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KEY ETHICAL CHALLENGES OF THE TOTAL DEFENCE CONCEPT IMPLEMENTATION IN THE REPUBLIC OF SERBIA **

Abstract

The author analyses the key ethical challenges of implementing the concept of total defense in the Republic of Serbia, starting from the assumption that normatively unresolved dilemmas may undermine its functional and moral sustainability. After conceptually defining total defense as a model that entails the comprehensive participation of all societal actors in the defense of the state, the author examines three central ethical issues: the ethical nature and grounding of the duty to participate in defense, the implications of fulfilling this duty during armed conflict, and the question of responsibility for failing to fulfil it. The duty of defense is interpreted as an imperative arising from the very ontology of the state and collective freedom, rather than as a matter of voluntariness. At the same time, attention is drawn to the challenges

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of its internalization within the context of a contemporary “rights-based society.” Particular focus is given to the problem of crossing the threshold of “direct participation in hostilities,” which may result in the loss of civilian immunity and the blurring of the distinction between legitimate and illegitimate targets, especially under the conditions of modern warfare. Finally, the author analyses the issue of legal and moral responsibility for the failure to fulfil this duty, warning of the dangers of arbitrary and ideologically motivated post-war sanctions. The conclusion is that the optimal implementation of the concept of total defense requires precise normative regulation, clearly defined limits of duty, and proportionate sanctions, in order for the concept to be not only effective, but also morally legitimate and sustainable in the long term.

Keywords: total defence concept, duty, responsibility, moral, ethics, war, collaboration, legitimacy of targets

INTRODUCTION

Strategic thinking in any context is necessarily burdened with the attributes of long-term orientation, foresight, comprehensiveness, multilayeredness, complexity, and holism. When it comes to strategic thinking in the proverbially complex and all-encompassing domain of national defense, all of these attributes further increase in scope, intensity, and impact, thereby granting strategic thinking about national defense a dimension of ultimate and unparalleled complexity. It is therefore hardly surprising that the concept of total defense, as a product of profound and responsible strategic thinking on the national defense of the Republic of Serbia, has brought with it numerous significant dilemmas, challenges, and obstacles to its optimal implementation at the national level. The conceptualization of “totality” within the vital undertaking of national defense inevitably entails a pronounced need for more precise and higher-quality definitions of economic, legal, industrial, organizational, social, cultural, educational, and virtually all other mechanisms and instruments necessary for the optimal realization of total defense. One of the particularly important spheres in which the challenges of implementing the concept of total defense in the Republic of Serbia must be carefully analysed is the ethical domain.

By identifying and analysing the key ethical challenges of implementing the concept of total defense in Serbia, a crucial contribution is made to optimizing this process in the future, given that the normatively unresolved – or even suboptimally and arbitrarily defined – status of the phenomena addressed in this study poses a significant threat not only to implementation, but also to the very utilitarian essence of the concept of total defense. The fundamental ethical perspective is reflected in questioning the sources, nature, and limits of the imperative *duty* of all citizens and institutions in the Republic of Serbia to actively participate in defense. From this duty, a number of highly theoretically intriguing and practically vital *implications of acting out of duty* are derived, primarily manifesting in the domain of the legitimacy and illegitimacy of targets during the conduct of combat operations against the Republic of Serbia. Finally, but by no means less importantly, careful and detailed ethical considerations of *responsibility for failing to fulfil this duty*, as well as the definition of its limits, complete the coherence of the approach to this issue. Scholarly reflection on these three key ethical dilemmas in the context of implementing the concept of total defense provides a strong and necessary foundation for the normative and legislative regulation of the duties and obligations of citizens of the Republic of Serbia in potential future armed conflicts in which they may be involved. Therefore, the ethical analysis of these dilemmas naturally and logically precedes their optimal legal codification, aimed at the effective implementation of the concept of total defense in the Republic of Serbia – an objective that represents a vital interest of all citizens and institutions of our country.

CONCEPT OF TOTAL DEFENSE

Despite its multi-year presence in the political and security discourse of the Republic of Serbia, the concept of total defense still appears insufficiently clarified and delineated in relation to other similar notions. Given the complexity and high degree of integrative capacity of this concept, the existence of conceptual ambiguity is expected and not at all surprising. Nevertheless, it is necessary to at least minimally define its meaning in order to build a logically grounded argument regarding the ethical dilemmas that inevitably arise from its implementation in practice. The essence of the concept of total defense stems from the

clear conviction that the defense of the Republic of Serbia, as well as of other countries that have adopted some form of total or comprehensive defense, is possible only through the engagement of the entire society and all of its segments. Specifically, in the case of the Republic of Serbia, “the commitment to the implementation of the concept of total defense derives from the international position of the Republic of Serbia, security challenges and threats relevant to defense, human and material potential, defense capabilities and capacities, historical legacy, experiences from liberation and defensive wars, and the decision on military neutrality” (Stojković and Radović 2024, 3).

The Defence Strategy of the Republic of Serbia (Ministarstvo odbrane Republike Srbije [MORS] 2020, 41) stipulates that the strategic concept of defense “is based on the model of total defense, as a comprehensive response of the defense system to challenges, risks, and threats to security relevant for the defense of the Republic of Serbia,” which is planned, organized, and implemented in peacetime, states of emergency, and war, relying on its own forces and resources. According to the official Summary of the Total Defense Concept (Stojković and Radović 2024), publicly available on the website of the Ministry of Defence of the Republic of Serbia, total defense consists of two components – military and civil defense – and is based on fourteen principles: comprehensiveness, unity, prevention, timeliness, sustainability, continuity, entirety, multidimensionality, dynamism, resilience, adaptability, mass participation, cooperation, and the determination of main effort. With regard to the actors of defense, the military dimension is implemented through the engagement of the Serbian Armed Forces and other armed forces necessarily placed under its command, while the civilian dimension is carried out by other, non-military entities, i.e., civilian defense forces. In its essence, therefore, the concept of total defense is grounded in the premise of comprehensive participation of all citizens and institutions of the Republic of Serbia in the defense of the country, thereby creating a highly specific situation in which the objects of defense simultaneously become its subjects.

Although the concept of total defense, as a “system” or “model,” has appeared in strategic discourse since 2009 and the first Defence Strategy of the Republic of Serbia (Milkovski i Božić 2023, 14), its underlying essence is neither new in the states where Serbs have lived, nor is it endemic to this region. On the contrary, the well-known concept of “general people’s defense and social self-protection” (*ONO* and *DSZ*)

represents nothing other than the “operationalization of the idea of total defense” (Milkovski i Božić 2023, 10) in the Socialist Federal Republic of Yugoslavia in the period following the Second World War. Moreover, several authors identify the realities and experiences of the Second World War precisely as the point of departure for the conceptualization of total defense in a number of European countries – Switzerland, Finland, Sweden, Austria, Yugoslavia, etc. (Đukić i Vuletić 2023, 624; Milkovski i Božić 2023, 9; Berzina 2020, 1; Salminen 2011, 1; Bohlin 2025, 2; Ljungkvist 2024, 542). Likewise, the idea of total defense continues to be operationalized today through various conceptualizations in several European countries, such as Finland, Sweden, and Switzerland, as well as in non-European countries such as Singapore and Israel. However, taking into account the specificities of each of these countries, as well as of each historical era in which total defense is planned and implemented, this research will focus exclusively on the particular context in which this concept is being optimized in the Republic of Serbia from 2026 onward – more precisely, on the ethical challenges of its optimal implementation.

ETHICAL CHALLENGES OF IMPLEMENTATION OF THE CONCEPT OF TOTAL DEFENCE

The implementation of the described concept, which entails the mobilization of all social forces and actors for the purposes of deterrence and defense in the event of aggression, necessarily brings with it certain challenges that lie within the realm of ethical reflection. Serious consideration and thorough analysis of these challenges, as well as the formulation of precise normative-ethical conclusions derived from such analysis, are necessary for several reasons. Primarily, this is required in order to regulate the field of defense within a legal-normative framework, ensuring a clear and accurate definition of obligations, as well as equally precise and non-arbitrary sanctions for violations of norms that mandate the participation of all citizens and institutions in the defense of the country. Secondly, though no less importantly, it is necessary to anticipate and adequately assess the serious implications of universal civic participation in national defense. Finally, it is essential to draw as clearly as possible the lines of distinction between what constitutes the expected minimum level of participation in defense and what represents an unreasonable normative expectation. In order to fulfil this task, it is

necessary to briefly analyse three fundamental ethical challenges related to the implementation of the concept of total defense in the Republic of Serbia: the nature and grounding of the duty of all citizens to participate in defense; the concrete normative implications of fulfilling this duty during armed conflict; and the question of responsibility for failing to fulfil this duty.

NATURE AND FOUNDATION OF THE DUTY TO DEFEND ONE'S COUNTRY

The concept of total defense rests on the premise of the participation of all aforementioned actors in deterrence and the defense of the country. When considering this premise, the problem may be formulated in two seemingly similar, yet ethically fundamentally distinct ways: the problem of the will to participate in defense, and the problem of the duty to participate in defense. Without in any way diminishing the cardinal importance of citizens' willingness to contribute to defense, the notion of duty is nevertheless incomparably more appropriate in the context of examining the moral dimension of national defense. Put simply, the defense of the country cannot and must not be viewed through the prism of mere willingness on the part of citizens – although this dimension should certainly be systematically and thoroughly cultivated – but rather exclusively through the postulation and proper justification of their duty to defend what is theirs. What, then, is the nature of such a duty, and where is its foundation to be found?

It seems that the timeless insight of one of the greatest minds of the twentieth century, Antonio Gramsci, provides an ideal starting point for considering the duty of national defense in our own century: “one of the most widespread prejudices consists in the belief that everything that exists is ‘natural’ in its existence.”¹ As this great Italian Marxist philosopher observed more than a century ago, the idea that everything in existence is simply a given – something “natural” – has been embedded in our civilization for generations. Unfortunately, this understanding extends as well to everything that exists owing to the freedom and

¹ This, today still highly relevant, idea appears in Gramsci “Prison Notebooks” written at the beginning of the previous century. It is cited by Diego Fusaro in his critique of one-mindedness (Fuzaro 2020, 115).

independence of a state and its people – that is, to the sustainable and acceptable peace within which everyday life unfolds. Such a perception of these conditions as merely “natural” implies that there is no duty to build, defend, maintain, or continuously sustain that peace. However, as scholars who reflect on the ontology of war and peace have thoroughly elaborated (Stanar 2021), the existence of a people’s freedom, as well as the peace within which that freedom is stably and predictably articulated through the organization of collective life under its own laws, is by no means a “natural” given, nor a fact that exists independently of the active participation of certain segments of society in its continual constitution.

Everything that makes life free and dignified for a people depends on the existence of a peace within which such a life can be articulated; such peace must be continuously built and “produced” on a daily basis, relying on means of deterrence, and ultimately on war when peace is practically disrupted. From this it follows that every member of society who benefits daily from the existence of conditions that enable a “normal” life – and all the advantages that come with living in a state governed by freely adopted laws, allowing life in accordance with collective identity, collective freedom, and the ability to plan for the future grounded in such freedom, predictability, and stability – also has a duty to defend such a state of affairs. For this reason, the military, as the bearer of defense, represents “the locus in which collective freedom is concentrated, that freedom from which the state emerges as a lasting and ordered expression of collective life,” and defense is essentially the concern and duty of all those who are “interested in the continuation of a life defined by valid law” (Babić 2021, 6), since such a life is not a “natural” given but a constructed (and defended) system of freedom and sovereignty in self-determination. This is, in fact, as Babić further observes, also the very foundation for the application and enforcement of law, because a state “that is not prepared to defend itself and its laws has no right to apply and enforce those laws” (Babić 2021, 7), that is, to regulate collective life in accordance with the will of those who constitute the collective. Moreover, as Spencer Terry rightly concludes, “the refusal of citizens to defend their state may potentially culminate in the disappearance of the state” (Spencer Terry 2024, 31); to this, it should be added, not only in the disappearance of the state, but also in the loss of the very right to its existence. From this, it clearly follows that the defense of collective life, which is, in essence, the defense of collective

identity,² is not and must not be a matter of will or voluntariness, but exclusively a matter of general duty, a notion that is strongly reflected in the very essence of the concept of total defense.

Nevertheless, it should be noted that it would be naïve to ignore the context of the contemporary postmodern moment of our civilization, which renders the understanding and internalization of this, as well as all other duties, highly challenging and complex within the general population. The spirit of the mature postmodern age, in which our generation resides, is burdened with those inherent characteristics of this articulation of social reality that complicate and directly hinder a proper understanding of duty. It is entirely expected that any form of individual duty toward the state, the nation, a group, or any collective entity that transcends the quasi-divinized status of the individual in postmodernity will be called into question in an era where the values of individualism, hedonism, egoism, epistemological pluralism, axiological relativism, and the unrestrained denial of even the possibility that anything could be more important than the individual – or more enduring than the span of one’s life – constitute the dominant social values shaping individual consciousness. As Starčević and Stanar explain in their work on the challenges faced by the military in the era of “rights-claimers,” the very understanding of duty has undergone a radical transformation (Starčević i Stanar 2022). The formation of civil society and the departure from the legacies of feudalism were, to a certain extent, grounded in a reconceptualization of the relationship between the individual and society, structured in civil societies through a balance of duties and rights. This represented “a kind of political transformation, a transition from subjecthood to a new, active concept of political consciousness and social action” (Starčević i Stanar 2022, 156), in which citizens fulfill their duties while the state guarantees their rights. The Italian sociologist

² The general function of collective defense, in its essence, is as a rule always the defense of collective identity rather than territory or even “bare” life itself. Drawing on Agamben’s idea of the categorical differentiation of the meaning of life as *bios* and as *zoē* (Agamben 2018), Stanar identifies the superiority of “participation in the life of the identity-based collective,” through which what is understood as a “good life and a life worth living” is realized – and which constitutes the *differentia specifica* that distinguishes humans from animals – over mere biological functioning, that is, “bare” life (Stanar 2023, 131–133). It is therefore not surprising that the duty to defend collective identity emerges as a duty that entails the necessity of defense even at the cost of risking “bare” life.

Giovanni Sartori identifies this rights–duties formula – namely, the logic whereby rights inherently entail obligations – as the logical foundation of the relationship between citizens and the state, that is, between the individual and society (Sartori 2001, 311–312). Over time, this logic evolved into a balance between rights and duties, only to be ultimately dismantled in the postmodern era through the transformation of society into a profoundly unbalanced and unsustainable “rights-claiming society,” in which every duty and obligation is neglected, while all rights are vigorously asserted as an a priori given (Sartori 2001, 311–312).

The unsustainability and imbalance of this model of neglecting duty are “most evident when it comes to the defense of freedom,” since a “rights-claiming society undermines the capacity for defense” (Starčević i Stanar 2022, 160). For this reason, the question of the duty to defend the country, within the context of the concept of total defense, must be viewed through the prism of the current postmodern social moment of our civilization. Accordingly, it is necessary to reflect on potential measures and approaches for overcoming the problem of achieving an optimal understanding and internalization of the nature and grounding of this *duty* within the broader population. If one seeks to remain in touch with reality, it must not be overlooked that the element of the duty of defense stands in “stark contrast to the inherent voluntariness commonly associated with the logic of responsibility in neoliberal governance” (Spencer Terry 2024, 32). For the purpose of optimal implementation of this concept, it appears inevitable to think and act toward strengthening awareness of this duty and fostering its internalization, which would lead to a form of internal discipline and a certain degree of voluntariness in fulfilling it, through channels such as mass communication, education, and similar means.

IMPLICATION OF DUTY TO DEFEND ONE’S COUNTRY IN ARMED CONFLICT

The fact that the duty to participate in the defense of the country is grounded in the very nature of the state as an articulation of collective life does not, unfortunately, mean that fulfilling this duty within the framework of the concept of total defense does not entail certain problematic and highly challenging implications, particularly in the context of the conduct of armed operations. From a specific ethical perspective, more precisely, from the perspective of the ethics of war

as a field of applied ethics and a central component of military ethics – the key implication that must be thoroughly examined and practically addressed is the one that allows for the possibility that civilian participation in national defense during armed conflict may cross the threshold known in the ethics of war and international humanitarian law as “direct participation in hostilities.” This threshold represents the line of demarcation between legitimate and illegitimate targets in war.

Despite the frequent – and often cynically insidious – invocation of the maxim *inter arma silent leges* in attempts to justify crimes in war, scholars who have devoted their lives to studying this destructive phenomenon largely agree that “normative views about what is permissible in war appear in almost every culture and in every era” (Rengger 2008, 33). The ethics of war and international law, as well as the religious norms of all major religions, draw a relatively precise line between what is permissible and what is absolutely prohibited in war, delineating a boundary that must not be crossed even in the context of mass violence.³ The key and most significant principle by which this boundary is drawn is the principle of discrimination or distinction,⁴ which differentiates between legitimate and illegitimate targets in war.⁵ From a highly simplified, *prima facie* perspective, these categories tend to align with the dichotomies soldier/civilian or combatant/non-combatant. However, such a view is not entirely accurate, as legitimate targets are in fact all those “involved in the chain of mediation of perceived aggression... which does not necessarily require the wearing of a uniform or bearing arms” (Coady 2008, 156), but rather the crossing of the threshold of direct participation in hostilities, something “supported by the very laws of war” (Steinhoff 2007, 43). In order to avoid overly broad and arbitrary interpretations, direct participation in hostilities is understood in a narrow sense, namely as contributing to the activity of

³ More on limitations set by International Humanitarian Law and *Jus in Bello* in Stanar 2019, 63–75.

⁴ Principles of proportionality, military necessity and supreme emergency are also present, alongside the principle of discrimination (Patterson 2023, 106–125).

⁵ The ethics of war, as well as international humanitarian law, do not explicitly prohibit civilian participation in war, nor do they explicitly define a right to such participation; however, they do relatively clearly define the “consequences arising from such participation,” most notably through the loss of the status of “innocence” in war – that is, the loss of protection from being considered a legitimate target (Radončić and Stanley-Ryan 2024, 904).

warfare itself, rather than to the general functioning of society during wartime. Authors such as Michael Walzer further refine this distinction by differentiating between civilians who produce what soldiers need to fight and those who produce what they need to live (Volzer 2010, 191). Accordingly, civilians engaged in the production of weapons and ammunition may be considered legitimate targets, whereas those producing uniforms or food are not. As Thomas Nagel similarly argues, those who “contribute to weapons and logistics contribute to the threat itself and are thus legitimate targets; those who contribute merely to the existence of soldiers as human beings are not” (Nagel 1979, 71). Viewed from the standpoint of the duty to participate in national defense – upon which the concept of total defense relies – this framework reveals a certain theoretical tension with regard to the notion of direct participation in hostilities during armed conflict.

The concept of total defense does not represent a paradigmatic shift in terms of the civilianization of war – that is, the inclusion of civilians in the war effort – since this has been a growing trend for more than a century (Barros and Thomas 2018; Crawford 2015). According to available research, civilians accounted for only 5% of total casualties in the First World War, while in the Second World War, that figure rose to over 66%, and today it is estimated that civilian casualties may reach as high as 90% in contemporary armed conflicts (Hobzbaum 2010, 97). In this light, the increasingly ominous view of certain authors – that civilian immunity in modern warfare has become nothing more than an outdated “medieval paradigm” – appears ever more accurate (Steinhoff 2007, 47). Although the concept of total defense is not unprecedented in this respect, it clearly contributes to an even deeper and more comprehensive involvement of citizens in the war effort, which is a striking feature of contemporary armed conflicts (Radončić and Stanley-Ryan 2024, 898). This is particularly evident in light of the new dimensions of contribution to the war effort – and the further civilianization of war – enabled by emerging technologies and artificial intelligence.

Despite the fact that the concept of total defense presupposes unarmed participation of citizens in the “defense of the Republic of Serbia by non-military means,” through the sphere defined as “civil defense,” this sphere – also operative in wartime – ultimately aims, *inter alia*, at the “fulfillment of the needs of the defense forces,” the “execution of military, labor, and material obligations, as well as mobilization and the conduct of unarmed struggle and resistance” (Stojković i Radović

2024, 7). In certain situations, this may give rise to the perception that the problematic threshold has been crossed. It may reasonably be assumed that the perception of direct participation in hostilities – which, in turn, legitimizes the use of force – could be grounded in various forms of civilian involvement, such as participation in supply chains for weapons and equipment, the provision of logistical services, IT support to the military in cyber operations and warfare, involvement in identifying enemy positions, directing fire against the enemy, and a wide range of other activities that could be operationalized within the implementation of the concept of total defense.

A valuable practical insight into this issue is provided by recent experiences from the Ukrainian battlefield, which have demonstrated the depth of the ethical challenges arising from the participation of the entire society in resistance. Although Ukraine has not formally adopted an explicit concept of total defense⁶ – unlike the closely related Baltic former Soviet republics and Nordic countries – comprehensive societal participation in resistance has been operationalized through the concept of “national resistance,” which forms part of the “Ukrainian comprehensive defense system” (Ministry of Defence of Ukraine 2025). This concept aims to “consolidate the efforts of the military, civilian authorities, and citizens in the struggle for Ukrainian independence,” during which “all citizens of Ukraine have a duty to contribute to the defense forces,” including the obligation – within resistance movements in areas where Ukrainian sovereignty is suspended – to participate in “information operations as well as in providing direct physical resistance to the occupier” (Ministry of Defence of Ukraine 2025). Since the entry into force of the *Law of Ukraine “On the Fundamentals of National Resistance”* on January 1, 2022, Ukraine has undertaken a series of measures enabling the involvement of citizens in resistance and defense (Jones and Love 2022; Melnyk and Grygorenko 2022; Cherleniak and Tokar 2024; Khoma *et al.* 2025).

The Dutch author Peperkamp identifies several highly significant instruments for involving citizens in defense, which, according to

⁶ It is noteworthy that Ukrainian authors take the position that the absence of a concept of total defense – and thus the lack of its optimal implementation – directly contributed to losses in both manpower and territory. In their view, the defense of the country would have been significantly more effective had “the doctrine of total defense been implemented in 2020” (Cherleniak and Tokar 2024, 8).

her, may “qualify their actions as direct participation of civilians in hostilities,” thereby potentially rendering “the direct targeting of Ukrainian civilians participating in defense in this manner legally permissible” (Peperkamp 2024, 67). Specifically, she highlights the development and deployment of the *E-Enemy* application within the official Ukrainian government portal, which is otherwise used for e-governance,⁷ through which citizens can upload photographs of enemy forces with geolocation data, report their positions and movements, and even flag “suspicious persons.” She also refers to the *ePPO* application, which utilizes GPS and compass functions on citizens’ smartphones to assist in intercepting Russian drones and missiles, as well as a series of chatbots launched by Ukrainian authorities through which citizens report the positions and movements of Russian troops (Peperkamp 2024, 65–66). As an illustration of the effectiveness of these tools, Peperkamp cites the case of a Ukrainian civilian who used a *Telegram* chatbot service and Google Maps to upload images and data on the movement of a Russian convoy, which was subsequently targeted and destroyed by the Ukrainian military within half an hour on the basis of that information (Peperkamp 2024, 65–66).

The outcome of the aforementioned example clearly indicates that technology further deepens the civilianization of war, while also suggesting that such activities may directly transform participating citizens into legitimate targets, thereby blurring the line of distinction between combatants and non-combatants. This is particularly the case insofar as at least some of these activities cross the threshold of direct participation in hostilities, thereby endangering the lives of enemy combatants. Moreover, empirical evidence points to a discernible trend of deliberate targeting of civilians in war precisely on the basis of suspicion that they have crossed this threshold through their own actions – even in situations where, upon reasonable assessment, that threshold has not in fact been reached (Mačak 2023). The optimal implementation of the concept of total defense, therefore, requires careful consideration of this implication, as well as a cautious and responsible weighing of the potential costs of involving civilians in activities that could be perceived as crossing this threshold – beyond which the duty to participate in defense becomes a basis for the attribution of legitimacy in war.

⁷ Requests for issuing ID cards and passports, scheduling appointments in various government institutions, etc.

Additionally, an important dimension of this issue lies in the existence of a “duty to inform citizens about the implications of their participation in conflict” (Radončić and Stanley-Ryan 2024, 908). In this regard, it is also necessary to consider the potential normative regulation of refusal to fulfil this duty on such grounds, or others, which brings us to the third ethical challenge: the responsibility of citizens for failing to fulfil their duty within the framework of the concept of total defense.

RESPONSIBILITY AND SANCTIONS FOR FAILING TO FULLFIL ONE’S DUTY

Since the moral duty of all citizens to defend their country possesses normative force – as elaborated in the first part of the analysis of the ethical challenges of implementing the concept of total defense – it necessarily implies the existence of a certain form of responsibility and sanction for non-compliance, that is, for the violation of a moral norm. After all, this is, by definition, the very essence of all norms: the disposition that prescribes behavior and the sanction that punishes its violation together constitute the core of every norm and every duty (Lukić 1976, 12). In the context of considering responsibility for failing to fulfill the duty envisaged by the concept of total defense, it is equally important to provide a clear and precise answer to the question of how this duty should be codified prior to armed conflict so that it remains within the bounds of reason, as well as how citizens should be “judged” and sanctioned for potential non-compliance once the war has ended. Historical experience and lessons from active war zones underscore the imperative importance of resolving this ethical and legal⁸ challenge in a proper and well-founded manner.

In order for the duty of all citizens to participate in the defense of the country to possess normative meaning and practical value, it is necessary to formulate and codify through legislation sanctions for non-compliance. This aspect appears somewhat less problematic and challenging in the period of preparation for war, that is, during the phase of deterrence, when in peacetime it is relatively feasible, without strong

⁸ Experiences from Ukraine demonstrate the danger of the existence of “a legal formulation [of the duty, D.S.] that is overly broad, as citizens do not have a clear understanding of where the boundary lies between permissible behavior that is tolerated and criminal conduct [treason, D.S.]” (Pysmensky and Hola 2026, 93).

emotional bias, to sanction a certain number of citizens and institutions that fail to fulfil their duties in this process – such as those who do not respond to training exercises or who fail to participate in mandatory activities envisaged by an implementation plan. However, the question of assessing the reasonable degree of fulfilment or non-fulfilment of this duty during wartime, and subsequently imposing appropriate and proportionate sanctions, typically presents significant challenges and requires the utmost caution. If one were to approach this issue in a manner characteristic of wartime reasoning – namely, through a Manichaean lens – one would be confronted with a stark dichotomy in which the concept of resistance stands on one side and that of collaboration on the other. Consequently, any assessment that determines an insufficient level of resistance on the part of citizens – that is, a failure to fulfil the duty upon which the concept of total defense is grounded – could, unfortunately, lead to the highly sensitive and potentially catastrophic conclusion of collaboration with the enemy during wartime.

This logic has, unfortunately, always been present in judgments about citizens' conduct in war, regardless of whether or not a concept grounded in the duty of resistance exists. Painful historical lessons from the aftermath of the Second World War – including those from the Yugoslav context – confirm this tragic *post-bellum* dimension of “settling accounts” through lustrations/purges, (special) criminal prosecutions, and at times even extrajudicial measures, which not infrequently involved profoundly uncivilized practices (Pysmensky and Hola 2026, 86). At the same time, we are now witnessing in real time a nearly identical process of “settling the accounts” or “reckoning”⁹ with citizens deemed to have failed to fulfil their duty of resistance (or to have done so insufficiently) in Ukraine. There, the prosecution of individuals suspected of collaboration is reportedly carried out with “violations of fundamental principles of criminal law, such as legal certainty, proportionality, and equality,” (Pysmensky and Hola 2026, 101) as not only those who actively assisted the enemy's war effort are condemned as “traitors,” but also “teachers, doctors, local government officials, or even garbage collectors who continued to perform their

⁹ Even the terms “settling accounts” and “reckoning” are, in fact, highly euphemistic, given the “brutal implications of viewing an individual as a collaborator with the enemy, which have been well documented by experts in international law” (Radončić and Stanley-Ryan 2024, 903).

duties under occupation” (Pysmensky and Hola 2026, 85). Despite the passage of half a century, such claims strongly evoke the memory of the Yugoslav post-war experience in the first years following liberation.

The existence of the concept of total defense further underscores the importance of precisely resolving this ethical challenge, given that the codification of duty would also entail a legal basis for post-war sanctioning.¹⁰ The concept of total defense itself presupposes “that society as a whole will necessarily resist the aggressor” (Spencer Terry 2024, 29) until victory, and accordingly that any “refusal of a subject to act in accordance with this duty may potentially result in being labeled a traitor, carrying legal consequences and imprisonment” (Spencer Terry 2024, 31). The Constitution of Finland, specifically Article 127, provides that “every Finnish citizen is obligated to participate in or assist in national defense,” and that “refusal to contribute in any form is not permitted” (Spencer Terry 2024, 37). A similar logic is present in the Swedish concept of total defense,¹¹ where “refusal to fulfil defense obligations may result in penalties of up to four years of imprisonment” (Spencer Terry 2024, 39). Precision in the legal regulation of the duty to participate in national defense, as well as in the sanctioning of non-compliance, must therefore be an imperative of future normative efforts in the Republic of Serbia aimed at enabling the optimal implementation of the concept of total defense. The cost of arbitrary judgments regarding “collaboration” and the failure to fulfil the duty of defense during armed conflict and occupation has already once been paid in blood by the Serbian people.

CONCLUSION

The concept of total defense in the Republic of Serbia represents a responsible and prudent strategic choice, grounded in the strategic culture

¹⁰ We must never allow ourselves to forget the tragic practical consequences that arose from the formulation of the 1974 Constitution of the SFRY, which “prohibited the capitulation of Yugoslavia under the threat of the death penalty,” as this provision effectively “destroyed the command capacity of the Yugoslav People’s Army” (Babić 2021, 6).

¹¹ It is noteworthy that in Sweden the obligation of defense extends to all those who live in the country and enjoy its benefits – not only to those who hold Swedish citizenship, but also to migrants, visitors, asylum seekers, and others (Spencer Terry 2024, 41).

of the Serbian people (Vračar i Stanojević 2019), the specific relationship between the military and society (Stanar i Starčević 2024), and the current security and political situation in Serbia's strategic environment (Živanović i Radojević 2024). However, it should not be overlooked that this concept constitutes a highly ambitious and normatively demanding undertaking, one that raises numerous questions and entails a wide range of challenges in order to ensure its optimal implementation. The ethical challenges associated with implementing the concept of total defense are among the most significant, and therefore necessarily require thorough and serious consideration of the nature, limits, and implications of the duty of all citizens to participate in the defense of the country.

The nature of the duty to participate in the defense of the country is such that it does not regard defense as a matter of mere will or voluntariness, but rather as an imperative obligation derived from the very ontology of the state as an articulation of collective freedom – freedom to live in accordance with shared identity-based premises. Freedom, accepted laws, and stable peace are not “natural givens,” but the result of historically constructed and continuously defended state institutions. Therefore, all citizens who enjoy the benefits of collective freedom also bear a moral obligation to contribute to its protection. However, within the context of the postmodern “rights-claiming society,” in which duties are often marginalized in favor of individual entitlements, the internalization of this duty represents a serious challenge. For this reason, the optimal implementation of the concept of total defense presupposes systematic efforts in education, communication, and the strengthening of awareness regarding the balance between rights and obligations.

The primary ethically challenging implication of fulfilling the duty of citizens to participate in defense during armed conflict is that it raises the question of the threshold of “direct participation in hostilities,” the crossing of which, in the ethics of war and international humanitarian law, marks the boundary between legitimate and illegitimate targets. Contemporary technologies and new forms of supporting military efforts – as clearly demonstrated in the case of the war in Ukraine – further blur an already sufficiently ambiguous line. The issue of adequately informing citizens about this implication, which directly affects their status in wartime, represents a significant challenge for the future implementation of the concept of total defense.

Finally, the existence of any duty logically entails the existence of responsibility and sanctions for its non-fulfilment. When it comes

to responsibility for failing to fulfil the duty to participate in national defense, tragic historical experiences, as well as lessons from the ongoing war between Russia and Ukraine, call for the utmost caution due to the risk of arbitrary and ideologically motivated judgments against those deemed to have “insufficiently resisted the enemy,” and thus to be responsible for collaboration. If the obligation of total resistance – implying the necessary participation of every citizen – is to be normatively established, it is essential to simultaneously ensure legal certainty, precision, and proportionality of sanctions, in order to prevent post-war abuses, collective stigmatization, and violations of fundamental principles of criminal law. The concept of total defense must not become a basis for a Manichaean polarization of society into orthodox patriots and “traitors” after the war, but must instead rest on clear, previously defined, and legally sustainable criteria.

If we seek to ground the implementation of the concept of total defense on sound moral foundations, it is necessary to devote significant effort to clarifying the aforementioned ethical dilemmas and subsequently to precisely defining, in normative terms, the duty itself, the implications of acting in accordance with that duty, and the responsibility for failing to do so. In this way, the concept of total defense will not only be optimally implemented, but also morally legitimate, and therefore ethically sustainable over the long-term strategic horizon.

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КЉУЧНИ ЕТИЧКИ ИЗАЗОВИ ИМПЛЕМЕНТАЦИЈЕ КОНЦЕПТА ТОТАЛНЕ ОДБРАНЕ У РЕПУБЛИЦИ СРБИЈИ**

Резиме

Аутор у раду анализира кључне етичке изазове имплементације концепта тоталне одбране у Републици Србији, полазећи од претпоставке да нормативно неразјашњене дилеме могу угрозити његову функционалну и моралну одрживост. Након појмовног одређења концепта тоталне одбране као модела који подразумева свеобухватно учешће свих друштвених актера у одбрани државе, аутор разматра три централна етичка проблема – етичку природу и утемељење дужности учешћа у одбрани, импликације испуњавања те дужности током оружаних дејстава и питање одговорности за њено неиспуњавање. Дужност одбране тумачи се као императив који произлази из саме онтологије државе и колективне слободе, а не као ствар добровољности. Истовремено, указује се на изазове њене интернализације у контексту савременог „друштва полагања права”. Посебна пажња посвећена је проблему преласка прага „директног учешћа у непријатељствима”, што може довести до губитка цивилног имунитета и замагљивања границе између легитимних и нелегитимних мета, нарочито у условима савременог ратовања. Коначно, аутор анализира и питање правне и моралне одговорности за неиспуњавање дужности, уз упозорење на опасност од арбитарног и идеолошки мотивисаног пост-ратног санкционисања. Закључује се да оптимална имплементација концепта тоталне одбране захтева прецизно нормативно уређење,

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јасно дефинисане границе дужности и пропорционалне санкције, како би концепт био не само ефикасан, већ и морално легитиман и дугорочно одржив.

Кључне речи: концепт тоталне одбране, дужност, одговорност, морал, етика, рат, колаборација, легитимност мета

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