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Phenomenology of Paramilitarism – Contribution to Overcoming the Terminological Dilemmas of the Language of Security Sciences¹

Abstract: In addition to national and international armies armed forces of states and alliances, paramilitary armed formations (the so-called paramilitary) play aprominent role in contemporary international and non-international armed conflicts. They are made up of so-called voluntary fighters (patriots, contracts), i.e. mercenaries or "looters" (so-called war dogs) within armed formations that are not officially part of, and most often not under the command, of regular armed forces. As a rule, they are formed, armed, equipped, trained, paid and controlled by certain political centers of power - foreign governments and intelligence, hostile political emigration, political parties, criminal and other extremist (pseudo-patriotic, nationalist and para-religious) organizations (the so-called warlords) for whose account the paramilitary formations occupied part of the territory of the sovereign state in which the armed conflict took place and established power on it. They are often associated with numerous war crimes, terrorist attacks and robberies. Since the terms 'warlords',

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'paramilitary', 'mercenaries', and 'war dog' are oftenincorrectly usedin everyday communication of media, public and even scholars, this paper attempts to conceptualize and make a clear distinction between these phenomena.

Keywords: armedconflict, 'warlords', paramilitary formations, mercenaries, 'war dogs' Language of the Security Sciences.

Introduction

Human history is actually a history of bloodshed: conflicts and wars. Certainly, the most destructive form of social conflict is war.In armed conflicts, human life is, unfortunately, worth a little. It is assumed that, globally, for the past 3300 years, only 200 years were spent in peace.During 5500 years of history, more than 14,500 wars have been fought, killing about 4 billion people. In World War I, about 10 million people were killed and about 20 million were injured or maimed. More than 55 million people were killed in World War II, including 25 million civilians, and 35 million were wounded (Miletić, 1993: 953-955; Tadić, 1996: 182). The armed conflicts that took place between the end of the Cold War and the beginning of the third millennium killed at least 5 million people. The victims were mostly civilians: in the World War I, 92% of the victims were soldiers, and today they are civilians to the same extent (Dulić, 2008: 39). The number of deaths, injuries and mutilations in armed conflicts from the beginning of the new millennium to this day can only be speculated.

War is the sharpest form of social conflict in whichstates, their alliances or organizations, through direct use of armed force,try to achieve certain political goals by defeating opponents and forcing them to accept the terms of the victor.Thus, war is exclusively an armed conflict between states, that is, an interstate armed conflict. Such conflicts can occur between states, between states and alliances and between multiple alliances. Intrastate, i.e. non-international armed conflicts, although referred to as civil wars, are not considered as wars under international law (Tadić, 1996: 182).

Given this definition of war, it is clear that the active actors of contemporary armed conflicts should be the armies of the conflicting states. However, conflicts also involve the participation of formations, groups and individuals who are not part of the regular armed

formations of states and alliances. They are commonly referred to as *warlords*, *paramilitaries*, *mercenaries*, *war dogs*, etc. As these terms are often incorrectly used in everyday communication by the media, general public, and even scholars, this paper attempts to conceptualize and make a clear distinction between these phenomena.²

The term "paramilitary formations"

In addition to national armies and alliances, more and more frequent actors of contemporary armed conflicts, both interstate and internal ones, are *paramilitary armed formations* (the so-called *paramilitary*).

The *military* is a state administration body in charge of defending vital national values and interests from armed attacks (from the outside and from the inside). Thus, the primary task of the military is to defend the state with armed means against armed attacks by other states and alliances.³

The totality of the armed forces of a state is called the *army*. It can be professional, recruited on the military duty of citizens, hired or combined, conventional or nuclear. In principle, armies serve nations, and are called *nationalarmies*. By forming military alliances (such as NATO), *international military forces* are formed and they are

² The issues of (potential) criminal liability of persons involved in armed conflicts taking place within or between third countries, as well as the issues of more detailed distancing of engagement in armed conflicts in foreign countries from international terrorism, are the subject of other research studies. More in: Mijalković, Djordjevic, 2019.

³ In addition to defending the country, the military also participate in the protection and rescue of the population in the face of natural and technical-technological disasters, and participate in international peacekeeping missions. Thus, the *Serbian Armed Forces* (SAF) is an organized armed force that defends the country against external armed threats and performs other missions and tasks in accordance with the Constitution, laws and principles of international law governing the use of force. See Art. 1-7 of Law on the Serbian Armed Forces, *Official Gazette of the RS*, No. 116/2007, 88/2009, 101/2010 - other law, 10/2015, 88/2015 and 36/2018. Unlike the military, police protect the state and citizens against unwarranted security threats by unarmed means, and, if necessary, may participate in the defense of the RS Law on Defense. *Official Gazette of the RS*, No. 116/2007, 88/2009, 88/2009 - other law, 104/2009 - other law, 10/2015 and 36/2018 and Article 13 of the Law on Police, *Official Gazette of the RS*, no. 6/2016, 24/2018 and 87/2018).

supposed to protect the interests and values of the military alliance and individual member states (Waitr, 1993: 59, 62; Mijalković, 2018: 386).

More specifically, under the *Protocol Additional to the Geneva Conventions of 12 August 1949relating to the protection of victims of international conflicts* (Protocol I, Article 43)⁴, *the armed forces of a Party to a conflict* consist of all organized armed forces, groups and units which are under a command responsible to that Party for the conduct of its subordinates, even if that Party is represented by a government or an authority not recognized by an adverse Party. Such armed forces shall be subject to an internal disciplinary system which, inter alia, shall enforce compliance with the rules of international law applicable in armed conflicts. Members of the armed forces of a Party to a conflict (other than medical personnel and chaplains) are combatants, that is to say, they have the right to participate directly in hostilities.Whenever a Party to a conflict incorporates a paramilitary or armed law enforcement agency into its armed forces it shall so notify the other Parties to the conflict.

Therefore, it is clear why the term *paramilitary formation* in the first place refers to an armed group or organization participating in armed conflicts that cannot be considered an army.

Namely, the term *paramilitary formation* (*paramilitary*) may be used in a broader, narrower and pejorative sense:

- 1. In the broader sense of the word, it is any group, organization or movement whose members are organized, trained, armed and equipped to perform armed combat operations and / or military tasks, but for various reasons are not considered an army;
- 2. In the narrower sense of the word, there are two categories of paramilitary formations:
 - 2.1. armed formations of a state that are not organizationally part of its standing or regular army, such as:

- auxiliary services of the regular armed forces, most often performing non-combat tasks (e.g.:*Women Airforce Service Pilots*

⁴Protocol Additional to the Geneva Conventions of 12 August 1949 relating to the protection of victims of international conflicts (Protocol I, Article 43), Official Gazette of the SFRY - International Treaties, No. 16/1978.

(WASP) made of U.S. Air Force civilian women-pilots;

- armed formations intended for combat missions but whose main purpose is not to fight an external enemy and/or conventional warfare, but to protect the state's internal security (e.g.: US Coast Guard, Gendarmerie in Serbia, SFRY Territorial Defense);

- private military companies providing military and war management services, renting soldiers and war equipment, performing combat operations and other security tasks in wartime; and

- regular police formations, which is rarely the case, and, as a rule, only in emergencies such as war and natural disasters (e.g.: Los Angeles police);

2.2.armed formations organized or engaged in activities equivalent to a regular army, but not explicitly sanctioned by a state (e.g.: uprising groups and movements such as the FARC in Colombia, the Tamil Tigers in Sri Lanka, or the armed wings of particular political parties such as the People's Liberation Partisan Detachment, of the Communist Party of Yugoslavia at the beginning of World War II); and

3.pejorative meaning refers to numerous examples of paramilitary formations engaged in terrorist activities, war crimes and looting, whereby states and political movements associated with them have endeavored, on the basis of their "paramilitary" nature - that is, formal non-attachment to martial law or for their own legal order -to diminish their own responsibility (Mijalković, 2018: 144).⁵

Therefore, the subject of this paper are activities of *the* paramilitaryasrepresented in the last mentioned meaning of this

⁵"Paramilitary Formation", https://en.wikipedia.org/wiki/Paramilitary Formation, available 10 July 2018.

term.However, it should also be borne in mind that military *PMSC(Private Military Security Companies)* also often play a role in paramilitary formations.These are commercial private entities licensed to provide, on a contractual basis, services such as: training for performing combat operations and securing persons, property and business in emergency situations (*training services*), production and distribution of weapons and military equipment (*manufacturing activity*), and supply of devices for protection of persons, property and objects in war conditions (*trade services*), securing of persons and property in emergency situations (*security services*), conducting combat operations within the official armed forces, paramilitary formations, conducting special combat operations (*mercenary army*) and strategic consulting, designing and managing combat operations, social crises, conflicts and violent upheavals (*military management, mercenary military and crisis headquarters*) (Mijalković, 2018: 55).

The most famous private military companies come from themilitary most powerful countries, which are not a particular example of exemplary respect for international law, especially nonhumanitarian and war law - from the United States and the United Kingdom come: *Blackwater* (USA), *DynCorp InternationalLLC* (USA), *Military Professional Resources Inc.* (USA), *Vinnell Corporation* (USA), L - 3 Services (USA), Armor Group (United Kingdom), Control Risks Group (United Kingdom), Erinys International Ltd. (UK, Republic of South Africa) (Milošević, Jukić, 2017: 164–166).

The term "warlord"

Paramilitary formations, and sometimes even private military companies, are not officially part of, and most often not even under the command of, regular armed forces. As a rule, they are formed, armed, equipped, trained, paid and controlled, or engaged by certain political centers of power: unrecognized governments, foreign governments and intelligence, hostile political emigration, political parties, criminal and other extremist (pseudopatriotic, nationalist and paraver) organizations (the so-called *warlords*) for whose account the paramilitary formations occupy a part of the territory of the sovereign state in which the armed conflict takes place and establish power on it (Mijalković, 2018: 144). More specifically, the term "*warlord*" also has more meanings and is used to refer to:

- a person or group that has conquered or holds power over a particular territory, usually a subnational unit (province, region, etc.) of a state, exclusively through armed forces in the form of military or paramilitary formations, and over which there are no central control authorities.Namely, in the conditions of weakening or total loss of the central government due to extremely difficult exceptional circumstances (e.g.: foreign invasions, natural disasters, civil war, dynastic conflicts, etc.), local and regional military commanders assume military and civilian authority under the slogans of "introduction of law and order" and "protection of the people", that is, to pursue their own political ambitions that were out of their reach in normal circumstances;
- the so-called "*failed states*" where the only effective power is held by various paramilitary formations led by charismatic individuals (e.g. Somalia), or whose large parts of the territory are governed by local military commanders and politicians whose utter allegiance to central authority is questionable (e.g. Afghanistan); and⁶
- 3. informal centers of political and financial power of national ("deep state", tycoons) or international importance (international para-Masonic associations, holders of multinational capital) that, in order to increase their wealth and power, provoke and manage social crises, encourage and exploit the armed conflicts.

Thus, the "warlords" manage developments in the conflict area, seeking to direct the flow of armed conflict and to control life in the territories they occupy and in which they carry out armed actions. Andin doing so, they actually exercise (para)authority.

⁶"Gospodari rata", https://hr.wikipedia.org/wiki/Gospodari_rata, available June 27, 2018.

The term 'paramilitaries'

Paramilitaries consist of fighters of different profiles and motives. Generally, all motives, and thereby members of paramilitary formations, can be classified into three groups:

- 1. *ideological*, where individuals are engaged on the basis of a sincere ideological conviction in the correctness of the goals they will fight for, that is, on the basis of a sincere commitment to the proclaimed ideals of the party to the conflict they support. This category of fighters is also called the "*righteous*" because they come from the positions of *patriots* and/or "*fighters for justice*". Ideological followers can be conditionally divided into two subgroups:
 - 1.1 *political followers* who, through their personal involvement in paramilitary formations wish to contribute to solving a particular political problem (change of power, secession of the territory from the home country, change of constitutional arrangements, change of the foreign policy of the state, etc.) existing between different ethnic groups or between different political options and stream. These are extreme nationalists, that is, national chauvinists, and
 - 1.2 *religious followers*, who engage in paramilitary formation to pursue goals proclaimed by a particular religious body or religious authority, which fosters conflict with members of other religions. After all, these motives are also political, because they have certain political consequences (change of power, change of state and/or constitutional arrangements, secessionism, unitarism, etc.). These are religious fundamentalists;
- 2. *lucrative*, when persons join one of the parties to the conflict in order to obtain some material gain from their engagement. These persons are most often sympathizers or ideological followers of the party to the conflict to which they have joined, although this may not be the rule. They commercialize their knowledge and skills in the field of warfare, and can be conditionally divided into two subgroups:

2.1 "*contracts*" ("*merchants*", "*mercenaries*"), who receive a pre-agreed (daily, weekly, monthly or annual) fee ("salary") for services from the party to the conflict and 2.2 "vultures" ("looters") who do not have to strictly charge for

2.2 "*vultures*" ("*looters*") who do not have to strictly charge for their services but abuse their involvement in armed conflicts for the sake of personal enrichment by unlawfully seizing property (money, valuables and other things) they find in the field while performing combat and other activities (reconnaissance, search and reconnaissance, intelligence, negotiation, etc.);

3. *pathological*, when persons are engaged due to fanaticism that is so extreme that it islike mental illness, or is the fruit of mental illness. These are persons who are most often not mentally healthy, which is why they are especially dangerous and ready to commit the most serious crimes. Their fanaticism may have political (political fanatics) or religious (religious fanatics)implications, or political-religious blindness and ideologinization.

According to the criterion of voluntariness, all members of paramilitary formations can be classified as:

1. "*volunteers*" who have volunteered, as a rule, for ideological, and more often for lucrative reasons. All "fanatics" are, as a rule, volunteers. This category of paramilitaries can be divided into several groups:

1.1 "solers" ("solo warriors", "freelancers", "solo mercenaries") who engage independently, not belonging to any radicalized or patriotic groups and movements, on their own initiative;

1.2 "mercenaries", members of various forms of private military companies and security agencies; and2. "forced fighters" who participate in armed conflicts without

2. "*forced fighters*" who participate in armed conflicts without their own will, that is, under a certain form and dose of coercion. They are:

2.1 "*blackmailed fighters*" who are forced to participate in a war, most often paying off loans and debts they cannot settle;

2.2 *"slave-fighters"* who are victims of trafficking (Mijalković, Žarković, 2019: 151–152), as well as

2.3 "*captives*" captured by enemy fighters.

Finally, according to the criterion of citizenship, all members of paramilitary formations can be classified as:

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- 1. "*domestic fighters*", being nationals of the country where the armed conflict takes place;
- 2. *"foreign fighters"*, nationals of other countries, engaged in paramilitary formations operating outside the territories of their home countries; and
- 3. "*phantom fighters*", stateless persons, as well as persons who (allegedly) have multiple nationalities, have forged personal and travel documents, do not have any personal and travel documents and their nationality or identity cannot be established, persons with documentation proving affiliation with certain religious movements and organizations instead of citizenship, etc.

The classifications shown are of a general nature, and at the base of each particular mercenary case there are actually more classification criteria.

The term 'mercenary'

Mercenaries ("*contractors*", "*commercials*") are members of paramilitary formations that charge their part in the armed conflict to the parties to the conflict that engage them.

The mercenary is not a member of the regular armies and has no right to be a fighter. According to the Protocol Additional to the Geneva Conventions of 12 August relating to the protection of victims of international conflicts (Article 47), a mercenary is any person who: is specially recruited locally or abroad in order to fight in an armed conflict; does, in fact, take a direct part in the hostilities; is motivated to take part in the hostilities essentially by the desire for private gain and, in fact, is promised, by or on behalf of a Party to the conflict, material compensation substantially in excess of that promised or paid to combatants of similar ranks and functions in the armed forces of that Party; is neither a national of a Party to the conflict nor a resident of territory controlled by a Party to the conflict; and has not been sent by a State which is not a Party to the conflict; and has not been sent by a State which is not a Party to the conflict on official duty as a member of its armed forces.

Similarly, under the United Nations Conventionagainst the Recruitment, Use, Financing and Training of Mercenaries,⁷a mercenary is any person who: is specially recruited locally or abroad in order to fight in an armed conflict; is motivated to take part in the hostilities essentially by the desire for private gain and, in fact, is promised, by or on behalf of a party to the conflict, material compensation substantially in excess of that promised or paid to combatants of similar rank and functions in the armed forces of that party; is neither a national of a party to the conflict nor a resident of territory controlled by a party to the conflict; is not a member of the armed forces of a party to the conflict; and has not been sent by a State which is not a party to the conflict on official duty as a member of its armed forces. In addition, mercenary is also any person who, in any other situation: is specially recruited locally or abroad for the purpose of participating in a concerted act of violence aimed at: overthrowing a Government or otherwise undermining the constitutional order of a State; is motivated to take part therein essentially by the desire for significant private gain and is prompted by the promise or payment of material compensation; is neither a national nor a resident of the State against which such an act is directed; has not been sent by a State on official duty; and is not a member of the armed forces of the State on whose territory the act is undertaken (Article 1 of the Convention).

Any person who recruits, uses, finances or trains mercenaries commits an offense (Article 2 of the Convention). A mercenary who participates directly in hostilities or in a concerted act of violence, as the case may be, commits an offence (Article 3 of the Convention).

Although generally prohibited, engagement of mercenaries in conflicts across the globe is evident. The predominant motive of mercenaries is money, and the same goes for the states, which make significant savings by such engagements (Amza, 2018).⁸However, while hiding behind economic and humanitarian arguments, the overriding motives of their employers are multiple:reducing the possibility of international condemnation of States that actively

⁷International Convention against the Recruitment, Use, Financing and Training of Mercenaries. United Nations – General Assembly, A/RES/44/34, 4 December 1989, https://www.un.org/documents/ga/res/44/a44r034.htm, available 11. July 2019.

⁸ Blackwater Academy founder Eric Prince said in a statement to the New York Times that during the war in Afghanistan, the company had saved \$ 40 billion in debt to payers and reduced overall losses by 20 percent (Amza, 2018).

participate in armed conflicts in the territories of third countries, thereby reducing the possibility of accusing States of aggression; reducing the risks and reducing the human and material losses that national armies would experience in armed conflict; reducing the possibility of weakening the internal political ratings of governments and ruling parties due to the open participation of the state in armed conflict and the death of soldiers; eliminating the possibility of accusing States of war crimes and violating rules of war that could be committed by regular armed forces, etc. (Mijalković, Popović Mančević, 2018: 193–194).

The jobs and tasks that mercenaries are hired for depend on their war experience, that is, their skills, training, profession, etc. More specifically, members of the so-called private military companies and mercenary units engage in more complex and extensive combat operations. Most often, they are former members of regular, specialized or special police and military forces, that is, intelligence and security services. They operate predominantly within the units to which they belong, at the command of the employer. In combat zones, they most often perform combat tasks, i.e. the tasks of armed attack and neutralization of the enemy and combat assets (armed combat, diversions, ambushes, etc.), and occupation of certain territory or infrastructure. In addition, in and outside combat zones, they carry out the provision of personnel or facilities, especially of senior officials and critical infrastructure; transportation of human and material and technical means; equipping and training rebel troops, that is, national armies; consulting and management in the planning and execution of complex combat operations; logistics in establishing power in the conquered territories, etc.

Unlike members of private military companies, "solo mercenaries" are first subject to health and psychophysical ability checks;their combat tactics is also checked as well as their ability to useweapons and military equipment.Then the biography and past of the "solo mercenary"is checked, especially his "war rating" (experience, success and reputation, and especially the military or police rank gained on the battlefield), if he claims to have one.Upon completion of all checks and training, individuals are assigned to units of certain specialties (infantry, armored-mechanized, reconnaissance, sabotage, sniper, etc.).

In the last two decades, the role of private military companies in contemporary armed conflicts has increased.Specifically, according to information from the *British American Security Council* (BASIC), during the Gulf War in 1991, the ratio of contractors and soldiers was 1:50, while in the last war in Iraq it has increased five times, amounting to 1:10 (Savić, 2019). Private military companies are contracted and the best recommendation is a rating they have gained in conflicts around the world.

"Solo mercenaries" are informed about current conflicts in the media. On the Internet, more detailed information on conflicts and on the involvement of private military companies can be found on specialized sites, one of the most famous being "Soldiers of Fortune - Mercenary Wars".⁹These sites literally have the importance of "job ads".

The term of 'war dogs'

War dogs'is a pejorative name for all types of paramilitaries who, in addition to their irregular involvement in armed conflict, also commit war crimes and numerous other offences.

Specifically, the operation of paramilitary armed formations in conflict areas is fraught with numerous environmental risks. Thus, mercenaries usually act as autonomous units, often with minimal control of front-line command headquarters, both regular armies and rebel and insurgent headquarters. This opens the door to various violations of the rules and customs of war prescribed by international conventions, such as the unnecessary or excessive use of force, the killing and rape of civilians, the abuse of prisoners, religious, medical staff and civilians. For example, members of the Blackwater Company have been charged with causing over 200 incidents with different consequences during Middle Eastern campaigns run since 2005. Members of L-3 Services have been accused of torturing inmates, for which the company paid \$ 5.8 million in damages (Amza, 2018).

⁹ In addition to information about current conflicts in the world and the engagement of mercenaries, the site also provides information on mercenary history, their involvement in post-World War II conflicts, etc. *Soldiers of Fortune – Mercenary Wars*, https://www.mercenary-wars.net/, available 10 July 2019

Furthermore, there is a danger that mercenary formations and private military companies may deny obedience to commands and employers (renegade and independent operation), or, for larger sums, change sides in the conflict (new employer and more profitable business engagement). In such situations, only strong national armies or coalitions of national armies could protect the state and citizens.Finally, mercenary armies are able to severely destabilize the state and threaten its order through criminal activity. The activities of mercenaries can be exemplified in conflicts in Africa (Sierra Leone, Liberia and Ivory Coast) at the beginning of the third millennium. Their engagement was accompanied by multiple violations of human rights and international humanitarian law, through sexual slavery, illegal arms trafficking, trade in natural resources, and forced displacement of the population. One of their most terrible crimesis certainly the recruitment of children to participate in conflicts (Delattre, 2019).¹⁰

The Serbian people also had bad experiences with private military companies operating in the Balkans. During the Civil War in the Socialist Federal Republic of Yugoslavia, the newly formed state of the Republic of Croatia engaged the US military company Military Professional Resources Inc. (MPRI). The company hired its General Staff to prepare the genocidal operation of the Croatian Armed Forces, better known by its code-name "Storm", as well as its experts to monitor the course of the 1995 attack by the Croatian military and paramilitary forces on Republika Srpska Krajina (RSK). The consequence of the "Storm" was ethnic cleansing, the mass killing and forcible displacement of the Serb population from their ancestral homes in Croatia. The same company has recently been hired to train terrorists of the so-called "Kosovo Liberation Army", which operated in the southern Serbian province. During and after the NATO

¹⁰ Any forced recruitment and coercion of children to participate directly in international and non-international armed conflicts, whether by national armies or paramilitary formations, is prohibited by international law and is considered a war crime. See Art. 1, 2 and 4 of the Optional Protocol on the Participation of Children in Armed Conflict, with the Convention on the Rights of the Child, *Official Gazette of the FRY - International Treaties*, No. 7/2002 and the Preamble of the Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography, with the Convention on Rights of the Child, *Official Gazette of the FRY - International Treaties*, No. 7/2002.

aggression against the Federal Republic of Yugoslavia in 1999, Albanian terrorists carried out ethnic cleansing of Kosovo and Metohija by killing and persecuting Serbs.

Conclusion

Contemporary wars point to the weaknesses of bulky and expensive armies that also use more complex and bulky military equipment. For this reason, the armies rely on outsourcing, which makes them dependent on private contractors, technicians and professionals who are hired together with soldiers. These are commonly, and often in theory, referred to as*warlords,paramilitaries, mercenaries*, and *war dogs*.Sincethese are jargon words, non-scientific terms that are not inherent to the language of the security sciences, it was necessary to explain the meaning of these terms and make distinction between them.

The terms *paramilitary formations* and *mercenaries*donot necessarily have a negative connotation, i.e. they do not have to be used to indicate phenomena that are contrary to the rules and customs of war. In these situations, the term *paramilitary formations* includes entities and forces of the state that have the capacity to perform military tasks but are not formally considered an army.

On the other hand, the terms *paramilitary formations*, *mercenaries* and *war dogs*are most often mentioned in negative context. In this case, these terms are of similar content but of different scope. A common denominator is a person who participates in armed conflicts but who is not a member of the regular armed formations of a state or an alliance of states, and his engagement is contingent on the monetary compensation he receives from the one who hired him. Such a definition is best suited to the scope and content of the term *mercenary*, even though a member of an irregular armed force may not have an economic motive (e.g.a volunteer, fanatic).

The term *paramilitary formations* is broader in scope and includes a (usually organized) group involved in an armed conflict, which is not part of the regular armed forces, nor is under their control and command. However, it should be borne in mind that paramilitary formations are usually made up of mercenaries, but can also be made

up of volunteers whose motive for participating in conflicts is not material.

The term *war dogs* of a narrower scope and includes any person who is not a member of the regular armed forces and who commits war and other crimes while participating in armed conflicts. He may or may not be a mercenary and may or may not be a member of a paramilitary formation.

Finally, the *warlords*do not participate directly in armed conflict, but exercise (para)authority. These are individuals or groups that have established authority over a part of the territory, as well as recognized and unrecognized governments, and informal centers of political and financial power of national or international importance that govern paramilitary formations and manage events in a conflict area, seeking to direct the flow of armed conflict and control lives in the territories they have occupied and where they perform armed actions.

Literature

- 1. Amza, A., (2018).*Six things you should know about modern mercenaries of war*, TRTWorld, https://www.trtworld.com/americas/six-things-you-should-know-about-modern-mercenaries-of-war-20831, dostupno 10. jula 2019.
- Delattre, F., (2019). The use of mercenaries constitutes a threat to peace and security in Africa, Permanent mission of France to the United Nations in New York, Security Council – 4 February 2019, https://onu.delegfrance.org/The-phenomenon-of-the-use-ofmercenaries-constitutes-a-threat-to-peace-and, dostupno 10. jula 2019.
- 1. Dulić, D., (2008). *Mirovne i humanitarne operacije*, Fakultet bezbednosti i Službeni glasnik, Beograd.
- 2. International Convention against the Recruitment, Use, Financing and Training of Mercenaries. United Nations – General Assembly, A/RES/44/34, 4 December 1989, https://www.un.org/documents/ga/res/44/a44r034.htm, available 11. July 2019.
- Law on Defense. Official Gazette of the RS, No. 116/2007, 88/2009, 88/2009 - other law, 104/2009 - other law, 10/2015 and 36/2018.

- 4. Law on Police, *Official Gazette of the RS*, no. 6/2016, 24/2018 and 87/2018.
- Law on the Serbian Armed Forces. Official Gazette of the RS, No. 116/2007, 88/2009, 101/2010 - other law, 10/2015, 88/2015 and 36/2018.
- 6. Mijalković, S., (2018). *Nacionalna bezbednost*, Kriminalističkopolicijski univerzitet, Beograd.
- 7. Mijalković, S., Đorđević, M. (2019). Legal Responsibility Of Mercenaries For Participation In Armed Conflicts Abroad, Kopaonik School of Natural Law (papper was presented at the scientific conference: *Kopaonik School of Natural Law – Law and the Power of Mind*, Kopaonik, 13-17 December 2019).
- 8. Mijalković, S.; Popović Mančević, M., (2018). Contemporary Security Studies: An Introduction to Methodological, Research and Theoretical Foundations of Security, Academy of Criminalistic and Police Studies, Belgrade.
- 9. Mijalković, S.; Žarković, M., (2019). *Îlegalne migracije i trgovina ljudima*, Kriminalističko-policijski univerzitet, Beograd.
- 10. Miletić, A., (1993). *Rat, Enciklopedija političke kulture*, Savremena administracija, Beograd.
- 11. Milošević, N.; Jukić, J., (2017). Privatne vojne i bezbednosne kompanije zakonske, moralne i
- 12. Optional Protocol on the Participation of Children in Armed Conflict, with the Convention on the Rights of the Child, *Official Gazette of the FRY - International Treaties*, No. 7/2002.
- 13. Preamble of the Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography, with the Convention on Rights of the Child, *Official Gazette of the FRY* -*International Treaties*, No. 7/2002.
- Protocol Additional to the Geneva Conventions of 12 August 1949 relating to the protection of victims of international conflicts (Protocol I), Official Gazette of the SFRY -International Treaties, No. 16/1978.
- 15. Savić, M., (2019). *Ekspanzija privatnih vojski*, Vreme, https://www.vreme.com/cms/view.php?id=516529, dostupno 9. jula 2019.
- 16. Tadić, Lj., (1996). *Politikološki leksikon*, Zavod za udžbenike i nastavna sredstva, Beograd.

- 17. Waitr, J., (1993). Armija, Enciklopedija političke kulture, Savremena administracija, Beograd.
- 18. Milošević, N., Jukić, J. (2017). Privatne vojne i bezbednosne kompanije zakonske, moralne i društvene implikacije, Vojno delo, broj 7, str. 161-173.
- 19. "Gospodari rata", https://hr.wikipedia.org/wiki/Gospodari_rata, available June 27, 2018.
- 20. "Paramilitary Formation", https://en.wikipedia.org/wiki/Paramilitary Formation, available 10 July 2018.
- 21. "Soldiers of Fortune Mercenary Wars", https://www.mercenary-wars.net/, available 10 July 2019

Феноменологија парамилитаризма – прилог превазилажењу терминолошких дилема језика безбедносних наука

Апстракт: Осим националних и међународних војски – оружаних снага држава и савеза држава, у савременим мећународним и немећународним оружаним сукобима све значајнију улогу узимају паравојне оружане формације (тзв. паравојске). Њих чине тзв. добровољни борци (патриоте, уговорци), односно плаћеници или "пљачкаши" (тзв. пси рата) који су део наоружаних формација које званично нису у саставу, а најчешће ни под командом регуларних оружаних снага. Паравојске по правилу формирају, наоружавају, опремају, обучавају, плаћају и контролишу извесни политички центри моћи – иностране владе и обавештајне службе, непријатељска политичка емиграција, политичке партије, криминалне и друге екстремистичке (псеудопатриотске, наиионалистичке u параверске) организације (тзв. господари рата) за чији рачун су паравојне формације и заузеле део територије суверене државе у којој се одвија оружани конфликт и на њој "успоставиле власт". За њих се неретко везују бројни ратни злочини, терористички напади и пљачке. Како се у животу, а неретко и у теорији безбедности не разликују и погрешно употребљавају термини "господари рата", "паравојске", плаћеници и "пси рата", у раду је учињен покушај појмовног одређења и дистанцирања ових појава.

Кључне речи: оружани сукоб, "господари рата", паравојне формације, плаћеници, "пси рата", језик безбедносних наука.