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PROTECTION OF FAMILY IDENTITY IN THE CONTEXT OF CONTEMPORARY SECURITY CHALLENGES

(Translation in *Extenso*)

Abstract

The protection of family identity is a complex legal issue that encompasses a set of values, relationships and characteristics through which the continuity of family life, the personal and collective identity of its members, as well as their legal and social security are achieved. In the context of contemporary security challenges, which are characterized by increased institutional intervention, technological development and the transformation of the concept of security, the protection of family identity gains special importance. The paper starts from the standpoint that security is not exclusively an instrument of state control, but also a legal value whose essence is to ensure the conditions for the preservation of the basic elements of personal and family identity. Special attention is paid to contemporary security challenges, including terrorism, as a phenomenon that, through identity narratives and institutional responses, directly affects societal

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and internal security, as well as the protection of family identity. The aim of the paper is to point out the importance of legal certainty as a prerequisite for the protection of family identity and to contribute to the theoretical and normative debate on the relationship between security and family rights in the contemporary legal order. The analysis demonstrates that disproportionate security measures and excessive securitization may lead to the weakening of family cohesion and the erosion of identity structures, while legal certainty, respect for human rights, and the consistent application of the principle of proportionality represent key prerequisites for preserving family identity in the contemporary security environment.

Keywords: identity, security, human rights, family, legal certainty, terrorism.

INTRODUCTION

Contemporary security challenges are increasingly questioning the traditional boundaries between the public and private spheres, leading to a redefinition of the relationship between the state, the individual and the family. The long-dominant understanding of security, centered on the state as the primary and almost exclusive referent object of protection, is gradually giving way to a more complex concept in which the individual occupies an increasingly significant position. This transformation does not represent a mere change of focus, but rather implies a fundamental reexamination of the content and meaning of key concepts of security theory. The shift in focus towards the individual necessitates a different understanding of security needs, threats and protection mechanisms, which are no longer exclusively related to the survival of the state, but also to the preservation of basic human values and identities. In this context, the concept of security culture also appears which in contemporary analyses is often presented as a new element of the security paradigm. However, this phrase does not represent a completely new concept, but gains its full meaning only when security is viewed through the prism of the individual and their role in society. Security culture, thus understood, encompasses a system of values, attitudes and patterns of behaviour that contribute

to the understanding of security as a shared responsibility, and not exclusively as the domain of state institutions. By placing the individual at the centre of security considerations, security culture becomes an instrument for linking institutional protection mechanisms with the everyday life and identity framework of citizens. In this way, it represents an important link between normative solutions and their practical implementation, contributing to strengthening trust in institutions and the overall stability of the security system (Kekić 2004, 2). In this process, security can no longer be viewed solely as a matter of protecting the state and its institutions, but as a complex socio-legal concept that also encompasses the conditions for preserving personal and family identity. It is precisely in this broader understanding of security that space opens up for the analysis of the protection of family identity as a legally relevant value.

Family identity, although not explicitly defined as an independent legal category in positive law, is an analytical concept that unites elements of personal identity, family life, cultural and social continuity, as well as the stability of family relations. For the purposes of this paper, family identity may be defined as a set of values, family relationships, behavioural patterns, a sense of belonging, and legally protected elements of family life that ensure the continuity of the family community and enable its members to preserve their personal, social, and cultural identity. Ideologically simplified formulations, especially about the family as a supposedly unchanging basic unit of society and the exclusive refuge of the individual in conditions of contemporary crises, show exceptional resilience in normative and political narratives. Such determinants are often used as an argumentative framework in the formulation of public policies, whereby the complexity of family relations and their real role in contemporary societies are reduced to ideologically acceptable, but analytically insufficiently grounded. From the point of view of political science and security analysis, the family cannot be viewed exclusively as a private or moral category, but as an institutional actor that interacts with the state, legal order and security system. In this sense, the family functions as a specific mechanism of social regulation and transmission of values, but also as a space in which the effects of public policies are reflected, especially those related to security and social stability (Tomanović i Stanojević

2024). In this sense, the protection of family identity relies on existing constitutional and international legal mechanisms, but at the same time requires their systematic interpretation. The right to respect for private and family life is guaranteed by constitutional norms, as well as Article 8 of the European Convention on Human Rights – ECHR, and represents the basic normative framework within which family identity is protected.

Security problems of the modern era, including terrorism, organized crime, mass migration, states of emergency and digital threats, have led to the expansion of state powers and the intensification of its intervention in an area that has traditionally been considered private. The contemporary security environment is marked by the fact that states can no longer clearly separate the sources of threat into exclusively internal or external, since most security threats occur in hybrid and interconnected forms. The actions of non-state actors, terrorist groups, as well as the consequences of mass migrations, pandemic crises, etc., require the state to organize its national security system as a single, functional system, with clearly defined segments of external and internal security (Stajić, Radivojević, and Mirković 2017, 1334–1335). From a normative perspective, the key challenge in the functioning of the internal security system is to strike a balance between the effectiveness of security measures and the preservation of constitutionally guaranteed rights and freedoms. Any intervention by the state in the private sphere, including measures that may have an indirect or direct impact on family life and family identity, must be based on law, directed towards a legitimate aim and limited by the principle of proportionality. Such a state narrative on internal security plays a significant role in shaping public discourse and perceptions of security threats, not only at the national but also at the broader international level, with its formulation often linked to the need for strategic priorities and measures envisaged within national security strategies (Brady 2024, 765). It is particularly important to emphasize that security in the legal sense cannot be understood exclusively as a basis for restricting rights, but also as a positive obligation of the state to ensure the conditions for their effective exercise. The protection of family identity implies not only the state's refraining from unjustified interference, but also taking active measures to prevent the threat to

family relations in conditions of security instability. In this context, the principle of proportionality is a key instrument for assessing the justification of security measures that affect family identity.

The subject of this paper is the analysis of the relationship between contemporary security policies and the protection of family identity as a legally and socially relevant value. The aim of the paper is to examine the ways in which contemporary security challenges, particularly terrorism, securitization processes, and digital surveillance, affect the preservation of family identity, as well as to highlight the importance of legal certainty and the principle of proportionality in establishing a balance between security interests and the protection of family life.

This paper is based on a qualitative theoretical-analytical methodology, characteristic of contemporary political science research in the field of security studies. The analysis relies on the concepts of critical security studies and securitization theory, with the aim of examining the way in which contemporary security policies, especially in the context of the fight against terrorism, influence the transformation of social institutions and identity patterns. The normative legal framework is used as an analytical tool for understanding the political consequences of security interventions, and not as the primary subject of research. The focus of the paper is directed at the interpretation of discursive and institutional practices that position the family and family life as a relevant security referent, thus opening up space for an interdisciplinary consideration of the relationship between security, identity and social cohesion.

SECURITY AND IDENTITY

The concept of security in contemporary legal and political discourse goes beyond the narrow understanding of the protection of the state from external military threats and is increasingly defined as a comprehensive system of measures aimed at protecting the individual, social groups and the basic values of the legal order. In the broadest sense, security can be defined as a state of protection of the individual and the community from risks and threats that threaten life, physical and psychological integrity, as well as the basic conditions of social

functioning (Kostić 2016, 68). In this context, identity appears as one of the key values whose preservation is directly related to security issues, especially in the context of complex and multi-layered contemporary risks. In legal theory, security is traditionally associated with the concept of legal certainty. Gustav Radbruch, who dedicated his life to finding a solution to the conflict between legal certainty and justice, identified legal certainty as one of the fundamental elements of the idea of law, emphasizing that law must be stable, predictable and accessible in order to fulfill its protective function (Ćorić 2011, 643). Similarly, Hans Kelsen saw the security of the legal order in its normative coherence and efficiency, that is, in the ability of the state to ensure respect for legal norms. In his theoretical approach, Kelsen particularly insisted on the importance of legal norms and their hierarchical order, since without a clear understanding of the hierarchy of norms it is impossible to even theoretically analyze, let alone consistently implement and use, positive law (Trajković 2004, 267). From this understanding, we can conclude that security is not exclusively a question of force, but primarily a question of institutional stability, which arises from order and the consistent application of positive law.

Identity, on the other hand, is a complex concept that encompasses personal, family, cultural and legal dimensions. In the legal sense, identity implies a set of characteristics that allow an individual and a group to be recognized and protected within the legal order. Certain dimensions of identity, especially those marked by a sense of permanent vulnerability, can be a powerful source of social conflicts. Identities are shaped through concrete experiences and interactions, that is, groups that are exposed to coercion or violence develop a tendency to normalize harsh forms of behavior within their own ranks, while other groups are experienced exclusively as violent and hostile (Subotić 2025, 28). The connection between security and identity becomes particularly pronounced in contemporary conditions, characterized by mass migrations, low-intensity armed conflicts, terrorism, as well as internal security crises. According to UNHCR (United Nations High Commissioner for Refugees), the number of forcibly displaced persons in the world has exceeded 110 million in the last decade, which has directly affected the disintegration of family and collective identities. In such circumstances, state security

policies often entail measures that can have far-reaching consequences for the preservation of identity, including restrictions on movement, surveillance, and interventions in the private sphere. Family is recognized in modern societies as one of the fundamental social values, but its functioning is not isolated, but is permanently conditioned by the dominant cultural and value patterns within which it is shaped. It is within the family that a specific system of values is formed that enables its internal cohesion, continuity and stability, but also the transmission of socially relevant norms to individuals (Košarac 2023, 84). Based on this, legal theory increasingly emphasizes that identity cannot be reduced exclusively to a sociological or cultural category, but rather that it represents a legally relevant value of particular importance for the preservation of social order. Alexis de Tocqueville also pointed out that the stability of society depends to a significant extent on the preservation of “natural forms of community”, among which the family occupies a central place. In the modern legal framework, this idea gains additional normative force through constitutional and international legal standards that protect family and personal identity as integral elements of human dignity. From a national security perspective, identity is increasingly recognized as a factor in the resilience of a society. The formation of social, national and cultural identity is a complex and long-term process that involves the gradual shaping of values, norms and a sense of belonging through historical experience, institutional development and intergroup relations. Issues of national identity are of crucial importance for the overall security of a society, as it represents a key component of societal security. Societal security implies the capacity of a society to maintain its basic values, structures and patterns of collective life in conditions of potential or real threats (Bjelajac i Filipović 2020, 177–182). A preserved and legally protected identity contributes to social cohesion, trust in institutions and the stability of the legal order, which are key prerequisites for an effective security policy. Conversely, the threat to identity, whether through institutional discrimination or the consequences of security crises, can lead to the deepening of social conflicts and the weakening of internal security. Consequently, the relationship between security and identity must be based on legal balance, where it represents one of the key challenges of modern legal systems and the foundation for further analysis of

the protection of family identity in the conditions of modern security challenges. In such a normative and security context, identity appears in law in two ways, as a value that requires protection, but also as a category that can be affected by state security interventions. This is precisely why the relationship between security and identity has become one of the central issues of contemporary legal theory and practice, because every measure aimed at protecting public and national security simultaneously has consequences for the personal, family and collective identity of the individual. In this sense, the task of law is not to absolutize security, but to ensure, through the principles of legality, proportionality and legal certainty, that the preservation of security does not lead to the erosion of the basic identity structures of society.

Illustratively, the case law of European and national courts shows how the modern legal order balances the requirements of security and the protection of identity rights within the framework of family life. In the case of *Oliari and Others v. Italy*, the Court found that the state has a positive obligation to legally recognize same-sex relationships, because such a gap in the legal framework prevents legal certainty and continuity of family relationships and directly violates Article 8 of the European Convention on Human Rights (the right to respect for private and family life) (European Convention on Human Rights [ECHR] 1950). This judgment shows that, in the contemporary legal order, the identity of the family as the basic social community is not just a sociological phenomenon, but a legal value whose preservation and institutional protection are expected from the member states of the Council of Europe (Evropski sud za ljudska prava [ESLJP] 2015).

In the case U-I-68/16, the Constitutional Court of the Republic of Slovenia found that a legal provision that treats different categories of families (based on marital status or sexual orientation) unequally in asylum procedures constitutes discrimination and directly affects the right to family life within the meaning of Article 8 of the ECHR. The Court, in accordance with international standards, emphasised that family relations are protected regardless of the formal marital status of family members (European Database of Asylum Law [EDAL] 2016). In this way, the demand for equal treatment of different forms of family communities goes beyond the framework of individual protection of rights and gains broader significance in the context of legal certainty

and predictability of state action. From the perspective of security analysis, inclusive legal frameworks that reduce the risk of institutional marginalization of certain social groups contribute to the preservation of social cohesion, which is one of the indirect prerequisites for long-term social stability. In the case AP 1031/04 of 26 April 2005, paragraph 22, published in the Official Gazette of Bosnia and Herzegovina, No. 48/05, which concerned the use of intercepted private communications (telephone conversations and other records), the Constitutional Court of Bosnia and Herzegovina found that such measures did not violate the right to private and family life, as they were in accordance with the law and necessary in a democratic society for the sake of common security. In this case, the court found that the interference with the right to private and family life was justified, since it was based on a legitimate security objective and implemented in accordance with the principle of proportionality (Ustavni sud Bosne i Hercegovine n.d.). Such a model of balancing between the requirements of state security and the protection of identity rights indicates the complexity of assessing proportionality in the application of security measures that affect the sphere of family life.

FAMILY IDENTITY AS AN OBJECT OF SECURITIZATION

In line with the theoretical approach of securitization, developed within the Copenhagen School, security is considered in this paper as a discursive and political process in which a certain referent object is presented as existentially threatened. Referent objects do not have to be limited to the territorial state, but can also include social groups, institutions or value systems, with threats being constructed through political and institutional discourse (Buzan, Weaver and de Wilde 1998). In contemporary security studies, the process of securitization no longer refers exclusively to the state, territory, or political institutions, but also encompasses social spheres that have traditionally been viewed as private and depoliticized. In this expanded understanding of security, the family and family identity increasingly become implicit objects of security policies, especially in the context of the intensified fight against terrorism and other transnational threats.

This process involves a shift in the boundaries between the public and the private, with family relations, patterns of socialization, and identity practices being subjected to security rationality. A concrete expression of this expansion of the security discourse is represented by cases of radicalization, which show that a new, previously non-existent intertwining of family law mechanisms and counter-terrorism policies is occurring, whereby the family is transformed into a space for preventive security action by the state (Ahdash 2018, 391). Within the framework of securitization theory, key components of the process that enable a particular phenomenon or social process to be constructed as a security threat can be analytically distinguished. The acceptance of such a narrative by the relevant audience is a prerequisite for legitimizing the application of exceptional measures that go beyond the scope of ordinary political action (Lipovac, Đurić, i Paraušić 2022, 107). In the domain of family life, these measures can manifest themselves through increased supervision of guardians, the obligation of educational and social institutions to report indicators of potential radicalization in children, and even through legal precedents for the temporary removal of children from a family environment that is categorized as risky for security reasons. It is in this context that the securitization of family identity does not necessarily take place through the explicit norming of the family as a security problem, but rather through a range of indirect mechanisms, including communication surveillance, preventive profiling, and institutional mapping of social networks. In this way, the family ceases to be exclusively a space of privacy and autonomy, and becomes part of a broader security discourse in which individual and collective identities are assessed through the prism of potential risk. Within this broader theoretical framework, although historically it has been primarily linked to the state and its security apparatus, the contemporary understanding of security also encompasses broader social dimensions, including political, social and identity aspects. It is precisely within the framework of the fight against terrorism that this expanded approach gains additional momentum, as preventive security measures, justified by the need to protect society as a whole, are increasingly reflected in everyday life and the stability of social relations (Sretović, Talijan, i Beriša 2016, 85). In this context, family identity, understood as a set of enduring relationships, norms and

practices that ensure the continuity and security of the individual, is exposed to reinterpretation in accordance with the security priorities of the state, thereby gradually including family communities in the broader security discourse.

The securitization of family identity indicates the way in which the security discourse in contemporary societies is extended to the micro-level of social relations, with family communities positioned as indirect but significant security referents within counterterrorism policies.

TERRORISM AS A SECURITY CHALLENGE TO PRESERVING IDENTITY AND SOCIAL SECURITY

In contemporary security theory, terrorism is not viewed solely as a physical act of violence, but as a strategically designed political and communication act aimed at a wider social audience. As Bruce Hoffman points out, terrorism is designed to produce far-reaching psychological consequences beyond the immediate victim or target (Hoffman 2017), which indicates that its primary effect is directed at perception, fear and collective consciousness, and not just at material destruction. Terrorist violence is a deliberately designed form of action whose purpose is to provoke a sense of insecurity and distrust in the ability of the state to guarantee security among the targeted population, while at the same time functioning as a means of symbolic communication aimed at shaping political perceptions, deepening social polarization and influencing the formation of collective identities (Stevanović i Đurđević 2020, 130). Relying on mechanisms of social categorization and group identification, within the framework of social identity¹ theory, terrorist organizations seek to reinforce the “us-them” dichotomy, appropriating religious, ethnic, or ideological narratives and presenting themselves as their authentic representatives. This strategy aims to alter the perception of boundaries between groups and create a sense of existential threat.² In this way, radical actions are justified as a

¹ On the mechanisms of social categorization and group identity formation (see Tajfel and Turner 1979).

² On the construction of existential threat and the process of securitization (see Buzan, Wæver, and Wilde 1998).

defense of collective identity. Identity in this process becomes a means of mobilization and an instrument for justifying extreme actions.

Terrorism can be understood as one of the violent forms of extremism (Jugović i Živaljević 2021, 438). Although extremism does not necessarily lead to terrorist acts, it represents an ideological basis in which pluralism and institutional mechanisms for conflict resolution are rejected. According to program-goal orientation, extremism can be classified into ideological (extreme left and right), ethno-separatist and religious extremism (Đorić 2021, 60), whereby terrorism appears as a radicalized and violent strategy of action within these frameworks.

However, it is scientifically more accurate to speak of an attempt to impose an interpretive framework, rather than a complete redefinition of the identity of entire communities. The effects of terrorist activity depend on the domain of societal security, i.e. the ability of society to preserve its essential character under the threat of change. In conditions of successful securitization of certain groups, there is an institutional and media reinforcement of the threat narrative, which often results in the stigmatization of communities that have nothing to do with violence. At the same time, in some cases there is a counter-effect, i.e. the consolidation of internal cohesion and the strengthening of resistance to extremist interpretations of identity, which can be explained through the psychology of radicalization and the modeled “stairway to terrorism” (Moghaddam 2005, 161–169).³ This shows that extremist narratives do not operate universally, but rather their effects are conditioned by the prior identity, social and cognitive characteristics of individuals and groups. At the family level, this dynamic produces a double risk, illustrating how radicalization and extremist narratives penetrate beyond the individual to the closest social unit. First, the process of radicalization of an individual can lead to the disruption of primary social ties and the reconfiguration of loyalties, with the

³ Moghaddam uses the “staircase to terrorism” model, which is a metaphor for a building with multiple levels/floors, to illustrate the gradual psychological process of radicalization of an individual. The individual progresses through levels/floors from the ground floor – dominated by perceptions of injustice and a sense of relative deprivation, through the search for solutions and directing aggression at the “enemy” (first–second level/floor), to accepting the moral justification of terrorist organizations and mobilizing into them (third–fourth level/floor), all the way to training and committing terrorist acts (fifth level/floor) (see Moghaddam 2005).

extremist organization taking on the role of an alternative reference group. This can cause psychological consequences such as increased anxiety, fear and feelings of insecurity among family members. Second, in conditions of moral panic and security hypersensitivity, individual families may be collectively labeled as “at risk”, leading to the erosion of their social identity, increased social distance, and exposure to discrimination. Such collective stigmatization further intensifies social polarization and creates conditions that increase vulnerability to extremist influences.

Terrorism is a very complex concept, and at the same time subjective, extremely burdened, emotionally and politically charged, the meaning of which depends primarily on the political ideology, program and even the culture to which the person belongs (Bursać 2023, 8). It is precisely this complexity that allows terrorism to be seen as an instrument of destabilization of collective identity, which requires an interdisciplinary approach that integrates security, sociological and psychological perspectives. This framework points to a key feedback loop, that state security strategies are not neutral, but rather influence individual and group responses. In this way, research is directed towards the complex dynamics between the need for physical protection and the preservation of social identity, indicating that excessive or inappropriate securitization can have counter-effects on the stability of society. The securitization of identity and the “preventive state” represent concrete applications of this principle in practice. One of the significant challenges to preserving family identity is the process of securitization, by which state institutions declare certain identity features such as clothing style, religious beliefs or ethnic origin as a potential security threat. In the fight against terrorism, states often apply measures that directly intrude on the “core” of family privacy. In this context, the principle of proportionality is key, which requires that state measures be adequate and necessary in relation to the real threat they seek to prevent. The application of this principle implies that interventions must not unnecessarily restrict the fundamental rights and freedoms of individuals and communities, nor jeopardize privacy, family relations and social identity. In this way, a balance is sought between ensuring security and preserving legitimate freedoms. Going beyond this principle can produce paradoxical security effects: instead of greater

protection, it leads to the erosion of legal certainty, a deepening of the gap between the state and citizens, and the disintegration of social cohesion (Zedner 2009, 116–143).

In this way, the securitization of identity and the application of preventive measures are not just a legal or political challenge, but represent a complex social-structural phenomenon. They profoundly affect perceptions of justice, shape the way individuals and communities respond to state policies, and can reinforce feelings of stigmatization. Such interventions, if not carefully targeted and proportionate to the actual threat, risk undermining internal community cohesion, weakening social ties, and leading to unintended security counter-effects.

IMPACT ON SOCIAL SECURITY AND FAMILY COHESION

Social security, as we have already mentioned, implies the capacity of society to maintain its basic values, structures and patterns of collective life in conditions of potential or real threats (Bjelajac i Filipović 2020, 177–182). Social security, as we have already mentioned, implies the capacity of society to maintain its basic values, structures and patterns of collective life in conditions of potential or real threats.

Radical social changes can encourage the family to withdraw into a protective sphere, thereby weakening its role in social and political socialization, while at the same time strengthening parallel identities between the family and the state, which reduces social integration and indirectly threatens societal security (Čičkarić 2005, 300). At the heart of this dynamic is the fact that the preservation of family identity is a key prerequisite for the success of any counterterrorism strategy. As the primary social unit, a stable family acts as a crucial factor in social resilience, as it builds a specific identity shield, especially when state counterterrorism strategies threaten its cohesion (Slavković i Slavković 2023, 32). Rather than being merely a passive object of state protection, the family functions as an active mechanism of early prevention, the first social filter that can recognize and neutralize the initial stages of cognitive radicalization. Investing in the strength of family ties and

strengthening family social capital, as well as preserving mutual trust between the private sphere and state institutions, directly contributes to security, acting as a natural barrier that prevents an individual from replacing emotional emptiness or a sense of injustice with destructive extremist narratives.

At the same time, carelessly targeted or disproportionate preventive measures can have the opposite effect. Instead of increasing the level of protection, they often lead to the erosion of legal certainty and the weakening of internal social ties. When the state apparatus begins to view the community exclusively through the prism of risk, the family loses its protective function and itself becomes a space of anxiety. Such paradoxical security effects not only make social integration more difficult, but also reinforce the feeling of isolation that extremist groups skillfully use for recruitment. In this way, the violation of societal security directly results from the weakening of family values; a family that feels persecuted can no longer be a guarantor of stability, but rather becomes a vulnerable point of the social order, and the family is the basic unit of society that plays a key role in its stable functioning (Joksić i Rajaković 2020, 44). Therefore, the securitization of identity and the implementation of preventive measures must be strictly proportionate, carefully targeted and based on respect for human dignity. Only by preserving social cohesion and protecting the family environment can a state ensure long-term resilience to terrorism. Security, in its full sense, is not achieved only through repression, but by strengthening those social structures that provide the individual with a sense of belonging and protection, and the family is an irreplaceable factor in this process.

DIGITAL DIMENSION: SURVEILLANCE AND THE RISK OF EROSION OF FAMILY PRIVACY

The fight against terrorism in the 21st century is inextricably linked to technological progress, with the focus of security apparatuses significantly shifting towards the digital sphere. The introduction of mass data collection (Big Data) and the use of algorithms for recognizing behavioral patterns are introducing new dynamics into the relationship between the state and the family. In modern society,

marked by the rapid development and comprehensive application of digital technologies in the family, professional and public spheres, the issues of personal data protection and data flow management are gaining special importance and a new normative and security dimension, since the same technologies simultaneously enable early recognition of potential risks and serve as an important mechanism of preventive security (Čović 2020, 674). However, the problem arises in situations where algorithmic analysis, due to a high degree of abstraction and reliance on predefined patterns, isolates individual digital activities from their actual social and family context and interprets them as potential security risks, although they may not have such a meaning in themselves. In this way, algorithms shape new forms of political authority, because they determine which information and which actors become visible in the security assessment process, while the mechanisms of such filtering themselves are inaccessible to direct verification and understanding by analysts (Kaufmann, Egbert, and Leese 2019, 687). At the same time, awareness of the existence of digital surveillance can influence the behavior of individuals and family communities, encouraging self-restraint and adaptation of digital practices in order to avoid potential institutional attention. As Lyon points out, contemporary surveillance becomes routine and embedded in everyday life, thereby gradually shaping behavior and perceptions of privacy (Lyon 2018). In this context, the erosion of privacy occurs not only through direct legal prohibitions, but also through technological determinism that forces the individual to voluntarily give up parts of his or her own identity for the sake of apparent security. In such conditions, individuals can develop subtle forms of self-restraint, namely, avoiding certain topics, Internet searches, or expressing opinions, not because there is a specific repression, but due to the awareness that the digital trace may be the subject of analysis. However, technology itself does not necessarily lead to the erosion of family privacy. The key issue lies in the way it is implemented. If digital surveillance measures are clearly legally defined, transparent and proportionate to the real security threat, modern digital tools can act as a protection without violating fundamental rights. Conversely, when surveillance becomes imprecise, overbroad or insufficiently controlled, it undermines the trust between citizens and institutions and justifies criticism from privacy advocates,

who point to the risks of abuse (Mihaila and Mihaila 2023, 220), discriminatory effects and structural biases of certain technological solutions. At the family level, the digital dimension of security can influence the way identity is built and internal communication. The family, by its social function, should remain a space for the free exchange of opinions and the formation of value attitudes. If the digital context produces a sense of constant assessment or potential suspicion, there is a risk that this spontaneous communication will be reduced. This raises the question of the balance between preventive security and the preservation of the private sphere as a prerequisite for societal cohesion.

In this regard, digital securitization does not necessarily pose a threat, but it does require particular normative sensitivity. Only if it is based on the principle of proportionality, institutional oversight and respect for human dignity can it contribute to strengthening security without weakening family cohesion. Otherwise, even unintended effects can lead to gradual alienation, which could in the long term affect the societal resilience that the state seeks to protect.

CONCLUSION

The conducted research confirmed the basic thesis of the paper: the protection of family identity in the contemporary security context is not only a matter of individual privacy, but a fundamental prerequisite for preserving societal security and the stability of the legal order. The shift in the security paradigm from a focus on the state to the individual and their identity structures requires a sophisticated approach from state institutions in which security and human rights are not opposing interests, but complementary elements of public order.

The analysis of terrorism as a strategy of symbolic communication and mechanisms of securitization has shown that radical narratives often try to fill the social and emotional gaps created by the weakening of primary communities. In this context, a stable and legally protected family represents an identity shield and a natural mechanism for early prevention of radicalization. Any state action, especially in the field of preventive surveillance and counterterrorism measures, must be strictly guided by the principle of proportionality. Carelessly calibrated

measures can lead to stigmatization, erosion of trust and the formation of parallel identities, thereby fundamentally weakening social cohesion. In the digital era, the challenges of surveillance and algorithmic profiling require a high level of normative sensitivity. The results of the analysis indicate that the application of modern technological solutions in the field of security must be accompanied by clear mechanisms of legal control and transparency, in order to avoid negative consequences for the family environment and identity stability.

The protection of family identity is a strategic element of a security culture in which the state and citizens jointly participate in preserving the stability of society. Strengthening legal certainty, respecting family integrity and accumulating social capital within the private sphere are not an obstacle to the effectiveness of the security system, but rather its strongest support. States that affirm the individual and protect the integrity of their primary community within their security strategies show greater potential for building long-term resilience to the complex challenges of the modern era.

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ЗАШТИТА ПОРОДИЧНОГ ИДЕНТИТЕТА У УСЛОВИМА САВРЕМЕНИХ БЕЗБЕДНОСНИХ ИЗАЗОВА

Резиме

Заштита породичног идентитета представља сложено правно питање које обухвата скуп вредности, односа и обележја кроз које се остварује континуитет породичног живота, лични и колективни идентитет њених чланова, као и њихова правна и социјална сигурност. У условима савремених безбедносних изазова, који се одликују повећаном институционалном интервенцијом, технолошким развојем и трансформацијом појма безбедности, заштита породичног идентитета добија посебан значај. Рад полази од становишта да безбедност не представља искључиво инструмент државне контроле, већ и правну вредност чија је суштина у обезбеђивању услова за очување основних елемената личног и породичног идентитета. Посебна пажња посвећена је савременим безбедносним изазовима, укључујући и тероризам, као феномену који кроз идентитетске наративе и институционалне одговоре директно утиче на социјеталну и унутрашњу безбедност, као и на заштиту породичног идентитета. Циљ рада је да укаже на значај правне сигурности као предуслова за заштиту породичног идентитета и да допринесе теоријској и нормативној расправи о односу између безбедности и породичних права у савременом правном поретку. Анализа показује да непропорционалне

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безбедносне мере и прекомерна секјуритизација могу довести до слабљења породичне кохезије и нарушавања идентитетских структура, док правна сигурност, поштовање људских права и доследна примена принципа пропорционалности представљају кључне предуслове за очување породичног идентитета у савременом безбедносном окружењу.

Кључне речи: идентитет, безбедност, људска права, породица, правна сигурност, тероризам.

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