Security Studies", p.131.UET/Press, Tirana). The most pronounced form of aggression is a direct armed attack and is carried out by the use of military force, including any action directed against the territorial integrity and independence of another state, as well as peace in the world. The aggressor poses a serious risk to the independence, sovereignty or territorial integrity of another state, in other words whose armed forces attack another state. The UN Charter gives the attacked state and the international community the right to use individual and collective means of self-defense against the aggressor, and according to international law, any state can oppose it with all the means and forms of war at its disposal, but which are not prohibited by international law. International law supports protection against aggressors by providing assistance to those citizens who oppose other powers in a disorganized manner or in any other way and come to conflict or open war. When defining state security within the framework of national security, the starting point is the fact that it represents a special activity of special and specific bodies in the plan of protection of a certain social and political order. The scope and framework of activities are most often determined by the constitution and laws, while objects of protection are the basis on which a certain state order rests, for example ownership of the means of production, forms of government, political and constitutional order, national sovereignty, thus the protection of public order as a whole. A distinction is usually made between narrow and broad national security. National security in the narrower sense usually refers to activities aimed at guaranteeing personal and property security as defined by the constitution and laws. Security in a broader sense implies an activity that has the basic purpose of protecting the foundations on which certain state regulations are based.

## 6. The main tasks and purpose of the state security authorities

Security is an activity that consists in collecting data or information for activities that violate or intend to violate the physical security of personnel, information, communication networks, exchange, transmission of information classified as state secrets. It follows from this that the basic task and purpose of these state authorities is to detect and prevent all activities aimed at endangering or violently destroying

the foundations of the socio-political and state order. Such a way of differentiating security arises from the way in which protection is carried out and the objects that are taken under protection, so in this way only the functional aspect of the concept of security is emphasized, leaving aside the fact that many risks to personal and property security also contain elements of endangering the relevant foundations of social and political order. Therefore, these divisions have only a relative value. State security affairs within the framework of national security are mainly carried out through competent bodies such as the army, police, intelligence and counter-intelligence services, as well as other judicial and prosecution authorities. Therefore, state security implies the use and application of methods, measures and actions of authorities, services and political subjects, which disable, disable or devalue the bearers of activities that threaten the state. Defined laws and legal norms oblige services and organizations that are competent to timely detect, prevent or secure persons or groups organized on their own territory or in the outside world, who try to threaten public order, so national security system. The activities of the competent security authorities must guarantee the prevention of crimes against the state, the detection of the preparation of these crimes and the prevention of their execution, the detection of committed crimes of this nature, the arrest of their perpetrators and their punishment by judicial authorities. In addition to the work of the aforementioned authorities and services, an important factor of state security are the measures and activities of state authorities and the intelligence system, which with their agitation, propaganda and information activities narrow the space for action by the carriers of dangerous activities and strengthen the resilience of society by raising a security culture. In a narrower organizational sense, state security refers to the authorities that are directly involved in the protection of state security, which is the security service, the intelligence service and the public security service. Despite the differences in the organization of these services in individual countries, which are conditioned by state regulations, the organization of state management, tradition and other reasons, similarities still exist. Security administrations or intelligence services, and even military security administrations in the ministries of the armed forces, are engaged in state security affairs. When it comes to the state as a subject of international relations, as well as in the field of security, the mentioned general places are integrated into the very core of the function and action of the state. The form, quality, organization and scope of each state's security depend on a number of factors. The security of a country is first and foremost a systematic activity. Basically, it is a state in which a balanced physical, spiritual, social and material survival of a person and social community is ensured in relation to individuals and other social communities and nature. In order to achieve this, which is for security to function as an immanent structural element of society, it is necessary for each country to define a security policy, which arises from the security situation. The security situation is a set of risk elements that individually and jointly affect the security situation and mood of people in a certain territory, environment or facility at a certain time. In the presentation of the activities of external and internal threats, it is necessary to recognize and announce forces, foci,

objects of attack, methods and forms of expression carried out by threats, as well as conflict and crisis situations in certain eras, and circumstances that favor the enemies for the realization of dangerous activities. In assessing the elements that shape the security situation, it is necessary to specifically reveal the tendencies and goals of the bearers of the threatening activity. This is achieved by comparing risk expressions in previous periods. Security services provide elements for the state of security to states and other bodies that perform security assessment and goals that are achieved in certain situations. By this we mean: external security, defense security, external and internal economic and financial security, internal security. But when it comes to the definition of internal security, legal security, public security as a substitute for personal or group security and social security are distinguished. While the areas that fall under security are military, politics, economics, property, sociology and ecology. All this in essence derives from a theoretical point of view, from four general groups of values, namely: existence, territorial integrity, political independence and quality of life. Existence, again on a theoretical level, means the existence of the state, national existence and physical self-defense. When it comes to the existence of the state, it is understood that the state as a system of organized government, as an independent subject of international law, as an actor in international relations, does not lose its identity and does not become part of one or more states or not be broken into many small states, from none of which would be like the previous one. Strengthening the awareness of the person, the community and wider layers of society about the forms, methods and carriers of dangerous activities makes them more capable of opposing these activities more concretely. Of course, the autonomous security policy of individual states should also be in accordance with the UN Declaration on the Principles of International Law and Friendly Relations and Cooperation of October 24, 1970, which states that (Collins, 2013). This protects the basic values of each specific society, and thus also more broadly, in terms of the regional, continental and world situation. Core security interests are inextricably linked to core values, while core values are: Fundamental interests are anyway based on: protection of the constitutional system; developing security relations with other countries, leading a proactive security policy; conflict prevention; creating cooperative security and maintaining peace in the world; strategic participation in the global economy; strengthening the international position and access to collective security and defense systems; inclusion and active participation in regional associations and international organizations, and environmental protection, along with prevention of ecological degradation and rational use of natural resources. For an adequate and successful implementation of the security policy, it is necessary for each country to have a built and efficient system of national security. According to most authors, security structures, and therefore its system, are specific to each country (Collins, 2013). However, a more consistent structure of the national security system of the modern state was given by Grizold et al. (1999). According to Grizold (1999), the basic elements of such a system would be:




The security structure is composed of structural elements such as external defense policy, armed forces, civil defense, economic defense, in other words preparation of the economy for war conditions, measures for the operation of the political system in emergency and war conditions, information -communication activities, surveillance and reconnaissance, internal security, police, judicial authorities, information and security services, inspection services, customs. But in the end this system depends on many factors, where can distinguish historical heritage, geopolitical position regardless of the aspect of the immediate environment, geostrategic position, economic development and personnel and material potential, demographic potential, administrative regulation, forecast goals and social regulation of the state.

## 7. **Conclusion**

In the spirit of the highest views, the security policy must provide answers to the questions of protecting the interests and priorities of citizens, society and the state as a whole, from any type of external and internal threats, as well as foresee political and economic measures and the army in this respect; This policy must be comprehensive in its approach to rooting out conflict and instability. By that we mean the continuous analysis of the security environment and the search for active and equal cooperation, avoiding conflicts, threats and aspirations in the bilateral sense of integration, strategic cooperation and partnership, trends towards collective security, and others. There are several factors involved in implementing a security policy. First of all, threat assessment and security risk can be distinguished. This means focusing attention on possible trends or phenomena in areas such as: internal conflicts caused on any basis, violent change of internationally accepted borders, possible spread of ethnic or religious extremism, violent changes in constitutional regulations, organized crime, proliferation, human trafficking, illegal migration, terrorism, development and transfer of weapons of mass destruction, social problems, mass disasters, environmental pollution and others. In relation to them, a set of actions can

be defined as security measures of the state and its organs that are institutions and security services. Security measures are activities and actions undertaken by state authorities in order to achieve the protection of declared social values. All security measures can be divided into general and special. General security measures are those undertaken by state authorities and in the armed forces by commands and staffs, which create suitable conditions for the effective protection of property and social values and the engagement of all subjects of society or collectives in fulfilling their obligations in the field of security. The insurance measure is achieved by passing legal acts and other general acts that regulate this matter and by performing tasks and tasks that are determined normatively. This implies continuous respect for the conduct, regime, discipline and order related to the protected values. Special measures or special security are carried out by the security services, which with their specific methods, measures, actions and means detect, determine, fight, interrupt and monitor the activity of the bearers of threatening activities, thereby contributing to the protection of certain values and assets of persons, groups and society.

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