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ENSURING SAFETY OF PUBLIC FIGURES

Abstract

This paper researches terms 'state' and 'person'. The purpose of this paper represents an effort in giving a contribution to better understanding and defining persons holding the highest positions in the state, and which are protected by the state's regulations. Analytically speaking, throughout history of the earliest European civilizations, from individual authorities in the past and nowadays, to positive legal acts, it always indicates the phrase 'public figure'. It points out the justification of reviewing the term used for defining individuals which are protected by regulations provided by the state, and which are being protected in the name of the state. General remarks are being given regarding different terms given to these individuals, as well as an explanation of existence of such, nowadays already established term. Thus, the author tends to provide in this paper theoretical, historical, but also philosophical framework for consideration of commitment to use the phrase 'state person'.

Keywords: state, person, state person, safety, security, very important person.

1. INTRODUCTION

The term 'state person' has not been considered yet in theory and legal regulations¹. In general, and every-day sense, we use terms: *very important person, principal, statesman...* In narrower and more professional sense, we are first of all speaking of *specific persons, protected individuals and state officials*. Now, in accordance with pre-existing terms, it is the right time for us to make an effort in explaining the term 'state person'. But, before we explain it, it is necessary that we explain the term state, but also the term person – of which many wrote before, and which arose many different attitudes in many states. Term 'state person' is consisted of terms 'state' and 'person'.

It should be noted that term 'state person' primarily refers to such individuals that belong to some branches of government, that is, state-political life. Thus, we will take into consideration individuals on the state level, since this term refers exclusively to them.

2. ON STATE

Starting from the general understanding that the state is a social category and social organization, *Momčilo Dimitrijević and Predrag Dimitrijević* gave their definition of the term 'state'. State is a social organization which has a monopoly of physical force in order to preserve its state legal order and realize values and goals of such order².

This term of state points out the essence of state and its characteristics³:

- State is a social organization – it has a social character;
- State has a monopoly of physical force – it has a factual character;
- State has its own legal order which tends to preserve and practically realize itself– it has legal, normative character; and
- State realizes certain values and goals – it has a conceptual and political character.

These elements point out that state is a social, legal and political category.

1 The author uses this syntagm for the first time in his master's thesis presented in 2010 at the Faculty of Administrative and European Studies in Podgorica, Montenegro.

2 Dimitrijević, Momčilo; Dimitrijević, Predrag, *Razvoj organizacije države i uvod u pravo sa praktikumom*, FDES, Podgorica, 2007. p. 17.

3 Ibid, p. 18.

From political science's point of view, state is regarded as "a modern form of force of one man over other"⁴. "The origin of state is preceded by long-long lasting non-institutionalized rule of one man over other man and establishment of political communities in different forms"⁵. In the work of Dragan Simeunović, we find that state "includes totality of state bodies, which are in facts carriers of state power, and which are settled in state organization itself, forming its most significant part, and taking up decisive and other important functions". It is a "specific organization. It is the primary organization which must be structured and functional within each global society, and thus has a monopoly on coercion and expresses its own sovereignty. This special organizational establishment is conditioned and connected with entire set of the given global society"⁶.

Other authors believe that state is "a unit" organized by the given population on limited territory, that this population, by using organized political system⁷, controls sovereignly⁸.

3. ON FIGURE

Term 'figure' has very distant roots. Originally, word 'person' comes from a Greek term *prosopon* (πρόσωπον) which originated in Greek theology. It is most often translated as "person" and as such, it is sometimes being confused with *hypostasis*, which is also translated as "person". *Prosopon* initially meant "face" or "a mask" in Greek, and it originates from the Greek theatre, in which actors wore masks on the scene in order to reveal their character and their emotional state to the audience⁹.

4 Tadić, Ljubomir, *Nauka o politici*, BIGZ, Belgrade, 1996, p. 314. in: Simeunović, Dragan, *Uvod u političku teoriju*, Institute for Political Studies, Belgrade, 2009. p. 72.

5 Simeunović, Dragan, *Uvod u političku teoriju*, Institute for Political Studies, Belgrade, 2009. p. 72.

6 Simeunović, Dragan, *Osnovi političkih nauka – praktikum*, Ferko, Belgrade, 1994. p. 75.

7 System (gr. σύστημα – content, whole, consisted whole, in: Vujaklija, Milan, *Leksikon stranih reči i izraza*, Prosveta – Belgrade, 1975, p. 882; In a wider sense, system is – an organism, organization, union, leading authority, it is defined as a whole consisted of parts or as a whole detached from the surrounding, in: Pusić, Eugen et al., *Državna uprava i upravni sistemi – separati*, Faculty of Administrative and European Studies, Podgorica, 2007, p. 9.

8 Stajić, Ljubomir, *Osnovi sistema bezbednosti sa osnovama istraživanja bezbednosnih pojava*, Faculty of Law of Novi Sad, Novi Sad, 2008. p. 10.

9 <http://en.wikipedia.org/wiki/Prosopon>, 26.12.2011.

Terms 'prosopon' and 'hypostasis' played a central role in the development of theology about the Holy Trinity and Jesus Christ in the debates during the period from 4th to 7th century. *Proposon* is a form in which *hypostasis* appears. Every character and every *hypostasis* has its own matching *proposon*: face or facial expression. Theodore of Mopsuestia – Theodore the Interpreter or Theodore of Antioch (circa 350 – 428), maintains the vision of Christ who saw the unity of the

Apart from Greek, this term is also tied to Latin term *persona* which represented theatre masks, and the individuals carrying such masks – actors, were *personae*¹⁰, that is, a person, figure, individual, personality¹¹. In this context, term “persona” represents someone’s mask or external features which is depicted on the stage. Thus, this word was carried on from the stage to every performer of the speech or action, not only in the theatre, but also in the court. Thus, *persona* is the same thing as *the performer* (actor) on the stage or in common speech. To act is the same as to represent oneself or someone else. For the one who is acting could be said that he is carrying his own personality or that he is acting in his own name (Cicero states: I carry three personalities: my own, the personality of my opponent and the personality of the judge), but he is called differently in different circumstances: representative, assistant, aide, defender¹². In Roman law, *persona* is determined as an adult, male citizen, while women, children and foreigners did not hold this status. Based on this, *persona* had “high property values”¹³. Also, the word *persona*, even though of Greek and Latin origin, is also linked to Etruria word “phersu” which carries a meaning of a mythological creature living between the perceivable world and the underworld¹⁴.

Machiavelli names famous persons such as: Achilles, Alexander the Great, Caesar, Scipio, Cyrus¹⁵ and he is consumed with the thought of power of these remarkable figures [underlined by Ž.S.] which were, thanks to their bravery and epochal moves, able to resist their fate and resolve breaking points in the history¹⁶. Thus, not only the events, but also the development of the states depended on the figures which lead those states throughout the history. Individuals which left a mark on history throughout their lives were able to recognize historical needs of a society in political, historical and economic sphere, and thus contribute to their realization through their actions.

divine and human in the prosopon. Proposon has a special role in his interpretation of Christ. He rejected the concept of hypostasis – believing that it is contrary to the real nature of Christ. Theodore believed that “the two prosopons were united” in Christ.

See more in: Grillmeier, Aloys, *Christ in Christian Tradition: from the Apostolic Age to Chalcedon*, Louisville: Westminster John Knox Press, ISBN 066422301X, 1975, p. 451.

10 Vincent, Endry, *Teorije države*, Official Gazzette, Belgrade, 2009, p. 93.

11 Vujaklija, Milan, *Leksikon stranih reči i izraza*, Prosveta – Belgrade, 1975, p. 712; Due to the purpose of this work, we will adopt the term ‘person’.

12 Hobbes, Thomas, *Levijatan*, Naklada Jesenski i Turk, Zagreb, 2004. p. 114.

13 Hrnjica, Sulejman, *Opšta psihologija sa psihologijom ličnosti*, Naučna knjiga, Belgrade, 1990. p. 108.

14 Ibid, p. 108; See more in: <http://sh.wikipedia.org/wiki/Etrurci>, 09.12.2012.

15 Makijaveli, Nikolo, *Vladalac*, IP Knjiga – Novi Beograd, Neven – Zemun, 2003, p. 135.

16 Ibid, p. 245.

Thomas Hobbes view of creation of state and the person representing it is quite interesting. In his *Leviathan*, he states that people, by their own will, agreement and transfer of strength and power to one person or a group create a state (lat. *civitas*). This is the origin of the powerful Leviathan - “the mortal God”, “to whom we owe peace and protection from the immortal God” by which the power unites in the personality of Leviathan. Holder of the telicity (state) is the supreme ruler¹⁷. Ruler is the holder of the personality of people which transferred their personalities onto him, that is, onto state.

According to Hobbes, persona is “a man whose words or actions are regarded as his own or represent words or actions of someone else or something else to which they are attributed to, no matter if it is true or not”. If someone’s words are regarded as his own, then they are called natural persona¹⁸ [underlined by Ž.S.]. A person who is a representative of a nation or which belongs to a group that he is representing, also carries his own natural persona. Apart from the fact that this representative worries about providing a common interest, he also worries about securing his private well-being and well-being of his own family¹⁹. When someone’s words are represented as words or actions of someone else, then this is a case of an artificial persona [underlined by Ž.S.]. When speaking of artificial personae (for example, a state), words and actions are possessed by the persons representing such persona²⁰. Roman jurists used this term in a legal sense, which would enable observation and identification of a somewhat unique group (corporate body) as a legal entity – fictional persona (*fictio juris*)²¹.

From the original meaning of the term persona – “a mask”, arising from Stoic philosophy²² and Christianity²³, we have arrived to contemporary understanding of the word “persona”. Nowadays this term might be understood in several ways. Psychologically, a persona identifies itself with certain features: power and ability of self-awareness, language abilities, ability to act in accordance with our interests, ability of continuous reasoning and wanting. A persona might be understood

17 Thomas Hobbes, stated work, p.122-124.

18 Ibid, p. 114.

19 Ibid, p. 132.

20 Ibid, p. 114.

21 Vincent, Endry, stated work, p. 93.

22 Stoicism is a school of ancient philosophy which was popular in the period from 4th to 2nd century before Christ in the Ancient Greece and the Roman Empire. Stoics stated that the world is ruled by *logos* (worldly mind) and learned to live in accordance with the nature.

23 Christianity is one of three biggest monotheistic religions which emerged in the Roman Empire region. It is based upon the teachings and life of Jesus Christ, based on which one should dully live on the earth.

also in the judicial-ethical sense, which points out the ability of acting in accordance with moral categories and principles. Legally speaking, persona is seen as pointing out the ability or power of legal action and the subject of law and duty²⁴.

The personality itself represents a combination of several factors. Firstly, those are: biological factors, social factors and one's own work. In relation to biological factors, personality is a biological organism, in which evolution is the essence of mental development. All potentials of a man result from adjustment to the surrounding. In comparison to social factors, "personality is not only a biological organism, but it is a social organism formed in social surrounding and interpersonal relations". Apart from this, human nature or human situation in which a man creates and resolves situations in order to fulfill its "specifically human needs"²⁵ should also be explained.

In the *Leksikon stranih reči i izraza* (Eng. *Lexicon of foreign words and phrases*)²⁶, a person is explained as "every individual is endowed with ability of free and healthy wanting and acting (physical persona)," and legally – "every individual which has abilities to acquire certain rights and take on himself certain obligations (legal entity), personally (lat. in persona)".

According to *Opšta enciklopedija* (Eng. *General Encyclopedia*)²⁷, personality can be physical and spiritual. Physical personality is a man as a biological organism, a man's physical entity. As spiritual, personality is individuality of man's consciousness, holder (subject) of all forms of abstract, sensory and voluntary action of a man. It is inseparably linked to physical personality as it is to its material natural root. Real material basis of personality is made of a man's social entity, totality of relationships and relations in which people produce and reproduce their material life.

24 Vincent, Endry, stated work, p. 93.

25 Hrnjica, Sulejman, stated work, 1990. p. 108.

26 Vujaklija, Milan, stated work, p. 712.

27 Mala enciklopedija Prosveta, *Opšta enciklopedija*, second edition, 1, A-LJ, Prosveta, Belgrade, 1975. p. 950.

4. OTHER TITLES FOR PUBLIC FIGURES

In the Roman Empire, leading figures (statesmen) held the title *principes*. This title was a word of recognition of their authority, thus emperor August called himself *princeps*.²⁸ Similar to this, the term *principal*²⁹ means that this person is someone who is the most important, most powerful, significant, chief, person who has control over authority, leading position. Of quite similar meaning is also the term *statesman*³⁰, which refers to the president of a state, prime minister, or some other high official of the state that, during his mandate, is doing or has done something significant for his state.

One of the generally accepted terms for a public figure is also “*very important person*” (*VIP*) which refers to a person to whom state or some other special organ gives a special right – a privilege based on his significance or his status. Privilege might be acquired from the birth, membership to a certain group, based on some special merit and it can be conditioned³¹, which means that we are talking about a president, monarch, minister, prosecutor, judge, etc. In a wider sense, apart from this meaning – VIPs are also all individuals significant to the life of a state, which means that those individuals can vary from the President of a State and the Prime Minister, politicians, members of aristocracy and clergymen, to rich individuals, executives of large companies and public figures.

According to positive regulations of the EU, term “*public figure*” is being recognized, referring to any individual which is being given protection, in accordance with national legislation of the member state, or based on a statute of some international or multinational organization or institution³².

In regulations of one of the member states of the EU – Republic of Croatia³³ we can find titles such as “*odredene osobe*” (Eng. “*certain persons*”), but also “*štićene osobe*” (Eng. “*protected persons*”), which points out the disunited title for individ-

28 Vincent, Endry, stated work, p. 46.;<http://www.perseus.tufts.edu/hopper/text?doc=Perseus:text:1999.04.0059:entry=princeps1>, 30.12.2011. *Princeps* (lat. mn. *principes*) – first in the time, first person;

29 <http://www.merriam-webster.com/dictionary/principal>, 28.12.2011.

30 <http://sh.wikipedia.org/wiki/Dr%C5%BEavnik>, 30.12.2011.

31 http://en.wikipedia.org/wiki/Very_Important_Person, 26.12.2011.

32 COUNCIL DECISION, of 28 November 2002 setting up a European Network for the Protection of Public Figures, Official Journal of the European Communities, (2002/956/JHA) Article 2.

33 Law on Police - decision of the President of the Republic of Croatia, No. 01-081-00-434/2, Zagreb, 2000, art.14; Regulation on establishing the affairs of counterintelligence protection and ensuring security of certain persons, objects and spaces, “*Narodne novine*”, No. 83/03, 11/04 and

uals that are being protected. Moreover, even in the regulations of the Republic of Serbia³⁴ we find different titles: “određene ličnosti” (Eng. “certain persons”), “određena lica” (Eng. “certain individuals”) and “štićene ličnosti” (Eng. “protected persons”). In Montenegro, according to the law³⁵ “certain persons and objects” can be protected.

In the former Yugoslavia region, persons such as the highest officials of the state and the nation were not given a general title up until the times after the Second World War. As such, appears a phrase “određena ličnost” (Eng. “certain person”). Based on available structure³⁶, the concept of a certain person emerges after the introduction of socialist self-government in the SFRY by the communists in the beginning of the fifties of the last century and which has, as they believed, in such way secured the power of the working class.

The creators of self-government have made a distance from the state – stasis, and got closer to social proprietorship. In this way, at that point, a step forward was made when a term was appointed for persons that were important for the former social political system, since in the beginnings of the socialist self-government, there was not a need for giving a determinative title to a person of the state. Also, calling a person ‘social’ was disputable, since a man by itself is a social being, which is one of the basic features of every man. In relation to the previously stated, that is, by introducing self-government and avoiding social generalization of a person, it has significantly been made easier for individuals that are being protected to be entitled as – certain persons.

So, in 1965, an Obligatory instruction on the manner of exercise and organization of acts of protection of personal safety of certain state and political high-officials was introduced. This provision was adopted on May 15, 1965 by the Federal Secretary of Interior Affairs, in which we encounter a more definite term in relation to personality for the first time.

70/05”, art.1 and 2; Decree on the determination of protected persons, objects and spaces, and conduct of their protection and security, Croatian Government, No: 50301-09/09-13-3, Zagreb, 2013.

34 Law on Police, “Službeni glasnik Republike Srbije” No. 101/2005, art. 10, Regulations on establishing the affairs of security protection of certain persons and objects “Službeni glasnik RS”, No. 72/2010. and Instructions on methods of conducting affairs of security of persons and objects, Ministry of Foreign Affairs of the Republic of Serbia, 7350/2003, Belgrade, 2003, Art. 4.

35 Law on Internal Affairs, „Sl list CG, No. 44/2012, Art. 10.

36 Law on people’s police, „Sl. list SFRJ”, No. 101/46.; Law on organs of internal affairs „Sl. list SFRJ”, No. 30/56.; *General law on internal affairs*, „Sl. list SFRJ” No. 49/66.; *Law on internal affairs service*, „Sl. list SRCG”, No. 10/65.; *Law on Amendments to the Law on the Ministry of Interior*, „Sl. list SRCG”, No. 22/66. ; Law on Principles of State Security, „Sl. list SFRJ”, No. 1/74.

In other places, we can see that up until 1965, there was not any legal regulation based on which safety of persons was ensured. Up until then, ensuring safety was being done “based on conclusions and attitudes of authorities and the long-term praxis” so there were not any “normative acts”³⁷, which means that there was not any official title for the individuals that were being protected.

In the Law on internal affairs of Montenegro from 1966³⁸ personal safety of a person was regulated for the first time, and that mandatory instructions and orders are being given in the public and safety jobs and jobs of ensuring safety of certain persons.

Rajko Rađenović believes that: “the term ‘certain person’ refers to [...] persons, that is, officials that are predisposed by the decisions of the state authorities, and in relation to which, state officials and security services take certain security measures (head of state, president of the parliament and governments...)”³⁹.

In accordance with current regulations, authors Stajić and Pajković believe that *certain persons and objects* are such persons and objects which are being protected “on the basis of *specific decisions of the authorities*, in accordance with positive legal acts, which speak of these issues, and which refer to the work of state authorities and security services”⁴⁰. In other places, the previously mentioned authors imply that certain persons are “the individuals for which state authorities appointed protection”⁴¹.

The wider idea than certain person is a protected person and object, which “refers to such persons and objects that are being protected on any grounds”⁴². It is often that a country is being paid a visit by figures that, due to a specific situation or by the decision of the authorities of that home country, are entitled to some of the security measures, so that same measures are being requested even in the host state. Apart from this, a state might determine security measures for individuals that are being endangered due to some of their activities (journalists, NGO representatives,

37 Rađenović, Rajko, *Obezbeđenje i bezbednosna zaštita određenih ličnosti i objekata*, Institute of Security, Belgrade. 1995. P.11.

38 Law on Internal Affairs, „Sl. list SRCG”, No. 12/66. Art. 9

39 Rađenović, Rajko, *Bezbednost ličnosti i objekata*, publisher – the author, Belgrade, 2003. p. 132.

40 Stajić, Ljubomir; Pajković, Dragić, *Sistem zaštite ličnosti i objekata*, Faculty of Business Management, Bar, 2006.p. 9-10.

41 Stajić, Ljubomir; Pajković, Dragić, *Sistem zaštite ličnosti i objekata*, Faculty of Law of Novi Sad, Novi Sad. 2008. p. 35.

42 Stajić, Ljubomir; Pajković, Dragić, *Sistem zaštite ličnosti i objekata*, Faculty of Business Management, Bar, 2006. p. 9.

political activists), famous businessman or “show business” personalities, that is, the objects used by these individuals.

According to Dragan Simeunović, there are certain “charismatic personalities”⁴³ which attract the attention of people who believe that, by linking to these individuals, they would be getting closer to something “sublime and supernatural”⁴⁴. No matter how we call the senior officials in the state, the comment made by the same author is quite interesting “due to the way of electiveness, ruling and change of leadership, the individual that rules becomes less important than the **function** performed by him. Today we worship and bow not before the personality of a politician, but to his function”⁴⁵.

Apart from previously mentioned terms and regulations of Montenegro, term ‘official’ is often mentioned. *Officials* are such individuals which perform a function⁴⁶ in a state or a local organ, and are the holders of the so-called *public functions*⁴⁷. Leaders of the state organs are individuals which are called state officials (for example, ministers).

According to the law,⁴⁸ officials in Montenegro are the following: the President of Montenegro, President of the Assembly of Montenegro, Secretary of State of Montenegro, President of the Supreme Court of Montenegro, President of the Constitutional Court of Montenegro, Supreme State Prosecutor, protector of human rights and freedoms, President of the Senate of the State Audit Institution, Vice President of the Parliament of Montenegro, Deputy Prime Minister of Montenegro, ministers, Director of the National Security Agency, Special Prosecutor for combating organized crime, court judges, state prosecutors...

43 Word charisma originates from the Ancient Greek language, in which it has a meaning of: a gift from god, divine donation, a specific power acquired with the God's mercy, the ability of communicating with the Gods, in: Simeunović, Dragan, Uvod u političku teoriju, Institute of political studies, Belgrade, 2009. p. 149.

44 In comparison to contemporary times, when speaking of political figures, today people do not admire so much the personality itself, but his function, in: Simeunović, Dragan, Uvod u političku teoriju, Institute of political studies, Belgrade, 2009. p. 155.

45 Simeunović, Dragan, Uvod u političku teoriju, Institute of political studies, Belgrade, 2009. p. 155.

46 Function is acting, performing, performance of duties, role, work, affair, service, calling; in: Mala enciklopedija Prosveta, Opšta enciklopedija, second edition, 2, M-Š, Prosveta, Belgrade, 1975. p. 820.

47 Đorđije, Blažić; Đuričanin, Radojko, Civil service system of Montenegro, Instruction Manual, Human resources, Podgorica, 2006. p. 14.

48 Law on Salaries and other Remunerations of MPs and officials, „Sl. list RCG”, No. 81/05, 02/06. Art. 5.

5. STATE PERSON

As we have seen, there is a significant number of terms carrying the meaning of significant individuals representing a state. What we wish to elaborate in this section is the term – state person, which was even mentioned in the old states.

In Persia, citizen respect was expressed to the state figure⁴⁹. Hobbes calls ‘state person’ *persona civitatis*, in which numerous different individuals become one in one person⁵⁰. *Persona civitatis* is the personality of the state and as such – the person that rules⁵¹. State person is in fact an artificial persona which takes words and actions from a man or a group of people (natural personalities).

Given that we have mentioned that the state is an artificial persona, as such it can function and exist only with the help of natural personae, that is, if it is consisted of people. People use some method to choose the highest state officials of the state, which act in their name and lead the country. From this idea of states as persons arose individuals that in different state functions represent the state, so we can say that those are the state persons. In this way, we can say that state persons are *the highest representatives of the most significant singular or collegial state organs which are, in accordance with the Constitution, law and other regulations, enabled to perform their duties under their jurisdiction, in the name of the state.*

State organ is the basic part, a part of the larger whole – the state. In the state that represents the system of organs, state organ has a specific place and performs specific functions. *Singular organ* represents one physical individual which makes decisions independently. Those are the following: monarch, president (Chief of State), minister, attorney general... *Collegial organ* is an organ in which decisions are made by several individuals. Such organs are the government and the parliament, and they are represented by their presidents. The most important and basic act in the state is the Constitution. *Constitution* is the general legal acts which is adopted by the legislative authority in a written form. After the legislation, the most important legal act is the law. *The law* is the general legal act that is adopted by the legislative authority, in accordance with the legislative process, in a written form. After the law, the most important legal acts are regulations. Regulations are adopted by executive and administrative authorities (government and ministries). Regulations are legal acts that are less important than the law, and are consisted of general legal norms that elaborate laws and serve for more circumstantial appli-

49 Hobbes, Thomas, stated work, p. 69.

50 Vincent, Endry, stated work, p. 94.

51 Hobbes, Thomas, stated work, p. 181.

cation. Apart from regulations, executive and administrative authorities can also adopt other general legal acts: ordinances, instructions, etc., in order to further elaborate the law and regulations, so they represent lower legal acts than laws and regulations. Regulations and other general legal acts adopted by executive authorities are also called bylaws. Every state authority has its own specific *affairs*. A set of all those affairs is called *jurisdiction*. Jurisdiction represents a set of all rights and obligations of the authority for performing certain affairs. First of all, affairs, that is, individuals performing such affairs, include acting as the president of the state, the parliament and the government, prosecutor, minister, as well as other individuals such as judicial officials, officials of the supranational organizations, etc.

The main element of the ‘state person’ phrase is the following: goal, resources, organization (system of organs and their relationship), regulations, uniqueness and identity.

We will try to present these elements through state as the previously mentioned legal entity (*persona iuris*). Legal entity is the organization with rights and obligations⁵². Within the law, especially in Germany and France, there is a division to *private entities and public entities*⁵³. Private entities are the following: private companies, banks, scientific and trade organizations, etc. Public entities are the following: state, ministries, public institutions, public enterprises...

Thus, as an element of the ‘state person’ phrase, the goal is to realize the interest, which is set by the state through some person that is performing certain jobs and has certain powers. Individuals from the organization must have certain material resources that they use in order to reach their goal. The organization is represented by the official, that is, individuals which are acting in the name of a legal entity, implement the will of the legal entity – which is also their obligation (for example, director). Director as a physical entity responds to the legal authority. Legal authority is acknowledged by the legal order, that is, legal acts and actions of people in accordance with these acts. Moreover, regulations organize jurisdictions, affairs, powers, etc. Uniqueness is reflected in the fact that legal entity lasts longer than the people of which it is consisted, people act uniquely, while legal entity does not have lifetime and it has legal continuity. Identity of the legal entity, that is, determination of the identity is set throughout time, location and nationality⁵⁴.

52 See more in: Dimitrijević, Momčilo, Razvoj organizacije države i uvod u pravo, FDES, Podgorica, 2006, p. 216.

53 Živković, Miroslav A., Uvod u teoriju države i prava, School of Internal Affairs, Zemun, Belgade, 2002, p. 353.

54 Through location, legal entities acquire and realize their rights. A seat represents the place of residence (as place of linkage between life and other interests), by which is determined a

6. CONCLUSION

Unlike the Romans, where adult male citizens had a “*persona*” status and “high property values”, nowadays, in comparison to contemporary achievement of human rights and gender equality, women can be state persons, that is, presidents, prime ministers, judges, prosecutors...

State as an artificial entity is represented by natural personalities (personalities of people of physical entities) which give words and actions to state. State person (*persona civitatis*) is represented in one, within which there are numerous state persons, that is, natural personae which were given the right and privilege by the state to represent it in different individual fields, united in the state person. Apart from this term, the state is also a legal entity which is represented by physical entities, who also respond to the legal entity for their words and actions. Therefore, numerous state persons performing different functions respond to one unique state person. Thus, this phrase is narrower in comparison to the ‘protected person’ phrase, since the former refers only to such persons that are high officials of the state, and are thus protected by the state.

Having in mind that positive regulations in the EU and countries of our surrounding that are of the same or similar language area, regulate the protection of persons but have different names for it, phrase ‘state person’ determines theoretically more precisely the terms which refer to persons protected by the state, and thus represents a contribution to further research.

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OBEZBEĐIVANJE DRŽAVNIH LIČNOSTI**Apstrakt**

U radu se obrađuju pojmovi države i ličnosti. Cilj ovog rada je pokušaj da se da doprinos teorijskog razumijevanja i definisanja ličnosti koje vrše najznačajnije funkcije u državi i koje država štiti svojim propisima. Analitički se, kroz istoriju od najranijih evropskih civilizacija, preko pojedinačnih autoriteta nekad i danas, do pozitivnih pravnih akata, usmjerava na sintagmu državna ličnost. Ukazuje se na opravdanost razmatranja naziva za ličnosti koje se štite propisima a koje je uredila država i koje se štite u ime države. Daju se osnovne napomene o raznim nazivima za te ličnosti obrazloženje nastanka ranijeg i sada većukorijenjenog naziva. Dakle, autor u ovom radu nastoji da pruži pored teorijskog, istorijskog, pravnog ali i filozofskog okvir za razmatranje nastojanja upotrebe sintagme državna ličnost.

Ključne reči: država, ličnost, državna ličnost, sigurnost, bezbednost, veoma važna ličnost.