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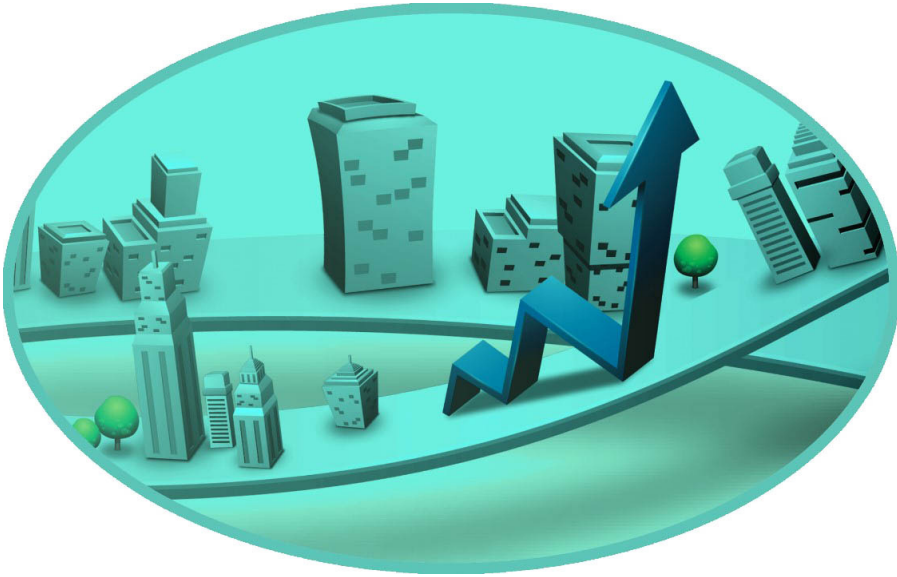
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# Profiling of Prostitutes

Željko Đ. Bjelajac

University of Business Academy in Novi Sad  
Faculty of Law for Commerce and Judiciary in Novi Sad

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## Author Note

Željko Đ. Bjelajac  <https://orcid.org/0000-0003-4953-8779>

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Corresponding author: Željko Bjelajac

Email: [zdjbjelajac@gmail.com](mailto:zdjbjelajac@gmail.com)

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## Abstract

There is a significant number of authors who have explored the phenomenology and etiology of prostitution as "the oldest profession," whose roots reach far back through history. It is evident that such an approach lacks coherence. Therefore, this paper includes various aspects of prostitution, focusing on the personal experiences and characteristics of women engaged in this profession. It analyzes different factors, traumas, and behavior patterns that lead women into prostitution, highlighting the repercussions on mental and physical health and the symptomatology of post-traumatic stress disorder. Through a socioeconomic and psychological profile of prostitutes, this paper introduces the concept of criminal profiling as an important tool and protective factor in a proactive approach to prevent young girls and women from entering the delinquent world of prostitution. It examines how profiling can aid in understanding antisocial behaviors and preventive actions starting in adolescence, addressing issues related to this social phenomenon both before its manifestation and, retrospectively, after it has occurred. The methods applied include quantitative and qualitative content analysis, comparative analysis (responses to prostitution), and descriptive and analytical statistics. The aim of this paper is to identify flexible risk factors, as well as protective factors, through the profiling concept, which can be planned in preventive and intervention strategies in pursuit of an effective community response in prostitution prevention policies.

*Key words:* prostitution, causes of prostitution, classification of prostitutes, characteristics of prostitutes, profiling of prostitutes, socioeconomic profile, psychological profile.

## Profiling of Prostitutes

### Introduction

The origin of the term prostitution derives from the Latin word "prostitutio," which can be translated as debauchery, or "prostitutus", meaning to expose or display. Over time, this word has acquired many synonyms, such as "harlot," referring to a promiscuous woman who, in satisfying her sexual impulses, disregards established social norms and acceptable forms of behavior.

Prostitution, as a form of deviant behavior, has been present throughout the history of human society. It essentially represents a historical category, which, in its evolution, has adapted its forms of expression to align with the class character of society. Prostitution is considered "the oldest profession" and has often served as a last resort for desperate women and girls who frequently and unwittingly became trapped in the vicious cycle of the sex industry, as it appeared to be their "only" option to improve their financial situation, status, or gain quick and easy income (Bjelajac, 2014: 120). This shared, striking, and generalized character trait often placed them in uncertain and challenging positions of exposure, pushing them to the margins of society.

Prostitution is a highly complex phenomenon that, in its intricacy, cannot be reduced to a single perspective but must be viewed through the philosophical, sociological, economic, psychological, and legal lenses. In this context, it is necessary to ensure a homogeneous interaction of multiple elements to establish an operational definition that is acceptable to legal professionals, criminologists, sociologists, psychologists, and theorists alike. Although we may define prostitution as legally unsustainable, we cannot overlook its detrimental sociological character, which, by inertia, brings with it various social side effects, such as lack of education, financial hardship, inadequate parental relationships, and more (Bjelajac, 2014: 121). Moreover, the undermining of psychological, moral, or broader social integrity aligns with the conceptual definition of prostitution, not only as a criminogenic but also as a psychopathological phenomenon, where, beyond the

pursuit or acquisition of money or other valuables, there exists a consistent element of primal sexual gratification that should not be underestimated.

According to Professor Lj. Lazarević, the most widely accepted view is "that it is the rental, for money or some other benefit, of one's body to others for them to satisfy their sexual drive" (Lazarević, 1995: 475). Under a broader definition of prostitution, Professor Z. Stojanović considers it "any sexual act performed in exchange for some form of compensation, which does not necessarily have to be monetary." Under a narrower definition, this author understands prostitution as making one's body available to another person for performing a sexual act in exchange for monetary compensation, with the intent that such activities, when repeated, generate income for oneself or another (Stojanović, 2006: 457-458). "Commercialized sexual submission, whether temporary or permanent, voluntary or coerced, involving the sale of one's body for the sexual satisfaction of others as a trade (profession), either as a primary or supplementary source of income; a form of sexual behavior that goes beyond the bounds of prevailing moral norms; it includes moral evaluation, as it cannot be exempted when it concerns human relationships" (Petak, 1980: 21). Prostitution is the practice of engaging in relatively indiscriminate sexual activities, generally with someone who is not a spouse or friend, in exchange for immediate payment in money or other valuables. Prostitutes may be women, men, or transgender persons, and prostitution may involve heterosexual or homosexual activity (Jenkins, 2024).

Historically, there has been a universal association of women as service providers and men as clients in this context. This dynamic involves deeper social, cultural, and economic factors that have shaped gender roles and sexual norms over centuries. Contemporary changes in this field have brought greater visibility, acceptance, and tolerance for various forms of prostitution (male prostitution, prostitution involving sex workers of various genders), and gender boundaries have become more flexible. However, the fundamental pattern in which women predominantly serve as providers of sexual services to men as consumers remains consistent.

It is evident from analyzing the above definitions and examining their content that prostitution (male or female) is the willingness to use sexuality or sex appeal as a means to achieve a direct or indirect goal, whether of a material or non-material nature. It is also observed that the content of these definitions includes both women and men who may engage in prostitution, which somewhat contradicts the widespread belief that only women engage in prostitution (Bjelajac, 2017: 298). According to contemporary understandings, prostitution can be broadly defined as: a sexual act that involves payment (usually in money), extreme promiscuity, and emotional indifference toward the sexual act and partner, with elements of dissociation (separation of emotions from the act).

If we delve deeper into the analysis of this phenomenon, we can observe that it essentially consists of three elements:

- **The first element** in the conceptual definition of prostitution is the association of every sexual act with money. Naturally, there are entirely valid opinions that payment can be made through gifts or rewards, or by achieving material benefits equivalent to the value of money;
- **The second essential element** of the definition emphasizes extreme sexual promiscuity (a large number of different and unfamiliar partners);
- **The third element** of prostitution is characterized by a feeling of emotional indifference, not only toward the partner but also toward sexual satisfaction itself.

On the other hand, the fundamental connection between money and sexuality remains not only the most important but also an evidently enduring and primary characteristic of prostitution. In the present time, prostitution is part of an international sex industry, which involves the mass distribution of pornographic books, films, the operation of numerous strip clubs and venues, advertising sex tours for men in impoverished "third-world" countries, and more. The pervasive and comprehensive display of female bodies and sexual organs, whether in images or as live bodies, may suggest that prostitution is a clear phenomenon at first

glance, yet it remains unresolved and ambiguous as a concept. This ambiguity is certainly fueled by differing debates and present challenges in analyses, where inconsistent approaches are evident regarding what activities are included under the term prostitution (Bjelajac, 2014: 126). Furthermore, scientific and technological advancements have introduced a completely new world today—an unlimited and uncontrolled space, the virtual world of the internet. While the global computer network offers immense positive possibilities, it also has a dark, negative side that can, with a single click, lead us into the unpredictable world of pornography, sex, internet pedophilia, and web prostitution, with children often being the victims—the most vulnerable and sensitive part of the population.

Finally, questions on how to penetrate the “delinquent mind” have always sparked curiosity and fascination. When we look into the minds of criminals, we can observe characteristic patterns of antisocial behavior, deviant thoughts and activities, impulsivity, disloyalty, selfishness, and lack of empathy. Understanding and detecting these signs of criminal intent can be instrumental in crime prevention. We might also venture to hypothesize the risk factors that led individuals into delinquency (Bjelajac, 2023: 19). The origin of criminal behavior is, in fact, an introduction or precursor to criminal profiling. By comparison, a doctor takes an anamnesis (patient history) directly from the patient or, in severe cases, from their close ones, which includes: administrative data, description of main complaints, current illness, system-specific anamnesis, personal history, family history, and socio-epidemiological data. Anamnesis is a conversation with the patient aimed at gathering necessary information important for identifying the true nature of the illness and successfully diagnosing it (Bjelajac, 2023:19-20). This is essentially a form of medical competence that requires knowledge, dedication, and experience that doctors acquire through practical work. We highlight this to draw a parallel: criminal profilers, in this context, are akin to doctors. They also take an “anamnesis” from both known and unknown individuals who have committed crimes or are inclined toward criminal behavior. Thus, these are “visible and invisible patients,” and the protocol of their anamnesis is contained within criminological literature, which discusses the origins of criminal behavior, with particular emphasis on risk factors.

## **Etiological aspects of prostitution**

Earlier perspectives on this phenomenon mostly focused on the individual psychophysiological traits of prostitutes, interpreted by some analysts as an attempt to avoid societal responsibility. However, it is now undeniable that prostitution is a deviant sociopathological phenomenon whose "seed" and development should be sought in social causes. Prostitution is not merely a social deviation but is also a form of sexual deviation, characterized by various forms of distorted sexual gratification (Bjelajac, 2011). Contemporary research in the field of prostitution, despite objective challenges (such as public stigma, which often prevents prostitutes from discussing their lives), could address many causal relationships, such as interactions with the environment, psychophysiological predispositions, the relationship between crime and prostitution, educational, economic, and marital status, and the impact of family and sexual violence. In examining prostitution as a highly complex phenomenon, various causes of this deviation have been identified. Some of these are particularly notable, such as: material factors, childhood rape, parental alienation, family issues, the influence of a social environment in which the prostitute's biopsychological and sociological personality development occurred (Bjelajac, 2017: 301), including the capacity of certain forms of religious incentives, where the female body is exploited for highly specific purposes (Zirojević, Bjelajac, 2013). As observed, the causes of prostitution are quite complex and interact with various social, economic, psychological, cultural, and religious factors. Understanding these causes—which include the level of human development, governance, and rule of law; repression and lack of human rights; family milieu and endogenous factors; violence against women; gender inequality; corruption; the rise and diversity of organized crime; regional militarization; social exclusion; various childhood traumas and abuses; drug or alcohol addiction; limited educational opportunities; lack of awareness; and human trafficking for sexual exploitation—is essential for establishing and developing prevention strategies and support systems for those integrated into the system of prostitution.

## Legal and social aspects

It is a fact that, in principle, prostitution as a phenomenon has been socially stigmatized as improper and regulated and sanctioned by legal norms. However, it has never been effectively eradicated or suppressed in any class-based society. Its development has always been supported by favorable factors arising from persistent social contradictions, which has led to inconsistencies and lack of clear definition in social activities concerning legal regulations, penal policy, and even the church's stance on this phenomenon (Bjelajac, Jovanović, 2012). Realistically, in today's world, circumstances regarding this issue are somewhat more defined. To recall, there are three legal regimes through which states regulate and define the issue of prostitution:

- **Prohibitionism:** Treats prostitution as an offense. The prostitute, pimp, and client can be legally prosecuted;
- **Reglementarism:** Views prostitution as a “necessary evil” that can be controlled, treating it as a public service subject to regulations;
- **Abolitionism:** Involves the legalization of prostitution. Under this regime, pimping and solicitation are prohibited and punishable.

Contemporary debates on the moral status of prostitution are polarized between the view that paid sex is a type of service industry and, as such, should not be condemned, restricted, or prevented, as it is, in other words, legitimate, and the opinion that prostitution deserves criticism and even condemnation because it degrades women. The following reasons are cited as factors that degrade women (Primorac, 1991: 675–692):

- Because paid sex is impersonal;
- Because the prostitute is reduced to a mere instrument of use;
- Due to the intimate nature of sexual relations; and
- Because the prostitute sells her body or herself.

Supporters of the idea of legalized prostitution justify their stance with the argument that legal sanctions against prostitution cannot effectively suppress it, which is why it should be allowed but regulated

by law. This approach would create conditions for establishing some degree of control, while efforts against prostitution would be conducted through non-repressive measures: preventive, educational, economic, medical, promotional, and others (Delibašić, 2010: 9). However, one should not "turn a blind eye" to the fact that prostitution is a way for girls from lower social classes to earn money. In conditions of unemployment and poverty, women are not provided with many job choices. Undoubtedly, they feel discriminated against, without any protection or means of livelihood, with a genuine sense of being on the margins of society (Bjelajac, 2017:302). On the other hand, in developed countries that advocate a more liberal approach to prostitution, there are opportunities for good profit in the sex industry. This reality channels women into this profession, where the work is considerably more profitable than in other, less accessible occupations.

It is evident that, like no other social phenomenon, prostitution has always provoked—and will continue to provoke—contradictory reactions from society, primarily because sexual needs are among the most significant human needs, under strict socialization and social control processes. Prostitution as a phenomenon has been and will definitely remain the subject of numerous studies, analyses, varied theoretical interpretations, and conceptualizations (Bjelajac, 2017: 300–301). However, despite many disagreements and debates surrounding the understanding of this phenomenon, there is a consensus that prostitution is highly adaptable, mobile, latent, and inventive, and that it withstands different socioeconomic, legal, cultural, and political variations through the centuries precisely because of these characteristics.

### **Stages of the process of becoming prostitutes and manifest forms**

Two distinct paths into prostitution have been identified. Running away had a dramatic effect on entry into prostitution during early adolescence, but less so later in life. Childhood sexual victimization, on the other hand, nearly doubled the likelihood of entering prostitution throughout a woman's life. Although drug use prevalence was significantly higher among prostitutes than non-prostitutes, drug abuse

did not explain entry into prostitution (McClanahan et al., 1999). The process by which women enter the world of prostitution, or the process of becoming prostitutes, generally involves several stages (Bjelajac, 2014: 130–131):

- **First stage:** A gradual shift from promiscuous behavior to the first act of prostitution. This stage is often marked by behavior beginning in adolescence, typically within a family environment where one parent is frequently absent, or in dysfunctional families lacking adequate parental control.
- **Second stage:** In this stage, certain skills and knowledge specific to providing sexual services are acquired. This "education" is facilitated through daily interactions with colleagues in the same "profession." Additionally, prostitutes in this stage become familiar with the side effects of their activities (infectious diseases, arrests, punishment, moral condemnation, alcoholism, drug addiction, physical and psychological abuse, etc.).
- **Third stage:** Commercialization, or economic gain, becomes the primary and sole motivation for engaging in prostitution. Selling one's body becomes an occupation, where the individual unreservedly submits their being, including their physical and mental constitution, to the job, accepting all its downsides. By adopting the behavior patterns typical of the trade, this person also incorporates them into their identity, where moral prejudices are absent in achieving the goal, i.e., earnings.

Prostitution, as a deviant phenomenon, has three forms: manifest, covert, and latent. The dominant features of manifest prostitution are payment, promiscuity, and emotional indifference between individuals of different or the same sex, which is also possible. The predominant forms of prostitution here are female heterosexuality and male homosexuality. At the manifest level, there are several types of prostitution: unorganized (street), organized (brothels), intermediary agencies, and business escort services (call girls). At this level, a person engaging in prostitution perceives themselves as deviant, having gone through a deviant career. This deviance is shown in their approach to

the job, their clothing style, entertainment choices, and value orientations. This type of prostitution is socially organized (prostitute – pimp – institution) and visible (Gavrilović, 2016). Covert prostitution differs from manifest prostitution in its invisibility. Those involved in covert prostitution do not entirely perceive themselves as deviant, usually being at the beginning of a deviant career, where a degree of conformity remains. Engaging in prostitution is rationalized in various ways, most often for financial reasons. Covert prostitution is typical in professions like housekeeping, waitressing, singing, modeling, secretarial work, and business escorts. What sets this type apart from manifest prostitution is the lack of organization, as individuals engage in prostitution occasionally or infrequently. In covert prostitution, there may be sexual relations, but the compensation does not always come in the form of money; it can be a service, right, or privilege. At the level of latent prostitution, femininity and sexuality may also be used to achieve goals but without sexual contact. The benefit here is typically non-material in nature (Gavrilović, 2016). In today's often contradictory society, many such situations exist, with the participants themselves rarely morally stigmatized, unlike "true" prostitutes and clients (Škulić, 2003: 476–477). From the perspective of sexual morality upheld by society, even when a person engages in marital sex and endures it to secure the economic benefits of marital status, this is no less a transaction than sex sold on the street to anyone who comes by and, therefore, is no less wrong or immoral (Primorac, 2007: 122–123).

Established stereotypes contribute to the mistaken perception. Specifically, when the word prostitution is used, the first association is often with a street prostitute—scantily dressed, with a cigarette in hand, intoxicated by alcohol or drugs, heavily made-up, and disoriented in time and space. This stereotype has been largely reinforced by Hollywood productions. Street prostitutes are on the opposite end of the spectrum compared to "call girls" (Bjelajac, 2017: 304). Most of them are uneducated, poorly informed, dependent on alcohol and drugs, and at high risk for sexually transmitted diseases. They also face increased risks of abuse, beatings, exploitation, rape, murder, involvement in various

criminal activities, arrest, and a significant likelihood of becoming victims of human trafficking.

In "elite prostitution," the sexual services provided to "clients" are the most expensive. The women offering these services are paid according to the status and position they hold within the illegal world of prostitution. Typically, these are educated and attractive women who speak foreign languages, are highly eloquent, and mobile in their search for wealthy clients. Their education helps them access the internet more easily, which can connect them with many more "clients." Recently, an increasing number of female students have engaged in this type of prostitution, claiming it allows them to cover the costs of attending expensive and prestigious universities. They may offer services continuously or occasionally, such as during cruises or vacations for wealthy clients on exotic destinations (Bjelajac, 2014: 133). Unlike street prostitution, elite prostitution is shrouded in secrecy and is characterized by exclusive access to the women only through intermediaries and recommendations within closed circles, with no public advertising.

It is evident that, of all the mentioned types of prostitution, the most insidious is the latent type. It is less noticeable, and its manifestations, in a state of general social apathy and unchecked permissiveness, are easily justified. Society has even adopted the term "sponsor girl" for this type of prostitute, though this is merely a modern alternative to the term "prostitute." In discussing the consequences of this type of prostitution, they are just as detrimental as those of the other two types—covert and manifest prostitution (Bjelajac, 2011). The promotion of latent prostitution is largely driven by mass media, as well as by family and societal influences, which elevate a distorted value system where the work, effort, and education of young women are placed in the background, while female physical attractiveness and sexuality are prioritized as models for success in life—a perspective that is, of course, entirely misguided.

### **Socioeconomic profile of prostitutes**

The socioeconomic profile of prostitutes can be quite complex and depends on the interaction of various factors, such as the environment

in which a person lives, socioeconomic status, access to education, and social norms surrounding the issue of prostitution. Some of the key elements commonly considered in analyzing this profile include:

- **Economic reasons:** Poverty, unemployment, lack of alternative options to address financial difficulties;
- **Family environment:** Growing up in dysfunctional families with a history of violence, neglect, abuse, substance abuse, and general parental psychopathology;
- **Association with antisocial peers:** During the highly sensitive period of adolescence, peer influence is heightened, so if one individual enters the world of prostitution, there is a high probability that others in their social circle will follow;
- **Access to education, school dropout, educational failure, and lack of school attendance:** Many teenage girls who lack adequate access to education or have poor academic achievements may become involved in sexual activities;
- **Migration factors:** Migrant women are a particularly vulnerable group for both traditional prostitution and human trafficking for sexual exploitation due to limited job opportunities in a new country;
- **Stigmatization, marginalization, and discrimination:** In many societies, prostitution is stigmatized, leading to social exclusion (difficulty in obtaining support, other employment opportunities, and escaping the prostitution system);
- **Limited access to healthcare:** Lack of healthcare, issues with sexual and mental health, and exposure to sexually transmitted infections;
- **Lack of education and information:** People engage in prostitution, pimping, or trafficking victims and are forced into involuntary work, partly because a lack of education leaves them without alternatives. Education gained at school, in the family, and in society fosters responsibility, understood not only as the acceptance of certain obligations but also as the ability to

understand life circumstances and professional alternatives (Bunu, Petrov, 2001: 58). A lack of awareness about specific social issues narrows an individual's perspective, making them less capable of responding effectively. As a result, the world of prostitution often attracts naive young women who cannot recognize the deceptive nature of certain job offers that subtly introduce them to prostitution;

- **Regional differences:** The socioeconomic profile of prostitutes varies between developed countries (higher incomes, better working conditions, access to healthcare) and poorer countries (sexual exploitation, human trafficking, violence);
- **Legal and social aspects:** In countries where prostitution is legalized or decriminalized, prostitutes have access to health and legal protection, including social benefits. In countries where it is illegal, they predominantly work in more dangerous conditions and are more exposed to violence and exploitation, along with stigmatization, marginalization, and discrimination;
- **Media influence:** Many reality shows and media content that promote prostitution, alcoholism, drug use, promiscuity, and immorality, filled with vulgarities, banalities, and profanities, have large audiences and can especially negatively impact prepubescent and adolescent children. Significant publicity is given to figures in these reality shows, such as so-called starlets, "sponsor girls," prostitutes, and people from criminal backgrounds. Young girls, who have not yet developed critical judgments about value criteria, unconsciously idolize these personalities who display antisocial behavior, which is often correlated with certain forms of crime (Bjelajac, 2017: 672–673). Therefore, we must continually consider how to protect children from various forms of abuse (Bjelajac, Filipović, 2020; Bjelajac, Matijašević, & Počuča, 2012), especially in terms of education and awareness that digital violence and sociopathological phenomena in the virtual world spill over into the real world, encouraging delinquent behaviors.

## **Psychological profile of prostitutes**

Studies on how women engaged in prostitution manage various aspects of risk and develop specific characteristics and coping mechanisms for the challenges their work entails (Sanders, 2004) are crucial for creating a psychological profile. Identifying and profiling prostitutes requires an understanding of their psychological characteristics, motivations, social context, and operational methods. This is a complex topic, as pimps and prostitutes may be found in different social, economic, and cultural environments. The psychological profile of prostitutes cannot be generalized due to its social and cultural complexity and historical roots in communities. Moreover, the specific experiences, motives, and personal traits of each individual involved in this phenomenon vary and require specialized profiling skills to understand their psychological profile.

The identification of traits and behaviors in prostitutes is closely linked to the motivation focused on the projection of quick earnings and an easy life. However, this path, in reality, is paved with psychophysical traumas, dependency on alcohol and drugs, and coercion that leads to a loss of autonomy in making decisions about their own lives. Operational characteristics include work locations (streets, apartments, adapted spaces...), often places under the constant supervision of pimps, and a clientele that may be regular, occasional, unknown, and toward whom they may exhibit ambivalent behavior.

Many prostitutes provide their services exclusively in "brothels" alongside other prostitutes, as this type of prostitution offers certain advantages, such as solidarity, safety, and protection compared to working on the streets. Additionally, in an organized "brothel," there is a lower likelihood that a prostitute will be caught by the police (Bjelajac, 2017: 306). Clients usually come by recommendation, where "full-body massage for gentlemen" is offered—a common terminology used to mask prostitution as a seemingly legal business.

Consequently, forensic analysis is of great importance for profiling and identifying pimps and prostitutes, involving the collection of evidence such as audio and video recordings, emails, SMS messages (used to arrange meetings), financial traces, and statements from

prostitutes, clients, pimps, and witnesses. Communication analysis, despite the use of coded messages, false identities, and secret locations to avoid criminal liability, can provide insight into operational methods and the contact network, which is crucial for criminal investigations. This is especially important as individuals involved in prostitution are often unwilling to testify due to fear of retaliation.

We must emphasize that there are several common characteristics and behavior patterns associated with this phenomenon, as observed in the testimonies of many women who have entered this dark world. Their mental framework, through verbal and/or non-verbal cues, suggests:

- Living in dysfunctional families;
- Unemployment and poverty;
- Single-parent households/broken homes;
- Lack of education and information;
- Traumatic experiences with a history of abuse and childhood sexual victimization;
- Association with antisocial peers;
- Exposure to criminal structures;
- Poor school performance;
- Running away from home in early adolescence;
- Alcohol and substance abuse;
- Adaptability to people and situations;
- Need for control and independence;
- Ability to understand clients by building empathetic relationships or a lack of empathy;
- Development of defense mechanisms such as dissociation (separating emotions from actions), cynicism, and a sense of detachment from their own identity;
- Development of feelings of inner conflict or shame, or building self-confidence with defiance toward social norms, stereotypes, and the general stigma surrounding their profession;
- Avoidance of emotional attachment;

- Resilience and endurance under emotional and physical pressures;
- Naivety and susceptibility to manipulation by third parties;
- Financial need as motivation.

For a broader understanding of prostitution, it is essential to consider how prostitution affects the mental and physical health of prostitutes. Even at the first encounter, especially with women involved in the lowest level of prostitution—street prostitution—signs of certain health problems can be observed, reflecting an integral element of their psychological profile, such as:

- Malnutrition;
- Poor hygiene;
- Confusion and inconsistency in statements, vague responses;
- Signs of drug or alcohol use;
- Dehydration;
- Sexually transmitted diseases;
- Visible signs of rape or sexual abuse;
- Bruises and scars on the body, burns, cuts, broken bones or teeth, or other signs of untreated medical issues;
- Chronic illnesses, such as heart disease, diabetes, cancer;
- Obsessive-compulsive disorder (OCD);
- Post-traumatic stress disorder (PTSD).

Post-traumatic stress disorder (PTSD) involves a complex and severe symptomatology (Farley, Barkan, 1998), which includes: depression, anxiety, emotional numbness or blunting, intrusive thoughts and flashbacks, insomnia, hypervigilance, irritability, anger, phobias, and loss of life purpose. It is known that prostitutes and victims of human trafficking are more likely to suffer from PTSD compared to the general population, with the symptomatology being more complex and prolonged when the stressor is "human-made." Additionally, as a result of emotional turmoil, pervasive violence, and marginalization, suicidal thoughts, self-hatred, low self-esteem, and dissociation (separation of the body from the mind) may also occur.

In a study conducted in the Netherlands examining the characteristics of prostitution and associated factors, the question of motivation for engaging in prostitution was explored. In open-ended responses regarding reasons for prostitution, nearly half of the participants (48.9%) reported engaging in prostitution for financial reasons. This included responses such as earning money, financial needs, lack of alternative jobs, desire for more luxury in life, and preference for easier work or fewer working hours. The financial reasons reported indicate whether the motivation is more based on financial needs versus desires for a more luxurious lifestyle. Among those who explicitly stated their reasons, the responses were fairly evenly split between engaging in prostitution due to financial need (15.9% of the sample) and using prostitution to achieve a better lifestyle (14.8% of the sample). The second most frequently reported reason for engaging in prostitution was fun and/or excitement (22.8% of the sample) (Krumrei-Mancuso, 2017). Although this is a relatively small sample of 88 women engaged in prostitution, it is consistent with other studies and reflects a fairly realistic view of the motivational factors for engaging in prostitution, which unequivocally include financial need and misconceptions about quick earnings and an easy life.

### **Interaction of prostitution with crime and other forms of sociopathological behavior**

The phenomenon of prostitution represents a significant aspect of social relationships. This phenomenon is, of course, an expression of social disorder that has a specific causal relationship with certain similar forms of sociopathological behavior or, more broadly, "social diseases" (Bjelajac, 2014:135). Prostitution is multilayered in its connection with crime, where involvement in criminal activities and other behaviors may be incited through blackmail, coercion, or the pursuit of material gain. The connection between prostitution and crime exists regardless of whether it is permitted or prohibited by the normative system (Milutinović, 1985:37). According to Tomislav Marković, there is a correlation between prostitution and criminal intentions, which is reflected in the following ways (Marković, 1965):

- Prostitution is part of the social circle that also includes criminals;
- The prostitute often participates in concealing criminals;
- The prostitute may act as an accomplice or co-perpetrator of criminal offenses;
- The prostitute can be an instigator of crime and other antisocial activities;
- The prostitute may act as the direct perpetrator of criminal offenses.

Prostitution is a highly dangerous criminal activity associated with organized and transnational organized crime, as it often involves the corruption of authorities responsible for combating prostitution, allowing criminal organizations to commercialize this criminal activity more freely and openly (Bošković, 2003: 171). Crime and prostitution are closely interconnected in certain aspects, making it difficult to explain the causes of such direct links in a single sentence. However, it is known that prostitution indirectly encourages crime. Additionally, substantial funds from criminal activities are funneled into prostitution, as the organizational structure of prostitution is one of the common forms of professional and organized crime. The fact is that the profits from prostitution benefit not only the prostitute but also entire teams of procurers, criminals, pimps, and other "parasites" associated with prostitution (Bjelajac, 2014: 136), including corrupt elements, as prostitution has always operated under a covert form of protection from certain parts of the police and some local officials who found personal benefit in it.

Juvenile delinquency is a very sensitive and socially troubling category. It involves antisocial activities by individuals who have not reached adulthood (in most countries, between 18 and 22 years of age). When the most vulnerable population, namely young people, becomes involved in prostitution, conditions are created that allow them to enter the world of juvenile delinquency through a side door (Bjelajac, 2014: 137). It is well-known that prostitution and juvenile delinquency are closely and mutually linked. Many young prostitutes come from backgrounds involving dysfunctional families with histories of sexual,

physical, and emotional abuse, along with experiences of alcohol and substance abuse. These negative experiences have resulted in the formation of a "violent sexual identity."

Alcoholism and drug addiction are the most common causes of criminogenic behavior. These two factors, when interacting with prostitution, have a destructive effect on the body, as they lead to a neutralization of consciousness and an increase in suggestibility. Recently, organized prostitution has included the use of opiates as a proven ritual to "bind" the client and enhance the overall ambiance, creating a "better" virtual reality experience. At the same time, there is a large number of prostitutes who are drug addicts, making the risk of spreading AIDS, hepatitis, and other infectious diseases more than likely (Bjelajac, 2011). The interaction between prostitution and certain forms of sociopathological behavior implies the strengthening of sociopathological modalities and leads to the emergence of various criminal phenomena and content, including crimes against humanity, such as human trafficking/modern slavery.

Many researchers argue that there is an "invisible thread" between prostitution and human trafficking, based on the understanding that prostitution can never fundamentally be voluntary and therefore implies trafficking in women. This perspective emphasizes the marginalized and disenfranchised status of women in society, which directs them toward selling their bodies to men (Bjelajac, 2008:10). In contrast, other views defend the notion that a woman has the right to control her own body as she wishes, meaning that engaging in prostitution can be part of her voluntary choice. Based on this, prostitution is clearly differentiated from trafficking in women for sexual exploitation. When a woman is a victim of human trafficking, she is deprived of the freedom of choice and has no control over what happens to her—that is, she cannot choose whether to engage in it, how, to what extent, and with whom, with no corresponding earnings. A woman who is a victim of human trafficking finds herself in a specific form of slavery, brought about through coercion and deceit, involving brutal abuses of human rights and freedoms. Daily sexual exploitation with numerous "clients," without adequate protection, exposure to sexually transmitted

and other diseases, physical and psychological torture, rape, and intimidation are only part of what trafficking victims endure (Bjelajac, 2014:138; Bjelajac, Marković, & Pavlović 2012). Human trafficking is a serious problem, affecting human rights, public health, and overall human development, as it entails numerous human and strategic risks. Although there is a clear interaction between prostitution and human trafficking for sexual exploitation, prostitution can also stem from other causes and is not always linked to human trafficking. However, engaging in prostitution is also akin to “walking a tightrope,” where one can easily slip into an abyss and fall into the “clutches” of traffickers, entering a state of lost dignity and freedom.

## **Discussion**

Sexual services are considered the oldest profession in the world, practiced by people since ancient times. As the years go by, we can witness the significant growth of the sex industry. Over time, various types of sexual services have been introduced, encompassing both direct and indirect interactions such as prostitution, phone sex, webcam modeling, strip clubs, OnlyFans, and more (Sex Worker Statistics..., 2024). Often, the question arises: what percentage of people use sexual services? The percentage of individuals who use the services of sex workers varies by gender and country, with most clients being men. According to one study, an estimated 16% of men use the services of female sex workers, while 1% of women reported using the services of male sex workers. Globally, there are a total of 52 million sex workers, of whom 41.6 million are women, while 10.4 million are men, indicating that 80% of sex workers worldwide are women. Sexual services are common in most countries, regardless of their legal status. In the U.S., 14% of men admitted to paying for sex, while only 1% of women acknowledged paying for sex, with the majority of men who pay falling in the age range of 30 to 44 years (Sex Worker Statistics..., 2024). It should be noted that assessing the scope and prevalence of prostitution is challenging, and the reported data may be misleading due to the covert, inventive, and mobile nature of the phenomenon.

The key terms we should use in this discussion are education, profiling, and legalization. History teaches us that it is impossible to eradicate prostitution as a deviant social phenomenon, but it is possible to reduce it to a level that is "tolerable for society" through a system of continuous education and public awareness. Educating minors about the risks and harmful consequences of prostitution should be part of school curricula and primary prevention efforts.

Parents and teachers should take "small steps" to apply basic knowledge of profiling to proactively respond and prevent early cases of maladaptive behaviors from developing into more serious issues. For example, changes in mood, behavior, appearance, hygiene, and psychophysical health could raise suspicions that a child may be using drugs. Signs of drug use can easily be identified by checking for odors on breath, hair, and clothing, or noticing changes in the eyes (redness, heavy eyelids, constricted pupils). Preventive measures and early actions can begin by checking common areas where the child sleeps and spends time. Do not overlook mobile phones and other digital devices, which may indicate suspicious contacts and activities. Getting to know your children's friends and being involved in their lives is a positive approach. Lastly, do not hesitate to occasionally test your child for substances. Remember, if a high school girl suddenly has an expensive new iPhone and claims it was a gift from a friend, it could be an early sign of sexual exploitation. Sometimes, neglecting or failing to notice new clothes, makeup, and other items without a clear explanation of how they were acquired can be an early indication of a classic scenario involving prostitution (Bjelajac, 2024). Profiling minor girls who exhibit delinquent behavior and responding in a timely manner can be an effective protective factor as part of proactive measures before entry into prostitution occurs.

In conclusion, strategies to combat prostitution must more seriously consider the framework of accepting this phenomenon as a legal form of business, which is a particularly rational model for controlling this sociopathological behavior. This is especially relevant because, in many countries that legally incriminate this phenomenon, there is a high level of tolerance in real-life situations (including mass

media), resulting in a significant gap between the "normative and the actual."

## **Conclusion**

The structure, content, and essence of this paper can serve as a good starting point for understanding prostitution and profiling prostitutes from different perspectives. Each section of this paper provides a unique viewpoint on prostitution as a universal phenomenon, which has existed since ancient times and continues to generate numerous controversies in modern society. Though concise, the presented etiological, legal, and social aspects of prostitution, along with the stages in the process of becoming a prostitute and its various forms, hold substantial potential for enabling a comprehensive understanding of this complex topic.

The socioeconomic profile of prostitutes suggests an interaction of multiple factors that make young people vulnerable to early entry into prostitution, while the psychological profile reveals several common patterns and behavioral matrices associated with this phenomenon, with a particular emphasis on traumatic experiences and the psychophysical consequences for women involved in this sociopathological activity. The connection between prostitution, crime, and other forms of socio-pathological behavior is notably emphasized. Prostitution aligns with organized criminal activities as a source of profit through illegal networks engaged in human trafficking and drug distribution. Additionally, prostitutes may be exposed to various forms of violence and criminal activities.

The concept of profiling as a protective factor can be useful in preventive programs by enabling the identification of risk factors and early signs that might lead to entry into prostitution. On the other hand, profiling can also support the process of exiting prostitution through personalized approaches and rehabilitation programs that take into account the specific experiences, needs, motives, and personal characteristics of each individual involved in this phenomenon. In this way, it is possible to facilitate the transition and social reintegration.

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## Profilisanje prostitutki

Željko Đ. Bjelajac

Pravni fakultet za privredu i pravosuđe, Novi Sad

### Sažetak

Postoji značajan broj autora koji su se bavili fenomenologijom i etiologijom prostitucije "kao najstarijeg zanata" čiji koreni dosežu daleko kroz istoriju. Očito je da takav pristup nije koherentan. Stoga su u ovom radu uključeni različiti aspekti prostitucije koji sugerišu na lična iskustva i karakteristike žena koje se bave ovim poslom uz analizu različitih faktora, trauma i obrazaca ponašanja koji vode žene u prostituciju, sa reperkusijom na mentalno i fizičko zdravlje i simptomatologijom post-traumatskog stresnog poremećaja. Kroz socioekonomski i psihološki profil prostitutki, ovde delegiramo koncept kriminalističkog profilisanja, kao važan alat i zaštitni faktor u proaktivnom pristupu da se spreči upliv mladih devojaka i žena u delinkventni svet prostitucije uz razmatranje na koji način profilisanje može pomoći u razumevanju asocijalnih ponašanja i preventivnog delovanja još u adolescentskoj dobi i rešavanju problema vezanih za ovaj društveni fenomen pre njegove manifestacije, ali i nakon toga sa zakašnjenjem. Primenjene su metode: kvantitativne i kvalitativne analize sadržaja, komparativne analize (reakcije na prostituciju) i deskriptivne i analitičke statistike. Cilj ovog rada je da se identifikuju fleksibilni faktori rizika, a ujedno i zaštitni faktori kroz koncept profilisanja koji mogu biti planirani u preventivnim i interventnim strategijama, u težnji ka delotvornom odgovoru zajednice u politici suzbijanja prostitucije.

*Ključne reči:* prostitucija, uzroci prostitucije, klasifikacija prostitutki, karakteristike prostitutki, profilisanje prostitutki, socioekonomski profil, psihološki profil.

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# Human Resources' Influence on Competitiveness of Bosnia and Herzegovina, Serbia and Croatia's Economies

Snježana Stanišić<sup>1</sup>, Žaklina Spalević<sup>2</sup> and Sanja Marković<sup>3</sup>

<sup>1</sup>Sinergija University, Bijeljina, Bosnia and Herzegovina  
Faculty of Business Economics

<sup>2</sup>Singidunum University, Belgrade, Serbia  
Faculty of Tourism and Hotel Management

<sup>3</sup>Kosovo and Metohija Academy of Applied Studies,  
Leposavić, Serbia, Department Zvečan

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## Author Note

Snježana Stanišić  <https://orcid.org/0009-0006-5313-7280>

Žaklina Spalević  <https://orcid.org/0000-0001-8502-2038>

Sanja Marković  <https://orcid.org/0000-0002-4208-5159>

Corresponding author: Žaklina Spalević

E-mail: [zspalevic@singidunum.ac.rs](mailto:zspalevic@singidunum.ac.rs)

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## Abstract

The level of competitiveness measures the success of an economy, which is one of the most important factors of economic growth and development. Competitiveness is a concept that every economy wants to increase, which is exactly why every country improves its own economic competitiveness. This paper presents a comparison of the competitiveness of Bosnia and Herzegovina and countries in the region. The aim of this paper is to show the competitiveness with the reference neighbouring countries and the impact of human resources on the overall competitiveness of the country. In order for economic growth and sustainable development to be stable and sustainable in the long run, it is necessary to establish a quality and efficient institutional environment which would create a stimulating environment for the most successful economic activities with the aim of improving competitiveness. A well-prepared human resources strategy allow the organisation to efficiently plan and manage all processes in order to support its goals and respond flexibly to any changes. In knowledge-based societies, adult education and lifelong learning have become a necessity in order to maintain and increase employee competitiveness. According to the results in this paper, it is evident that in societies based on knowledge, adult education and lifelong learning become a necessity in order to maintain and increase the competitiveness of employees.

*Key words:* economic growth, competitiveness, human resources, institutional environment, economic activities.

## **Human Resources' Influence on Competitiveness of Bosnia and Herzegovina, Serbia and Croatia's Economies**

For one economy, the level of competitiveness, compared to other countries, is crucial, whether it is an economy that records growth and development or an economy characterized by low productivity, high unemployment rate, uncertainty, exchange rate changes. The importance of the competitiveness concept has seen growth in a globalized world over the last decade. In order for the competition to strengthen, in addition to the good functioning of the market, it is necessary to strengthen and stabilize institutions, employ quality staff as well as continuous innovation in all fields. Competitive economies will be more risk-resistant in the future and more willing to adapt to the new business environment. The process of improving the business environment, which would enable an increase in exports and more foreign direct investments, also strengthens the competitiveness of an economy.

This very time is characterized by an unstable business environment with competitiveness indicators such as: local investments to increase business productivity and improve infrastructure, exports that break down the demand limits for domestic products, imports that allow access to resources abroad, providing foreign direct investments, application of modern technology, local market innovation. The World Economic Forum, which is nowadays, along with the World Bank, the most important institution that measures and analyzes competitiveness, is linked to the Global Competitiveness Index. The use of the aforementioned index is based on the assumption that a large number of factors suggesting the competitiveness of national economies exist in the global economy.

The Global Competitiveness Report presents the key factors more than 35 years, as well as their interrelationships determining a country's level of progress and economic growth both at present and in the future. These reports' purpose is identifying principal advantages and weaknesses of the economy, so that decision makers can create certain economic goals related to the economy-related issues and

challenges. The latest report covers 138 countries and their economies. This report presents a comprehensive profile of each economy and an overview with global ranking data with over 100 indicators, grouped into twelve pillars of competitiveness.

The influence of the state on companies is not negligible, as it is the state exactly that provides an advantage to companies that appear in the form of high level of savings with a low interest rate for investment, the right to ownership and the right to manage goods. Also, highly educated and technologically motivated and dedicated workforce is important for the companies, whose education was enabled via a well-developed educational system of individual countries. The low inflation rate is just as important as the investment climate.

### **Specificities and measuring competitiveness**

Competitiveness allows each country to improve its prosperity, if it achieves productivity and competitiveness growth, regardless of the growth or decline in the level of competitiveness of other countries. In recent times, this has been particularly affected by the process of globalization, which, on the one hand, has enabled prosperity for those who increase competitiveness, but on the other hand, has at the same time relatively increased costs for those with low productivity (Porter et al., 2007). Countries have benefited from faster growth, higher living standards, and new economic opportunities with decades of globalization and increasing trade. (Chiah et al., 2023). In the field of economics, competitiveness is often the subject of research. This was to be expected given that competitiveness has topped the list of macroeconomic policies in most countries in the last 30 years (Despotović et al., 2014, p. 29). Regardless of controversies behind the reality of competitiveness concept, it is estimated there are more than a hundred different forms of indicators for this phenomenon quantification (Despotović et al., 2014, p. 29). Economic development is based upon competitiveness and on an economic growth-oriented philosophy (Jovanea et al., 2017). Stockb As in previous years, some European and several Asian countries dominate among the ten most competitive highly ranked countries, in addition to the USA. The title of the most competitive world economy was retained

by Switzerland; Singapore is rated the second, followed by the Denmark, Ireland, USA, the Netherlands, Germany, Sweden, Great Britain, Japan, UAE, Hong Kong and Finland. Switzerland has maintained its leading position thanks to excellent grades in the pillars of innovation efficiency, labour market, adequate environment and technological readiness. Singapore is taking the second position with excellent grades in ten pillars. The high position was influenced by the market efficiency, with a good higher education system, public institutions' high efficiency, the best organized infrastructure in the world.

The USA is still holding the third position, where progress in macroeconomic stability is noticeable. The Netherlands continues to grow in the ranking with high marks in the quality of cooperation in social innovations between the private sector and universities. Germany has dropped by one position compared to the previous year, continuing to apply new technologies and efficiency in using the talents with the integration of immigrants in the labour market as a special challenge for the future. With the improvement in the macroeconomic environment, Sweden climbed three positions. The ranking of Great Britain was done before Brexit: this country's competitiveness is achieved via the goods market, an efficient labour market, as well as via digitalizing all areas. Japan continues to be characterized by an excellent environment, infrastructure, scientific research institutions, investments in development and research. Hong Kong recorded a decline in two positions compared to the previous year, but is still a well-developed financial sector, stability and reliability in lending operation, which still makes it the country with the largest application of technological innovations. Finland takes the tenth position, which is affected by the global financial crisis, as well as the decline in exports to Russia. Nevertheless, it records stability in terms of innovations and a high level of cooperation between industry and universities. Strong commodity prices and a healthy jobs market continue to drive Australia's competitiveness (Ceda, 2022).

Advanced and emerging economies are becoming more interdependent with rapid pace of globalization of capital markets and technological innovations in recent years (Bhattarai et al., 2021).

The Western Balkans countries are in various stages of integration into the European Union (Sadiković, 2014). For this reason, in the presence of high uncertainty and asymmetric information (Persakis et al., 2023) the expectation that both their socio-economic and financial systems will be in different phases of change is realistic. In a way, it is difficult to determine that the countries of this region can be viewed uniquely, belonging to one region, as the integration processes themselves take place slowly, often bilaterally between certain countries. When processes become obsolete and inefficient, not being able to give the desired results, they must be either redesigned or replaced (Hari Lal Bhaskar, 2018). All this has an uncoordinated approach to the development of the mentioned market as a direct consequence. Observing a period of about two decades, certain trends, specificities, circumstances and characteristics of individual countries of this region have influenced the dynamics of changes in independent financial systems in this part of Europe. When analyzing conditions and trends in the financial systems of the countries of the region in more details, the conclusion of having more similarities than differences between them can be reached.

The countries in the region have slightly changed, with Slovenia achieving the best results, followed by Croatia, Serbia, Montenegro, and Bosnia and Herzegovina outside the top 80 countries. Efforts to increase competitiveness would contribute in short-term to better position of this group of countries in international trade, and would pay off in the long run, by improving their position in international economic relations (Božić Miljković, 2012, p. 68).

Competitive advantages implies to be more innovative and more competitive in dynamic environments: The role of manufacturing, additive (Turkcan et al., 2022) that every company needs to compete in the global market are the mastery of technology; high-quality human resources (workers and managers); high creativity and motivation; a high level of efficiency and productivity in the production process; the production of good quality goods; good management systems and organizational structures; a high level of entrepreneurship; a broad vision of the products and the environment around the business

(economic, social, political, etc.); and the ability to face fierce competition in the global market (Farida et al., 2021). The achieved level of competitiveness directly indicates the position of an economy in globalized market competition, and in order to maximize the effects of economic policy measures that should increase the Western Balkans' competitiveness, it is necessary to work on connecting their financial systems and taking advantage of the additional effects of such integrations (Penezić et al., 2018). In order to enhance growth and mutual progress, finances must become more balanced and manage concessions between financial inclusion and stability. Consequently, there is an even stronger need to accelerate support for innovation, especially in key areas to innovation, such as higher education, innovation - based entrepreneurship as well as measures to increase demand. Europe demands fresh dynamism of its economy.

Developed industries in EU states also need to develop new applications of existing, as well as new business models, in order to grow and maintain their competitive position. This requires structural change based on innovations, while attracting the most talented and professional innovative entrepreneurs, providing much better conditions for starting and growing of their business (Zaušková et al., 2013).

### ***Measuring competition***

Various uncertainties can undermine growth prospects, such as geopolitical tensions, conflicts, slow growth in emerging markets. Despite aforementioned, the overall chance for economic growth remains positive. The relationship between the levels of development of financial systems and economic growth is studied through the view that efficient financial systems (developed financial markets and institutions), in line with the growth of real sector's demand, increase the financial services' offer, favorably affecting economic growth and competitiveness of national economic structures (Eschenbach, 2004). Despite differences of opinion on national competitiveness definition, both the public and politicians are very interested in countries' competitiveness. The issue of achieving, maintaining and increasing the level of competitiveness, both at the micro and macro level, is one of

the key issues to which the creators of modern development policies strive and should constantly find new responses (Zubović et al., 2013, p. 406). This was expected given the fact that in the last thirty years, competitiveness has been continuously at the top of the list of macroeconomic policy goals in most world's countries. However, there is still no generally accepted definition of a country's competitiveness (Marginean, 2006).

The importance of competitiveness concept is now firmly embedded in economic policies around the world. Therefore, measuring, understanding and analyzing competitiveness at numerous geographical levels are becoming a vital factor in creating an environmental policy that is largely informed about how possible it is to enhance the economic performances of countries and regions (Katić, 2013).

In order to accelerate their economic growth, countries must step up all efforts to adapt to new terms and conditions. Since 2005, the World Economic Forum (WEF) has based its competitiveness analysis on the Global Competitiveness Index (GCI), a comprehensive framework measuring the microeconomic and macroeconomic foundations of national competitiveness, consisting of 114 indicators grouped into 12 pillars: (World Economic Forum, 2020) 1. institutions, 2. infrastructure, 3. macroeconomic environment, 4. health and primary education, 5. higher education and vocational training, 6. commodity market efficiency, 7. labour market efficiency, 8. financial market development, 9. technical readiness, 10. market size, 11. business sophistication, 12. innovations. All pillars are grouped into three groups with the main development phases: the factor phase (pillars 1–4), the efficiency phase (pillars 5–10) and the innovation phase (pillars 11–12) (World Economic Forum, 2020). International institutions such as the International Monetary Fund, the World Bank, the United Nations, the World Economic Forum, the World Health Organisation and the Educational, Scientific and Cultural Organisation include data for the Competitiveness Index. The average grade, which is the same all over the world and is measured according to a certain methodology, includes indicators of all 12 pillars. All data, whether primary or secondary, are standardized on 1–7 scale (1 – worst grade, 7 – best grade), which is

also the range of possible values for all sub-indicators, competitiveness pillars and the Global Index itself. As for the survey, most of the questions do not even need to be standardized, because a balanced Likert scale with seven divisions is used. The share of survey data in the calculation of the Global Competitiveness Index is approximately 70%, while the share of secondary data is approximately 30%. The significance of the pillars within a group for an individual country depends on its level of development. To group countries according to the level of development, a relatively precise criterion is used, starting from the achieved level of GDP per capita, denominated in US dollars (Fondacija za razvoj ekonomske nauke, 2017).

First pillar: Institutions – includes the success of the behavior of public and private participants in socio-economic life. The administrative and legal framework within which governments, enterprises, and individuals influence each other by determining the quality of institutions that has a strong impact on competitiveness and development. Second pillar: Infrastructure – a quality infrastructure network has a great impact on economic growth and development, integrates national markets that are thus better connected with other regions. A country's economy depends on a good telecommunication network, uninterrupted supply of electricity. Third pillar: Macroeconomic environment – if a country is facing constant fiscal deficit, the ability to influence business cycles is limited; therefore without stable environment, the economy cannot develop. Pillar 4: Health and primary education – a healthy and educated workforce has a positive impact on a country's productivity. Pillar 5: Skills and skilled workforce – the competitiveness of a country's economy is greatly influenced by vocational and continued education because today's economy requires well-educated employees who can easily adapt to the new business environment and technological change. This pillar measures the enrollment of high school and college students and the quality of their education. Pillar 6: The efficiency of the commodity market – both foreign and local markets need a competitive market that is important in achieving business productivity and market efficiency. Also, market efficiency depends on customer orientation. Pillar 7: Labour market efficiency – ensuring a successful exchange of workers who will do their

best in the workplace is a consequence of labour market flexibility and efficiency. It is necessary to ensure gender equality in the business environment. Pillar Eight: Financial Market Development – state economies require financial markets that will enable the availability of capital for investments and a regulated securities market. The banking sector must be secure and transparent. Pillar 9: Technological readiness – the ability of the economy to accept and apply technology in order to improve efficiency. Pillar 10: Market size – thanks to globalization, international markets have replaced the local ones, particularly referring to small countries. Pillar 11: Business dynamics – the quality of individual companies' business operation and the quality of the overall business network and their strategy implies business sophistication. Pillar 12: Innovation – If companies would like to achieve growth and development, they must apply innovations in order to be able to create high-quality products that create new values and maintain competitiveness. All 12 pillars mentioned above, although independent, are intertwined impacting each other.

In accordance with the known economic theories on development stages, the Competitiveness Index starts from the assumption that all countries go through three stages of development. In the first phase (factor phase), the basic factors of competitiveness are important for productivity growth: good functioning of public and private institutions (Pillar 1), well-developed infrastructure (Pillar 2), stable macroeconomic framework (Pillar 3), good, healthy and a literate workforce with at least primary education completed (Pillar 4). With further development, countries become more competitive, increase productivity and enter the second phase (efficiency phase) in which they achieve more efficient production processes and growing product quality. In this phase, the competitiveness growth is influenced by higher education and vocational training (Pillar 5), efficient goods market (Pillar 6), efficient functioning of the labour market (Pillar 7), financial sector development (Pillar 8), the possibility of using existing technologies (Pillar 9), and market size (Pillar 10). As they develop further, countries move into the third phase (innovation phase) in which the growth of productivity and

competitiveness is conditioned by factors of high business dynamics (Pillar 11) and innovation (Pillar 12).

### **Competitiveness analysis**

Competitiveness is extremely important for the small economies of the countries of the region, which must be open to the world in order to achieve higher growth that enables the achievement of a better standard of living for citizens. Investment levels and growth rates are not enough to significantly reduce the gap with the EU average and it will take a long time to close that gap. Economic development is also slowed by the deep-rooted gray economy. There is a strong emphasis on state involvement and inappropriate political interference in economic life, while competition policy and other accompanying policies are still too weak (Čolaković-Prguda, 2020). Successful economic integration within the region and integration with the European Union will be possible only with improved and stronger connections, i.e. improved regional cooperation.

Comparing the values of the Global Competitiveness Index, it can be concluded that there is a symbolic growth trend within the observed countries, but with oscillations. The global economic crisis in 2009 was followed by deterioration in the competitive position of neighbouring countries.

Observing the ranking of countries according to the Global Competitiveness Index covering a certain period of time, Slovenia is the best ranked country without major changes, Macedonia and Montenegro recorded a significant decline, while Bosnia and Herzegovina is the lowest ranked. Being poorly ranked in the areas of innovation, business dynamics, commodity and labour markets is common to nearly all countries.

### ***Competitiveness of Bosnia and Herzegovina's economy***

Bosnia and Herzegovina is ranked 91st and 92nd in the 2018–2019 Global Competitiveness Report on the most competitive economies in the world. As in previous years, Bosnia and Herzegovina, is generally poorly assessed in the same areas due to inefficiency in

implementing reform measures. Infrastructure, market size, institutions and innovation have been poorly assessed year by year.

Compared to the previous year, the largest positive change in ranking was recorded by the pillars of macroeconomic environment for 9 positions, adopting information and communication technologies for 6 positions, infrastructure for 5 positions, labour market and skills for 5 positions and the financial system for 3 positions. The largest negative change in ranking compared to the previous year was recorded by the pillars of health (-21), business dynamics (-11), institutions (3), the ability to innovate (-3), the commodity market and market size (-2). Compared to the previous year, the largest positive change in the assessment was recorded by the pillars of adoption of information and communication technologies (5.8), financial system (2.8), skills (2.4), infrastructure (2.3), labour market (2, 1), macroeconomic stability (0.6), market size (0.5) and innovation capacity (0.2). Although most of the pillars recorded an improvement in assessment compared to the previous year, the largest negative change in assessment was recorded by the pillars of health (-5.0), product markets (-2.0), business dynamics (-1.6) and institutions (-1, 2).

The low competitiveness of Bosnia and Herzegovina's economy is caused by its absence on the world market, non-investment, technological backwardness and inadequate privatization.

Factors influencing poor competitiveness are public administration's weaknesses, poor infrastructure, poor innovation encouragement, high public debt, fiscal burden. According to the latest data, Bosnia and Herzegovina invests 0.21% of total GDP in research and development.

### ***Serbia's economy competitiveness***

According to the World Economic Forum's 2018 Report, Serbia ranked 72nd out of a total of 140 countries, while in 2019, it ranked the 72nd out of a total of 138 countries. Compared to the previous year, the value of the Global Value Index for Serbia increased by 0.08%, moving up for four positions.

Within the Financial Market Development pillar, growth was achieved thanks to easier engagement of capital to finance projects.

Noticeable improvements have been noted in the pillars of Higher Education and Training and Health and Primary Education. The relations between employees and employers, the manner of employment, the relations between management engagement and company productivity were assessed within the Labour Market Efficiency Pillar. The greatest chance for future development lies in the digitalization of the market.

The decline in values at the level of individual pillars has consequently reflected on their poorer placement when Serbia is compared to other economies. However, what stands out is that despite the increase in index value in the four pillars, the drop in position was recorded. The largest decline of 17 positions took place in the pillar of Adoption of information and communication technologies, which recorded the largest decline in index value, while due to the lower value of the index, the Health pillar dropped for 9 positions. The commodity market dropped for 7 positions, while the pillars of Infrastructure, Labour Market, Financial System and Ability to Innovate dropped for 2–3 positions compared to the 2018 Report. On the other hand, four pillars have progressed with a relatively small increase of 1 position in the case of Institution, Skills and Market Size pillars and an improvement of 5 positions in the Business Dynamics pillar.

### ***Croatia's economy competitiveness***

In recent years, Croatia's economy has recorded a declining trend in ranking according to the values of the Global Value Index. This trend of competitiveness in relation to other countries suggests that Croatia is overtaken by countries that have managed to improve their competitiveness more efficiently with better quality.

The decline of Croatia was stopped on the competitiveness list, so it climbed from 68th to 63rd position. Although the growth rate is slowed down, the state avoids more aggressive reforms. Croatia is unpreparedly following the industrial revolution for the reason of which, it records a constant decline in innovation and technological equipment that affects the digital industry. Croatia's entry into the European Union paved the way for new opportunities that it lacked before, which gives it an advantage over other less developed European

countries. Progress has been made in several areas such as the labour and the commodity market, as well as health and primary education.

### **Investing in human resources and their impact on economic competitiveness**

In general, the quality of human resources, which as a basis express all previously analyzed indicators such as technological readiness, levels of education and skills, technological readiness, innovation and health, is an important factor in the competitiveness of any economy. Considering that human capital, innovation, markets, favorable environment and economic growth (Alsaleh et al., 2021) influence the competitiveness of the country's economy.

Investing in human resources should not be seen as a cost but an investment. A revival in human capital development and labor market functioning in all economies requires focusing on renewing the training system and training in different age groups with emphasizing the skills needed in the jobs that will arise. This especially applies to urgent changes in secondary education to ensure that future generations of young people they enter the labor market with the skills needed for the job. Competent and educated workforce provides higher efficiency and productivity. For example, the education system in Bosnia and Herzegovina has experienced a moderate recovery in recent years, but there are still a number of challenges and obstacles ahead, most notably the institutional system and administrative fragmentation. Despite the progress made, Bosnia and Herzegovina lags behind its neighbours in terms of enrollment rates in schools with 89% of the gross enrollment rate in secondary schools compared to 94% of enrollment in secondary schools in Slovenia and Croatia, only North Macedonia's secondary schools enrollment rate is less. Bosnia and Herzegovina, like the neighbouring countries, has undergone fundamental social and economic transformations in recent years. Such a transition requires a highly flexible workforce that is able to adapt to the needs of the changing market, especially in the context of EU accession requirements. The lifelong learning system is crucial for the ongoing human resources' adaptation to changing labour market's

needs, given that modern economies require different professional skills and responsibilities in all sectors, unlike the previous socialist economy. There is a visible disparity between supply and demand in the labour market, which is the result of inadequate coordination of policies related to economic planning and the education system.

A well-prepared human resources strategy and action plan for its implementation, allow the organisation to efficiently plan and manage individual processes in order to support its goals and respond flexibly to any changes (Vrchota et al., 2019). The term "open innovation" refers to a management strategy centered on the necessity for businesses to expand their innovation procedures and merge internally and externally produced technology to generate business value (Del-Aguila-Arcentales et al., 2022). In the modern market, innovations, whose carriers are people, are basic competition factor. In knowledge-based societies, adult education and lifelong learning have become a necessity in order to maintain and increase employee competitiveness. The new requirements set by society and the work environment expect each individual to continue to renew, innovate knowledge and skills throughout life. The new concept of education poses a challenge to existing practices, as it requires an efficient system within formal and non-formal education systems, modernization and greater creativity and flexibility (Mitrović et al., 2015, p. 703). Such an investment not only creates competitive advantages for the organisation, but also provides an opportunity for innovation, improving the skills of employees, increasing knowledge, which affects the performance of the organisation (Salas et al., 2001). Inevitably, the new technologies and innovations have great impact on economic development. Such influence is especially important for today's economy, which is characterized by openness with entrepreneurial potential playing a significant role. It can be said there is a need to affirm entrepreneurship as a lifestyle. Based on that, it is easier to understand the scope of human resource development, especially if viewed from the entire economy perspective, and their ability to properly use all offered resources and contribute to increasing competitiveness in a special way. People, i.e. human resources in a company or organisation will be dominant creator of their health or business success only if the knowledge

of the workforce is used efficiently (Kramar et al., 2011, p. 393). Strategic advantage is gained by hiring professional and educated staff. Allocations of funds for education and research are not very significant in the Southeast Europe countries, thus we expect greater investment in human resources in the future, which is approximately as important as investing in other resources. Human resource development, in a broad sense, refers to increase of knowledge, skills, abilities and views, as well as the improvement of people's behavior. In a narrow sense, human resource development is linked to the job and the organisation in which people work (Žugoj, 1991). In the time of globalization and general reforms, human resources are reliably the main driver of economic development. Labour productivity is based on human capital (Zjalić, 2009). Long-term sustainable competitiveness presupposes successful maintenance of the quality of human resources of companies based on timely and targeted investments in them (Zubović, 2010). The development of human resources in modern conditions is of great importance for the economic growth and development of the state. Influence in the form of an individual aimed at acquiring skills has all the characteristics of investing, measuring of costs (expenditures) and effects, i.e. a rational choice between available options (Petrović, 2010, p. 104). The financial impact of a human resource investment programme must be analyzed to determine whether the programme yields the desired return on investment ratio. One of the methods for determining the potential return on investment is "benefit theory". Benefit theory provides the means to determine the economic value of human resources programmes and procedures (Greer, 2006). In this way, it is possible to identify specific programmes and benefits that can increase returns through employee behavior before the actual programme implementation, while return on investment rate is considered as the primary method of calculating benefits. Firms should not focus on accurately calculating return on investment, but rather focus on the investments with the greatest impact on creating an organisational strategy (Talent Management, 2024).

The way in which human resources are managed becomes a decisive factor in competitive advantage, but also in the survival, growth and development of the company (Kahrović et al., 2020, p. 37).

Many of the risks arise due to the lack of reliable data on the business environment in new areas. Preparation failures would result in large financial losses. Here comes the science that will empower them with appropriate economic models (Zagorcheva Petkova, et al., 2020.).

Countries with knowledge-based economy base their level of competitiveness on creating an efficient technological and scientific base, exchanging knowledge, creating new conditions for innovations and improving the quality of human resources through formal and non-formal education, as well as various forms of training. Strengthening innovation is a key prerequisite for economic growth (Sener, et al., 2011). Therefore, in order to survive in knowledge-based economies, companies must constantly improve the competitiveness of their products, organisational models, services, use of marketing and other activities which their market status depends on.

## **Conclusion**

The achieved competitiveness level directly indicates the position of an economy in globalized market competition, so in order to maximize the effects of economic policy measures that should increase the competitiveness of the Western Balkans states, it is necessary to work primarily on connecting their financial systems and taking advantage of such integration's additional effects. In order to accelerate their economic growth, the countries must step up all efforts to adapt to new conditions. Successful economic integration within the region and integration with the European Union will be possible only with improved and stronger connections, i.e. improved regional cooperation. Observing the ranking of countries according to the Global Competitiveness Index covering a certain period of time and presented data, it can be concluded that Slovenia is the best ranked country in the region without major changes, Macedonia and Montenegro recorded a significant decline, while Bosnia and Herzegovina is ranked the lowest. Being poorly ranked in the areas of innovation, business dynamics, commodity markets and labour markets is common to almost all countries.

A competent and educated workforce provides greater efficiency, productivity and competitiveness. For similar reasons, the education

system in Bosnia and Herzegovina has experienced a moderate recovery in previous years, but there are still a number of challenges and obstacles, most notably the institutional system and administrative fragmentation. There is a visible disparity between supply and demand in the labour market, which is the result of inadequate coordination of policies related to economic planning and the education system.

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## Appendix

**Table 1.**

Global Competitiveness Index

	2021.	2022.
Bosnia and Herzegovina	39.12	35.74
Croatia	49.99	47.19
North Macedonia	42.17	39.95
Montenegro	51.28	46.83
Serbia	49.35	44.91
Slovenia	63.16	58.27

Source: <https://www.weforum.org/reports>

**Table 2.**

Ranking of countries according to the Global Competitiveness Index

	BH	Croatia	N.Macedonia	Montenegro	Serbia	Slovenia
07	106	57	94	82	91	39
08	107	61	89	65	85	42
09	109	72	84	62	93	37
10	102	77	79	49	96	45
11	100	76	79	60	95	57
12	88	81	80	72	95	56
13	87	75	73	67	101	62
14	*	77	63	67	94	70
15	111	77	60	70	94	59
16	107	74	68	82	90	56
17	103	74	*	77	78	48
18	91	68	84	71	65	35
19	92	63	82	73	72	35
20	101	59	89	53	58	31
21	91	52	79	48	58	26
22	88	46	68	47	52	28

\* Due to the impossibility of accessing data for Bosnia and Herzegovina in 2014, the values of the index were omitted

\* In 2017, Macedonia was excluded due to lack of data

Source: [www.reports.weforum.org/global-competitiveness-report](http://www.reports.weforum.org/global-competitiveness-report)

**Table 3.**

The value of the Competitiveness Index GCI 4.0 Bosnia and Herzegovina

Indeks Component	2021.	2022.
Institutions	46.63	48.44
Infrastructure	47.73	63.76
Macroeconomic stability	76.42	75.02
Health	79.33	80.39
ICT adoption	45.89	50.67
Product market	46.65	49.62
Labourmarkt	54.21	55.33
Skills	54.61	49.71
Financial system	50.15	51.94
Market size	33.94	31.33
Business dynamisam	39.92	27.44
Innovation capability	28.21	22.52

Source: [www.reports.weforum.org/global-competitiveness-report](http://www.reports.weforum.org/global-competitiveness-report)

**Table 4.**

The value of the Competitiveness Index GCI 4.0 Serbia

Indeks Component	2021.	2022.
Institutions	50.69	59.51
Infrastructure	79.35	59.89
Macroeconomic stability	52.44	66.04
Health	80.57	76.04
ICT adoption	52.93	52.61
Product market	56.54	53.77
Labourmarkt	59.57	61.13
Skills	62.06	61.78
Financial system	50.93	55.49
Market size	56.57	51.82
Business dynamisam	58.92	60.19
Innovation capability	32.40	34.75

Source: [www.reports.weforum.org/global-competitiveness-report](http://www.reports.weforum.org/global-competitiveness-report)

**Table 5.**

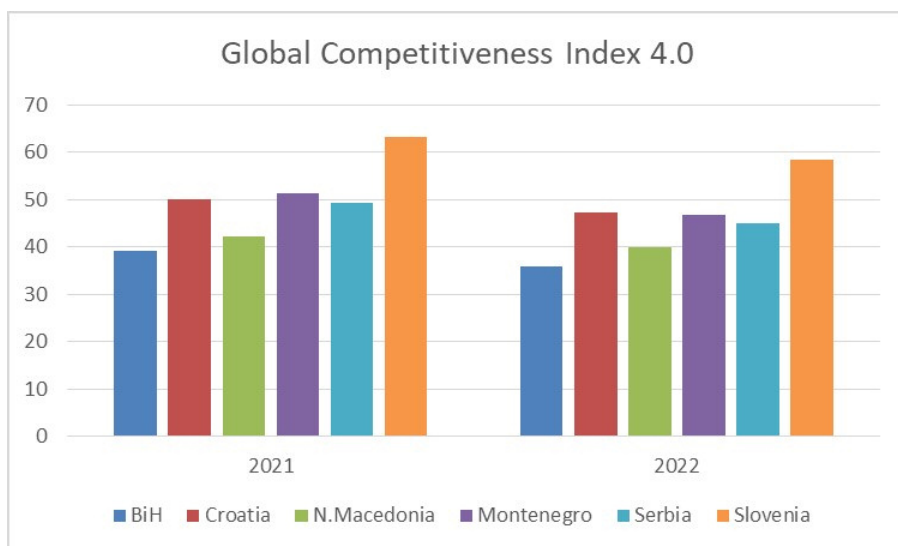
The value of the Competitiveness Index GCI 4.0 Croatia

Indeks Component	2021.	2022.
Institutions	51.55	50.34
Infrastructure	80.09	64.75
Macroeconomic stability	60.33	70.05
Health	83.72	81.44
ICT adoption	63.24	60.72
Product market	52.75	53.29
Labourmarkt	52.89	56.04
Skills	59.06	58.95
Financial system	58.63	61.96
Market size	43.92	34.96
Business dynamisam	52.74	54.61
Innovation capability	37.79	38.83

Source: [www.reports.weforum.org/global-competitiveness-report](http://www.reports.weforum.org/global-competitiveness-report)

**Figure 1**

Global Competitiveness Index



## Uticaj ljudskih resursa na konkurentnost privrede Bosne i Hercegovine, Srbije i Hrvatske

Snježana Stanišić<sup>1</sup>, Žaklina Spalević<sup>2</sup> i Sanja Marković<sup>3</sup>

<sup>1</sup>Univerzitet Sinergija, Bijeljina, Bosna i Hercegovina  
Fakultet za poslovnu ekonomiju

<sup>2</sup>Univerzitet Singidunum, Beograd, Srbija  
Fakultet za turistički i hotelijerski menadžment

<sup>3</sup>Akademija strukovnih studija kosovsko metohijska,  
Leposavić, Srbija, Odsek Zvečan

### Sažetak

Nivo konkurentnosti meri uspeh jedne privrede, to je jedan od najvažnijih faktora privrednog rasta i razvoja. Konkurentnost je koncept koji svaka privreda želi da poveća, zbog čega svaka država unapređuje sopstvenu ekonomsku konkurentnost. Ovaj rad predstavlja poređenje konkurentnosti Bosne i Hercegovine i zemalja u regionu. Cilj ovog rada je da prikaže konkurentnost sa referentnim susednim zemljama i uticaj ljudskih resursa na ukupnu konkurentnost zemlje. Da bi ekonomski rast i održivi razvoj bili stabilni i dugoročno održivi, neophodno je uspostaviti kvalitetno i efikasno institucionalno okruženje koje bi stvorilo podsticajno okruženje za najuspešnije privredne aktivnosti u cilju unapređenja konkurentnosti. Dobro pripremljena strategija ljudskih resursa omogućava organizaciji da efikasno planira i upravlja svim procesima kako bi podržala svoje ciljeve i fleksibilno odgovorila na sve promene. U društvima zasnovanim na znanju, obrazovanje odraslih i doživotno učenje postal su neophodnost da bi se održala i povećala konkurentnost zaposlenih. Prema rezultatima u ovom radu, evidentno je da u društvima zasnovanim na znanju obrazovanje odraslih i doživotno učenje postaju neophodnost kako bi se održala i povećala konkurentnost zaposlenih.

*Ključne reči:* privredni rast, konkurentnost, ljudski resursi, institucionalno okruženje, privredne aktivnosti.

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# Depiction of Crime in Video Games: A Critical Analysis

Aleksandar Filipović

Faculty of Law for Commerce and Judiciary in Novi Sad

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## Author Note

Aleksandar Filipović  <https://orcid.org/0000-0002-1097-2079>

I have no known conflict of interest to disclose.

Corresponding author: Aleksandar Filipović

E-mail: [sasha.filipovic@gmail.com](mailto:sasha.filipovic@gmail.com)

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## **Abstract**

The portrayal of crime in video games has become a focal point of academic and societal debate due to its potential influence on players' perceptions of criminal behavior and morality. This paper critically examines how crime is depicted across different genres of video games, exploring the narrative structures, character development, and interactive mechanics that contribute to these portrayals. Through a mixed-methods approach, combining content analysis of popular crime-centered games with a review of player experiences and reactions, we assess the extent to which video games normalize or challenge criminal activity. Additionally, the study considers the implications of crime representation on both individual psychology and broader cultural attitudes towards law, justice, and morality. The findings highlight the complex and multifaceted role that video games play in shaping societal views on crime, with particular attention to the influence of immersive storytelling and player agency. This research contributes to the growing body of literature on the intersection of digital entertainment, psychology, and criminology, and offers insights into the potential impact of video games on social attitudes and behaviors related to crime.

*Key words:* crime representation, video games, player perception, criminology, cultural attitudes

## Depiction of Crime in Video Games: A Critical Analysis

### Introduction

According to research by the American Psychological Association (2020), more than 85% of video games on the market contain some form of violence and crime. Analyzing the content of such video games, it is easy to observe a shift in player ethics and to conclude that game plots are abundant with actions that, according to the rules of human society, are considered criminal (Cerezo-Pizzaro et al., 2023). The ontological nature of video games allows players absolute freedom. Through their avatars, they can steal, lie, cheat, simulate, rape, bribe, threaten, blackmail, beat, kill—they are allowed to disregard any moral or other rule (see more in: Filipović, 2022). Unlike real life, where institutions exist to prevent such actions more or less effectively, in video games, there is no one to "catch," accuse, or punish the player and their avatar, which forms the basis of the non-ethics of video games. It is precisely the images of crime, as a consequence of violence and aggression, on which gameplay in video games often insists, that have led to significant public concern and moral panic, which represents the greatest aporia of video games (see more in: Karlsen, 2015).

Video game creators, especially those who profit from game sales, recognized early on the need for uninhibited and unpunished aggression among the gaming population (see more: Bjelajac & Filipović, 2020). It was simultaneously noted that this aggression is by no means exclusive to gamers but rather an innate impulse within humans more broadly. The scientific community has long maintained that aggression and violence are intrinsic aspects of human nature. In *Leviathan*, Hobbes (2013) argues that humans are ontologically predisposed to act according to natural law—that is, according to the freedom granted to each person by birth and mere existence on Earth. This natural freedom allows each individual to make decisions about how best to use their power to preserve their own nature and life. Consequently, each person is free to do whatever they believe is the most suitable means to achieve their goals (Hobbes, 2013: 72–93).

At the international conference titled "Violence in the Digital Age" (Russ. "Насилие в цифровую эпоху"), held in Russia in 2018, an intriguing paper titled "Ontological Ultimacy and the Nature of Violence" was presented. In this paper, author Svetlana Obolkina posits that human aggression and violence—and even causing harm to others—are not matters of personal choice but rather natural impulses deeply embedded in the human ontological being. These impulses make aggression, violence, and harm essential ways of life and expressions of natural instincts that society cannot suppress indefinitely (see more in: Bjelajac & Filipović, 2021). In this context, "human aggression and violence, including causing harm to others," are understood in this work not merely as options but as arguably the most effective ways to achieve success in life, gain much-needed fame, and attain a respectable old age.

### **Evolution of scientific positions**

It seems only natural that these innate human traits would be affirmed in video games, which have progressively become more violent, promoting and affirming aggression not only as a means of playing but as a way to complete games successfully (Adachi & Willoughby, 2011). One of the cornerstones of such a policy by game creators was the public's serious concern, which manifested as moral panic (Markey et al., 2017) surrounding the impact of video games on aggressive, violent, and criminal behaviors in players. Following extensive media reports inspired by murders committed by people who, among other things, played violent video games, moral panic evolved into hysteria, causing a dramatic increase in public concern (Kneer & Ward, 2021). A highly emotional debate on the impact of video games on aggressive, violent, and criminal behavior emerged, leading to the publication of hundreds of studies on the topic. However, the findings were often contradictory: some studies indicated a rise in aggression, while others suggested a decrease in criminal behavior (Fournis & Abou, 2014).

Early research on this topic openly suggested a link between violent video games and aggression, potentially leading to criminal behaviors (Dill & Dill, 1998). Published data indicated an increase in aggressive moods after playing violent video games and suggested that

altered prosocial behavior in gamers was a result of such games. The U.S. Senate, in the Hearing before the Committee on Commerce, Science, and Transportation, investigated the underlying mechanisms of video game-induced aggression (The Impact on Interactive Violence on Children, 2000). It was hypothesized that under certain environmental conditions, aggressive behavior might result from desensitization and disinhibition caused by violent video games. Repeated exposure to violent game content was thought to promote aggressive cognitive schemas. Once established, these schemas are reinforced through the process of learning and repeated exposure to video game violence, with particular emphasis on the fact that desensitization to violence may increase the risk of aggression and criminal behavior (Guerra, Huesmann & Hanish, 1995).

However, another group of studies claims that exposure to violence in video games does not always have a negative effect (Panee & Ballard, 2002). Although human or fantasy violence was associated with a stronger effect than violence in sports games, the overall impact on aggression was weak and less significant than that of television violence (Sherry, 2001). These findings led to the rejection of the hypothesis that violent video games inherently provoke aggression and its consequences (Greitemeyer, 2013). Over time, a growing number of researchers expressed skepticism regarding the connection between violent video games and real-life criminal behavior. Some studies (Ferguson & Kilburn, 2009) even suggested that the effects of violent video games on criminal behavior were significantly overstated. When biases in later studies were corrected, the effect of playing violent video games on aggression and criminality was significantly reduced (Ferguson, 2007). Studies that considered other variables, such as domestic violence, found that the correlation between video games and aggressive or criminal behavior could no longer be established (Ferguson et al., 2012).

### **How video games depict crime?**

Video games depict crime in various ways, depending on the genre, storyline, and the intentions of the game creators (McCaffree &

Proctor, 2018). The portrayal of crime in video games often relies on the broader narrative, yet games can offer insight into complex aspects of criminal activities, from their causes to their consequences. While some games may glorify crime, others critique it or present it in an ambiguous and morally complex light (Ward, 2011).

We can highlight several distinct ways in which video games portray crime:

- **Crime as the core of the story:** In games like the *Grand Theft Auto (GTA)* series, crime is central to the narrative. Players take on the roles of criminals, completing tasks such as theft, murder, and corruption. These games often portray an underground criminal structure, including gangs, the mafia, and corrupt police officers. Although these games are controversial due to their moral implications, many play them for the freedom of choice and the open-world experience they offer.
- **Moral dilemmas:** Crime is not necessarily the central element of the video game narrative, but players may face moral dilemmas involving criminal activities. In *The Witcher 3*, the protagonist, Geralt, often has to choose between different morally questionable options, all of which involve criminal actions.
- **Simulation of criminal life:** Games like the *Mafia* and *Yakuza* series provide a more realistic depiction of crime, focusing on organized criminal groups, their internal struggles, relationships with the police, and politics. These games often portray the consequences of crime not only for individuals but also for the wider community.
- **Crime as a means of survival:** In games like *Payday* or *Red Dead Redemption 2*, criminal activities like robberies are essential for the characters' survival. These games often frame criminal acts within historical or social contexts, such as the Wild West or economic crises.
- **Punishment for crime:** In detective games or games that focus on fighting crime (e.g., *L.A. Noire*, *Sleeping Dogs*), players take on the role of those who investigate and punish crime. The

emphasis is on investigation, gathering evidence, and bringing criminals to justice.

- **Humorous approach to crime:** Some games present crime in a comedic or satirical way. For example, the *Saints Row* series is known for exaggerating and satirizing crime, where actions are excessively violent but carried out with a humorous tone.

### **Does the current depiction of crime in video games have social justification?**

The portrayal of crime in video games sparks debates about whether the way it is depicted has any social or moral justification (Schulzke, 2014). Interestingly, opinions are often divided. Authors, in this context, refer to various aspects of the lifestyle and behavior adopted in contemporary human society:

- **Freedom of artistic expression:** One of the main arguments for portraying crime in video games is the freedom of artistic expression. Just like in films, TV shows, and books, video games are a form of art and entertainment, where creators can explore various themes, including crime. In this sense, the portrayal of crime can be part of a broader social commentary, and even a way to present moral dilemmas, the consequences of crime, and the complex relationships within society.
- **Simulation and understanding the consequences of crime:** Some games, while allowing players to engage in criminal activities, also provide an opportunity to witness the consequences of such actions. For example, in games like the *Grand Theft Auto* series, although players are enabled to participate in criminal activities, the game often depicts the dark consequences of such behavior, including feelings of emptiness, loss, or the destruction of communities. This can contribute to discussions about the complexities of crime in the real world.
- **Criticism of society and systems:** Video games use crime as a metaphor for social injustices or corrupt systems. Games like *Watch Dogs* or *Mafia* use crime as a tool to critique corruption in governments, large corporations, or the judicial system. In these

cases, crime is not portrayed as something to be glorified but as a means to highlight systemic issues.

- **Psychological impact and moral concerns:** Critics often argue that games depicting crime may negatively affect young players, encouraging violence or diminishing empathy toward crime victims. Although research on the relationship between video games and violent behavior is inconclusive, there are concerns that exposure to such content could normalize or romanticize crime.
- **Separation of fiction and reality:** Advocates of video games point out that most players can clearly distinguish fiction from reality. Playing video games, including those that depict violence, evil, and crime, can serve as a form of escapism, where players temporarily enter a world with moral rules different from everyday life, but that does not mean they will transfer such behavior into the real world.
- **Social education:** Crime is also depicted through historical or cultural lenses that can broaden players' perspectives on social issues. Games that portray organized crime in the past (such as *Mafia* or *Red Dead Redemption*) provide contextual insight into how crime and society have developed together.

Based on the aforementioned arguments, it can be concluded that the contemporary portrayal of crime in video games may have social justification, provided it serves the purpose of artistic expression, social critique, or education. Such portrayals can offer deeper insights into societal phenomena, stimulate critical thinking about real-world social issues, and contribute to understanding moral dilemmas. However, it is crucial that the responsibility for depicting crime in this context be shared by both game creators and the broader community. Their role includes establishing a balance between the need for entertainment and the potential social and moral implications. In this way, video games can become a constructive medium of communication and influence, contributing not only to entertainment but also to collective social awareness.

## **Relativization and routinization of evil and crime in video games**

It is hard to escape the impression that, regarding evil and crime, the world of video games is merely a harmless and pale imitation of the real world. In an earlier text (Filipović, 2022), we quoted Saint Augustine, who prophetically argued that "the world in which there is evil is better than the world in which moral evil would be impossible. The perfect world requires the existence of free creatures, and some of these free creatures choose evil by their free will. Yet, the world with free creatures, though broken, is still better than a world without freedom and evil" (Saint Augustine, 1960).

The history of human society can be interpreted as the history of human evil. "The creation of the world began with fratricide, according to the Bible. Both Homer's *Iliad* and *Odyssey*, as well as Greek tragedies, Roman epic poems, Shakespeare's dramas, all these works are full of scenes of murder and war. These human impulses form the basis for the novels of Balzac, Stendhal, and Dostoevsky, not to mention the infanticide in Goethe and the suicides in Flaubert and Tolstoy. It turns out that the history of world literature, at least its prose, is actually the history of human evil, or more precisely, that evil has always existed and will continue to exist in this new millennium" (Stanković, 2007).

The relativization of evil and crime in video games refers to a set of actions of avatars that depict evil or criminal acts in a way that diminishes their seriousness, harmfulness, and destructiveness, or even justifies their existence and execution. This is often achieved through the game's narrative, mechanics, or character design. The routinization of crime in video games refers to the portrayal of criminal activities as everyday, normal, or routine actions that are an integral part of gameplay, without significant moral reflection or emotional impact (Hayward & Young, 2004). This can lead to desensitization of players and affect how they perceive criminal behavior, even if they do not directly accept it in real life (Engelhardt et al., 2011).

In many video games, the boundary between good and evil is not clearly defined. Characters often act in morally gray areas, where

evil may be seen as justified or necessary. It is particularly visible if the story of the game even most broadly based on religious extremism or terrorism (Zirojević & Bjelajac, 2013).

This approach creates complex moral dilemmas and makes evil not perceived as absolutely negative, but as part of a broader context in which all decisions are morally relative.

In other games, the main characters are not traditional heroes but antiheroes, whose actions often involve evil or violence, but are presented in a way that encourages empathy (Greenwood, Ribieras, & Clifton, 2020). Characters such as Kratos in *God of War* or Arthur Morgan in *Red Dead Redemption 2* engage in morally questionable actions, but players sympathize with their personal struggles or motivations, thereby relativizing the evil they commit. This type of narrative allows players to experience evil as something that depends on perspective.

Characters in games commit evil acts in the name of a greater good or a higher purpose. This may include fighting against even greater evil, protecting family, or seeking revenge for injustice. In *The Last of Us Part II*, Ellie embarks on an emotionally traumatic journey of revenge, committing crimes in the process. The game shows the consequences of her actions, but at the same time fosters empathy for her motivations, thereby relativizing evil as something that can stem from pain and loss.

Some games use humor, caricature, or stylization of crime to diminish its seriousness. In games like *Saints Row*, evil is exaggerated and often humorous, turning negative actions into absurd entertainment. This stylization of evil presents it as something unrealistic and not serious, thus reducing the emotional and moral impact that such actions would have in the real world.

Evil and its consequences, such as crime, are often not portrayed realistically (Elson & Ferguson, 2013). Players can often commit evil and criminal acts without significant consequences, or with the possibility of undoing the evil through restarting or trying again. This reduces the gravity of these actions and creates a sense that evil does not carry weight or real impact. In games like *GTA*, players are free to

commit evil acts, but rarely face long-term consequences for those actions, aside from occasional police confrontations that quickly pass.

In video games, evil is often transformed into an obstacle or challenge for the player, rather than a moral issue. In many action games, fighting against evil enemies is a central aspect of gameplay mechanics, where these enemies are often devoid of moral complexity. Characters like demons, zombies, or soldiers are simply obstacles that the player must overcome, making their evil a functional component of the game rather than a question of ethics.

Many games place crime in fantastical or science fiction worlds where the rules of the real world do not apply. Evil in these games often has no direct connection to the real world, which allows players to experience it as something abstract or distant. In games like *Skyrim* or *Diablo*, crime as a consequence of evil is often personified through mythical creatures or forces, making it easier to dehumanize it and distance it from the moral norms of reality.

Video games give players the ability to decide how evil they want to be and how many criminal acts they wish to commit. In series like *Mass Effect* or *Fallout*, players choose whether to do evil or good, which relativizes evil because it depends on context and the player's decision. Such systems allow for the exploration of different moral paths without real-world consequences, providing players with the opportunity to experience various moral scenarios.

The evil that characters commit can be part of their path to redemption. Protagonists often undergo a personal transformation in which they struggle with their actions and seek forgiveness, making evil part of character development rather than an inherently bad thing. In *Red Dead Redemption 2*, Arthur Morgan starts as a criminal, but through the course of the game, he seeks ways to redeem his past mistakes, giving a more human dimension to his earlier evil actions.

### **Glorification of crime and romanticization of antiheroes**

Video games have inherited the glorification of crime and romanticization of antiheroes from their "older brother" – film, but with a key difference: films have generally been much more consistent and

successful in setting a socially acceptable boundary that should not be crossed. In Western films, the "white hat" always won over the "black hat," bringing justice after much suffering. Gangster films, from their inception, had mandatory censorship. The main character had to fall in the end to prevent the glorification of violence and crime. A good example of this stance is the film *Angels with Dirty Faces*. The criminal and antihero Rocky (James Cagney) is arrested and sentenced to death. Father James (Humphrey Bogart) visits him just before his execution and begs him to die pretending to be a coward so that the boys no longer see him as a role model. Rocky refuses, but in the final moments, he changes his mind, and the guards drag him to the electric chair, crying like a pathetic coward. The boys read in the newspaper that Rocky died crying like a miserable coward and go to mass with the priest (Pavlović, 2017). The same pattern is found in Brian De Palma's 1990 film *Scarface*, and it was also used in *The Godfather*, similar to the first gangster film *Little Caesar* (op. cit., 2017).

This is not the case in video games. The glorification of crime in video games is, more or less, unchallenged. It can be identified in many very popular video games, where criminal activities are a desirable central part of the plot and gameplay. These games often present crime in an attractive light, sometimes even as a desirable or heroic path. They frequently give players a sense of power and control over the world through criminal activities, which may contribute to their popularity but also opens up a debate about the possible negative impact on perceptions of crime, especially among younger players.

The same is true for antiheroes. Antiheroes in video games are most often the player's avatars—characters who act outside traditional moral norms, often with questionable or openly evil intentions, but who remain the main protagonists that players follow and identify with. Their moral dilemmas, complex personalities, and tendency to use unorthodox methods make them fascinating and popular in video games. Antiheroes are popular because of their complexity and realistic moral dilemmas, which allow players to connect with them more deeply while simultaneously questioning traditional definitions of authority and heroism.

The romanticization of evil and, consequently, crime in video games is based on the portrayal of negative characters, evil empires, or dark forces in a way that makes them fascinating, attractive, or morally ambiguous, creating conditions for players to easily and willingly identify with evil protagonists or antagonists, completely relativizing and ignoring their criminal actions (Karkoff, 2014). The narrative of video games often involves themes of conflict, the routine infliction of evil on conscious beings, and the struggle between good and evil, thus creating and developing complex and compelling worlds and characters. This approach creates intricate and widely acceptable narratives but raises ethical questions about the impact of such portrayals.

Video games typically avoid black-and-white depictions of good and evil, introducing characters into situations that contain moral shades of grey, which are very rare in real life. Characters traditionally considered villains, such as antiheroes, are often presented with motivations that make them understandable, even sympathetic. This ambivalence allows players to explore the grey areas of morality, which can be intellectually stimulating and emotionally engaging. Players are regularly placed in the role of an antihero, characters who use violence, manipulation, or other evil methods to achieve their goals but with complex motivations. Examples include characters like Kratos from the *God of War* series, driven by revenge, or characters from the *Grand Theft Auto* series, who are criminals but have personal stories that make them more acceptable than simple bad guys from real life.

Evil is often depicted as aesthetically appealing in video games, with carefully designed antagonists, dark landscapes, and imposing castles, which can be visually and narratively attractive to players (Sicart, 2011). Games like *Dark Souls* and *Bloodborne* feature dark, ominous worlds that, despite being dangerous, attract players with their complexity and beauty. On the other hand, evil in video games often comes with a sense of power. Characters involved in dark magic, crimes, or military conquest have control over the fate of others and their environment. Games like *Star Wars: Knights of the Old Republic*, where players can choose the dark side of the Force, allow them to

experience the power that comes with choosing evil, making it appealing within the game's context.

Many games use "romanticization of evil" to subvert traditional heroic narratives. For example, in *Spec Ops: The Line*, players slowly become aware that, although they think they are playing the role of the good guy, they are actually committing criminal acts in the name of a higher cause. This deconstruction of the heroic narrative raises questions about who is truly good and who is bad. There are games that use evil characters and narratives to explore the darker aspects of human nature, such as greed, revenge, power, and moral degradation (Fournis & Abou, 2014). In *The Last of Us Part II*, players experience violence and revenge from multiple perspectives, which raises questions about the cycle of violence and whether there is a clear distinction between good and evil. Video games allow players to engage with crime in virtual worlds, undertaking tasks such as robberies, murders, and drug trafficking. (see more: Bjelajac, Matijašević & Počuča, 2012). While characters are often deeply flawed, the narrative allows players to see the world from the perspective of the antihero and explore the consequences of morally dubious decisions. Similarly, in games where players take on the role of assassins operating in the shadows, their goals are often portrayed as justice, but the games simultaneously glorify violent methods and secret conspiracies. The narratives within games sometimes address philosophical themes such as extreme capitalism, objectivism, and totalitarianism, with antagonists who are often intellectually fascinating, like Andrew Ryan from the *BioShock* series, whose ideas about individualism become the foundation of a dystopian society.

Critics of the romanticization of crime in video games argue that playing as villains or viewing evil through an appealing aesthetic can lead to moral desensitization, where players become indifferent to violence or amoral acts because such actions are rewarded in the game or not seen as ethically problematic. This can create a sense that criminal activities are normalized or acceptable in a particular context (Ferrell, 2013). Video games that romanticize crime can send negative messages to younger players, suggesting that crimes and violence are

exciting or even desirable ways to achieve success and power. While most players make a clear distinction between fiction and reality, there are concerns that such narratives can influence attitudes toward legality and ethics. This is especially true for games where players take on the roles of criminals or soldiers engaging in criminal acts, as they may be accused of glorifying violence. In games like *Call of Duty* or *Battlefield*, themes of war and violence are often aestheticized and romanticized, making them appealing but also controversial. Games like *GTA* often critique capitalism, corruption, and social injustice, but some critics argue that such games simultaneously romanticize a nihilistic worldview in which law and morality are relative, and power is acquired through criminal means. Video games that tackle themes of evil and moral ambiguity provide space to explore complex ethical issues and reflect on human nature, which can make them a significant medium for narrative and moral analysis (Fournis & Abou, 2014).

## Conclusions

Evil and crime, as a consequence of evil, seem to be inherent parts of human nature, arising from both innate impulses and freedom, which is often regarded as the first core value of human life, after life itself. This paper has shown that depictions of evil and crime are abundant in film, television, literature, theater, and other media. Why should video games be any different? The question of the potential destructive impact of crime portrayed and experienced through video games is highly ambivalent.

This paper certainly does not offer definitive conclusions, but the sources used have reinforced the belief that video games are a valuable location for psycho-criminological research. The paper reveals that crime constructs in video games are complex, primarily focused on the goal of the game, ranging from satire to empathy and education. Research into how video games depict crime shows that there is a formula within video games for creating an ideal scenario that allows individuals, who generally respect the law, to commit imaginary virtual crimes (Brewis, 2019). Identifying conditions that allow individuals to behave in a criminal or deviant way can help in understanding criminal

behavior in the real world. We have shown that video games are powerful media for transmitting political, social, or ideological messages, fostering empathy and understanding, and reinforcing existing ideas about crime. Due to limited space, the potential for video games to take on more ambitious goals beyond entertainment has only been touched upon.

A significant portion of the literature used presents evidence in line with the view that playing violent video games leads to subsequent violent or antisocial behavior. If this were true, crime, especially violent crime, would increase in areas where playing violent games has become more widespread. Instead, newer specifications have found a negative correlation between crime and video game playing. Results show that playing violent video games, and even explicitly depicting crime, increases physical reactions and affects players' attitudes in a way that aligns with violent behavioral changes, but does not per se lead to a desire to replicate what is seen and played on video screens in real life (Ward, 2011).

The relativization of evil with criminal consequences in video games often occurs through complex narratives, moral dilemmas, humor, or distancing from reality. Evil becomes part of the broader context of the story, the game, or the characters, where players can interpret it in various ways. This allows games to explore the complexity of human behavior and morality but also raises questions about how evil in games shapes players' understanding of ethics and morality (Surette, 2018).

The routinization of crime in video games involves creating a pattern of behavior where criminal activities are repeated so frequently that they become part of the basic dynamics of the game. This approach reduces the moral weight of the crime, as players perceive it as part of the "game" or a means of progress. While most players know how to separate the real world from the world of video games, prolonged exposure to criminal actions without serious consequences can desensitize players to violence and lawbreaking in fictional worlds.

When it comes to the routinization of crime in video games, full attention must be paid to the potentially devastating phenomenon of

habitual acclimatization to the existence of evil. The possibility or danger of becoming desensitized to committing evil in real life should be considered. In this sense, the danger of evil in video games can be found in the diminished ability for rational thinking and judgment when players encounter real evil, or in the routinization of evil, which Hannah Arendt refers to as "banal evil" (Arendt, 2000). Routine desensitized evil is generally one of the most destructive forms of evil because it does not come from where evil is typically expected or where people are prepared to defend themselves from it: from monsters, psychopaths, sociopaths, and other marginalized individuals, but from perfectly ordinary people.

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## **Prikaz kriminala u video igrama: Kritička analiza**

Aleksandar M. Filipović

Pravni fakultet za privredu i pravosuđe, Novi Sad

### **Sažetak**

Prikaz kriminala u video igrama postao je središnja tema akademske i društvene debate zbog potencijalnog uticaja na percepciju kriminalnog ponašanja i moralnosti kod igrača. Ovaj rad kritički ispituje način na koji je kriminal prikazan u različitim žanrovima video igara, istražujući narativne strukture, razvoj likova i interaktivne mehanike koje doprinose ovim prikazima. Kroz metodološki pristup koji kombinuje analizu sadržaja popularnih igara fokusiranih na kriminal i pregled iskustava i reakcija igrača, procenjujemo u kojoj meri video igre normalizuju ili dovode u pitanje kriminalne aktivnosti. Pored toga, studija razmatra implikacije prikaza kriminala na individualnu psihologiju i šire kulturne stavove prema zakonu, pravdi i moralnosti. Rezultati ističu složenu i višeslojnu ulogu koju video igre igraju u oblikovanju društvenih stavova prema kriminalu, sa posebnim osvrtom na uticaj imerzivnog pripovedanja i agencije igrača. Ovo istraživanje doprinosi sve većem korpusu literature na raskrsnici digitalne zabave, psihologije i kriminologije, nudeći uvide u potencijalni uticaj video igara na društvene stavove i ponašanja vezana za kriminal.

*Ključne reči:* predstavljanje kriminala, video igre, percepcija igrača, kriminologija, kulturološki stavovi.

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# Digital Transformation of Geopolitics: New Tools, Actors, and Power Dynamics

Ivana Z. Zirojević  
Faculty of Security Studies, Belgrade

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## Author Note

Ivana Z. Zirojević  <https://orcid.org/0009-0004-2610-7444>  
I have no known conflict of interest to disclose.  
Corresponding author: Ivana Z. Zirojević  
E-mail: [izirojevic@gmail.com](mailto:izirojevic@gmail.com)

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## Abstract

This article explores the evolution of geopolitics in the digital era, emphasizing how technology has transformed traditional geopolitical frameworks. Initially grounded in the physical characteristics of territories, modern geopolitics, influenced by digital tools, has shifted to a more intangible domain. The interconnectedness brought about by digital technologies has blurred the boundaries between internal and external state affairs, reshaping how geopolitical power is understood and exercised. As new technologies such as artificial intelligence, large datasets, and digital infrastructure gain prominence, they become new tools in global competition. While digital geopolitics democratizes participation, enabling individuals to influence international discourse, it also presents challenges, such as the potential misuse of these tools. Furthermore, the rise of digital geopolitics reflects a critical approach, where ideological and political phenomena are redefined through digital means. This transformation leads to the merging of traditional and modern power dynamics, making geopolitics more accessible but also more complex in terms of influence, representation, and global rivalry.

*Key words:* geopolitics, digital geopolitics, new technologies, power structures, power dynamics, digital transition

## **Digital Transformation of Geopolitics: New Tools, Actors, and Power Dynamics**

Geopolitics, a term that has evolved over time, has always been a crucial element of society. The ancient Greeks and other civilizations structured their politics and state organization by considering environmental conditions such as terrain, neighboring nations, and weather conditions (Scholvin, 2016). Today, we understand geopolitics, as defined by Rudolf Kjellen, as a practical, realistic approach to international politics with a strong emphasis on the role of territories and resources for the state (Dodds, 2009). This classic approach to geopolitics combines geography and international politics, focusing on the relationship between the physical environment and foreign policy. Geopolitics can also be viewed as a process of managing global rivalries (Jay, 1979, p. 486), which is both spatially and temporally limited.

Geopolitics is not just a lens through which we view the relationship between the state and territory. It also encompasses the actions and outcomes that transform spaces, places, and politics (Flint, 2017, p. 302). This transformative nature of geopolitics gives rise to a critical approach that defines it as a discourse, always directly connected with ideological and political phenomena (Vukašinić, 2020).

Nowadays, however, new technologies significantly influence numerous changes in the world. Spatial, temporal, and even political factors are changing under the influence of new technologies, and geopolitics is gaining new tools for influencing the state and society and for further changes. That connection is two-way because new technologies also affect geopolitics as the main clients of geopolitics, the state, and society are changing under the influence of new technologies. Thanks to new technologies, the world is becoming a global village in the 21st century, increasingly connected in the economic, cultural, security, and even political domains, and changes are taking place much faster than in earlier times.

Global society today is often more identified and diversified according to other intangible characteristics, such as ideological or value

attitudes and national feelings, and not exclusively by being found in a specific geographical location. In other words, geopolitical borders are no longer just physical or geographical but more mental, in the minds of people who perceive in a certain way the differences between their society and another's, or their own and another's social group, which makes the modern geopolitical picture very unstable (Karpovich & Manoilo, 2015, p. 63). Therefore, the geopolitical world is becoming increasingly global, increasingly digital, and more intangible, transforming geopolitics into a digital form.

Digital geopolitics addresses a new, global, more technologically advanced, and much wider audience than before, uses the tools of the new age – algorithms, large databases, artificial intelligence, additionally deals with the topics of the new age – digitization and digital infrastructure, renewable energy, satellites. However, it also brings new challenges because all these new tools and topics can be misused geopolitically. With its unconventional and de-elitized approach and shifting the focus from geography to more intangible elements of relations between states, digital geopolitics falls within the structural direction of critical geopolitical discourse.

With the development of new technologies, the world is increasingly intertwined, which in some way leads to an overflow of the internal and external affairs of the state, intertwining internal and external politics, that is, politics and international relations. In this way, geopolitics becomes more interesting to a broader circle of individuals, and thanks to new digital tools, they can easily participate in the practice of digital geopolitics. On the wave of globalization with the help of digital tools, in our time and before our eyes, the process of migration of geopolitical content from the reality environment to the electronic environment is taking place. Also, in its digital edition, geopolitics passes from the hands of the elite to the hands of broader social strata. It enables each individual, connected to the world network, to become a digital geopolitician. However, due to the ease of access and the practical absence of barriers to the inclusion of wider social layers in digital geopolitics, the energy that could be used to influence the resolution of real geopolitical issues is wasted and is used to analyze

the broader discourse of participants with minor influence on real issues. Additionally, it opens space for malintendent manipulation of potentially subversive activities of foreign actors (Despotović, 2020, p. 103). However, suppose that challenge is taken as an opportunity to explore the market. In that case, as a kind of examination of domestic and foreign public opinion, the analysis of such discourse of digital geopolitics can be a valuable tool in solving the real challenges of geopolitics.

Considering that the wheel of technological changes will not go backward and that further changes in society and institutions can be expected with the further development of new technologies, it is important to look at the digital world towards which this path of accelerated technological changes leads and how it will affect the state of society, in the states and relations between states.

### **The impact of digital technology on traditional power structures**

Traditional power structures are defined as systems or institutions that have established authority, influence, and power within the state or world order that have existed for a long time and are essential for shaping society at both the national and international levels. Ideological, economic, military, and political networks, abbreviated as the "IEMP" model, represent a sociological view of the framework in which institutions are located. These are the fundamental organizational bases for generating power in society. Their strength comes from the unique organizational means they possess with which they can achieve human aspirations (Domhoff, 2005). The boundaries of these networks are variable and vary depending on the emergence of new technologies and new organizational forms, so the classic division into exogenous and endogenous factors of social conflicts is not helpful. Nowadays, social conflicts are mainly reflected in the disparity between the social classes of owners and non-owners of capital, in the fact that non-owners do not have easy ways to organize themselves socially (Mann, 1986, p. 1).

Over the past decades, the world has been significantly changed by the invention and increasingly widespread use of the Internet and new technologies. However, as one of the traditional pillars of power, policymakers and public discourse have failed to notice these invisible changes in the global distribution of power, which have revolutionized politics, conflicts, the economy, society, and even foreign policy (Owen, 2016, p. 6). Digital technologies and new media are changing that situation. The expansion of the World Wide Web on the wave of technological innovation has the potential to affect all areas of life, including international relations. Also, it affects the transformation of foreign policy concepts and practices (Adesina, 2017, p. 1).

As we witness the profound changes in society at the dawn of the twenty-first century, marked by the advent of more powerful computers, enhanced networks, and faster Internet, the impact of digital technologies on traditional power structures becomes strikingly evident. These technologies are not merely influencing but overturning and transforming many traditional power structures, including governments, businesses, media, and social institutions, in diverse ways. They are also opening up new opportunities for individuals or organizations with lower levels of influence. Even the army, as a pillar of security, is not immune to the changes brought about by new technologies.

The potential of these changes is vast, given the rapid development and widespread integration of technologies into all aspects of society. For instance, the digitization of information has made it more accessible globally, challenging traditional power sources. Moreover, digital technologies are reshaping traditional industries like media, publishing, and retail, leading to the emergence of new players and necessitating changes in existing ones.

Digital technologies also enable the formation of decentralized networks that bypass traditional power structures, such as peer-to-peer networks or blockchain technologies. More importantly, they empower individuals by enabling them to participate more easily and widely in social and political processes, such as online activism or independent fundraising for a cause. New types of power are also emerging based

on digital technologies, such as data-based or network-based power, which go beyond traditional power structures. Social media, therefore, provide political actors with new opportunities, which can simultaneously be used as a tool to resolve asymmetry in a tight balance of power. Flint notes that "social media is a weapon of geopolitical representation on the battlefield that can favor the weak over the strong" (Flint, 2017, p. 97), but it should be emphasized that social media is like any other weapon, and its effectiveness depends on the knowledge, skills, and abilities of the user (Simons, 2019, p. 113)

While digital technologies have the potential to democratize power and amplify the voices of previously marginalized groups, they also bring new challenges. The concentration of power in the hands of large technology companies, such as Amazon, Apple, Google, and Facebook, who own and use their users' data with minimal restrictions, poses a significant threat to social, political, and geopolitical issues.

This situation can also be reflected in the geopolitical landscape, in which weaker geopolitical actors finally get the means and ways to influence their position on the world stage significantly. Digital technologies simultaneously strengthen the existing world order through the intensive promotion of its postulates down to the capillary level of society to everyone with access to the world network. However, at the same time, they question it to its limits, enabling each of those individuals, personally or in any organizational form, to present their opinions, views, criticisms, and potential solutions. New technologies also make it possible to erase traditional geopolitical limitations because geography and time are no longer the only relevant factors, which opens up space for the creation of new global networks of power and relations, i.e., geopolitics no longer occupies only elites but is also engaged at the popular level (Simmons, 2019, p.112). Popular geopolitics, previously represented through films, music, and mass media, today finds the ideal (carrier) of its ideas in social media.

While previously popular geopolitics was a means by which the elite determined their discourse in society (Dittmer and Gray 2010, p. 1665, cited in Simmons 2019, p.113), today, a feedback loop appears through social media, i.e., the possibility that geopolitical elites gain a

more realistic insight into the situation and the results of their efforts. They can use it as a kind of market survey to adjust the discourse or to find new ways to establish their positions.

In other words, new technologies and new media based on them enable the transfer of levers of power from traditional firmly in the hands of the state to the virtual power of individuals and movements, such as the Yellow Vests movement in France or the power possessed by the global corporations Google and Facebook, which irreversibly changes the dynamics of global politics and global power (Simons, 2019, p.113). Potential dialogue and relations in digital geopolitics between traditional power structures and people through social networks and other new media do not have to be exclusively based on differences, misunderstanding, and conflict but can also convey positive messages. Such an approach requires that the receivers of the message are not seen exclusively as consumers of the message. However, an approach that reinforces and respects the feedback loop and the tone of cooperation and togetherness is needed. However, such an approach in today's digital scene, where everyone is fighting for one's attention with many other actors, is challenging to achieve due to the long period in which the effects are seen, unlike the quickly noticeable effects of a narrowly targeted message

### **The role of technology in shaping global power dynamics**

For centuries, the global power dynamic has rested on states and their economic and military power, enabling them to influence events in the world in their favor in international relations. It is also evident that technology is a factor that has always irreversibly changed societies and states and that affects humanity's ability to overcome locational and physical-geographical barriers and use its advantages in these matters (Scholvin, 2016, p. 14). Thanks to advances in technology, the geopolitical picture of the world is also changing. The geopolitical positions of countries, the problems and challenges they face, and how they seek solutions are changing. Modern technologies, especially the world computer network with their global connectivity,

on a daily basis, affect the world's political, military, social, information, and infrastructure systems and subsystems in countries and change them irreversibly (Huskaj, 2023, p. 152). On the other hand, with the transformation of global politics into a less hierarchical form, there are also changes in global power and a "transition of international relations into many more hands" (Klieman 2015, p. 254, quoted in Simons 2019, p. 121).

### **New geopolitical factors**

Traditional factors such as access to resources or management of transport routes remain geopolitically significant. However, in the digital geopolitics age, new factors can influence a country's geopolitical situation. New technologies represent a particularly important geopolitical element for smaller states or states deprived of other resources because they represent a resource that the state itself can build anew and use for the further development of its society or the improvement of its geopolitical position, thereby strengthening its power on a global scale. Consequently, there is a change in the type and level of concessions they are ready or forced to make in geopolitical calculations.

Apart from technology, politics remains important for digital geopolitics; that is, the political environment in which decisions are made about the use of all resources, including technological ones, to prevent potential conflicts over their (mis)use (Scholvin, 2016, p. 5). Also, despite new technologies and other innovations, the importance of geography for the state's position is still not irrelevant (Fettweis, p. 247, cited in Scholvin 2016, p. 5), but the resources of digital and other modern technologies also appear significant. For example, new technologies require new types of resources, materials, and knowledge for making hardware, new types of knowledge and infrastructure for making software, and even new demographics with a younger and more educated population to keep up with the development of world technologies. Innovations in all areas ensure humanity's progress, development, and prosperity, and those who develop and own innovations will also have a certain geopolitical advantage.

## **New geopolitical questions**

Moreover, geopolitical issues are also becoming different – where is the hardware that stores the data, where are the databases, and who manages the software that manages the data? There are also actual trade and technological wars through and because of digital technologies, at least in the sphere of social networks and mass media, such as the marketing of stories about Chinese espionage through 5G equipment, which are then reflected in geopolitical issues, actions (banning the use of Chinese-made telecommunications equipment), and reactions (complaints of the Chinese Communist Party about American protectionism).

Social and new media are also becoming increasingly important in international relations and international politics, becoming more powerful instruments in influencing the international discourse on world issues and possible directions for the further development of the world order. With the help of social media, groups and individuals who could not previously be placed in the same geopolitical framework can unite around certain issues. However, there is also a dilemma regarding including the public in global politics and international relations issues–topics previously reserved for the political elite. Should the public be included as an active participant or a passive observer? Bearing in mind the gradual movement of the world towards multipolarity and the failures in the functioning of the traditional approach to diplomacy and governance, the inclusion of the public as an active element in the international discourse could have positive effects (Simons, 2016, p. 6).

Digital technologies, therefore, significantly impact changes in global power dynamics by reshaping the economy, information flows, security, and international relations. Given that their growth continues at a high speed and that they are being applied in an increasing number of areas, their impact on global power structures and the geopolitical landscape can be expected to continue increasing.

## **Technology as the foundation for emerging geopolitical conflicts**

Technological superiority also becomes part of geopolitical rivalries. Competition for technological dominance in areas such as artificial intelligence, 5G networks, or quantum computers is becoming the main feature of the strategies of superpower contenders: the United States, China, and Russia. Even countries with less influence are starting to stand up for themselves more in the global opportunities provided by new technologies. They are starting to value their resources, such as lithium (Asiegbu, 2023), more realistically, which is necessary due to the constantly growing demand for new technologies.

The global race for prestige in defining international norms and regulations regarding cyber security, privacy, data protection, or artificial intelligence is also interesting. Leading states want to be the first to pass laws or norms in this area, as this would confirm their importance in these crucial areas in international and digital geopolitics. Global agreements and debates around the sovereignty of digital data and its regulation reflect this digital geopolitical battle, such as the meeting of the leaders of global technology companies with US congressmen (Pequeno, 2023). For now, the EU is the most advanced in this process.

Digital geopolitics is increasingly entering the information warfare domain, where three essential domains are physical, informational, and cognitive (Alberts et al., 2001, p. 10). The most crucial domain in the search for political and military influence is informational, facilitating military operations and foreign policy in the physical domain (Simons, 2019). Information exists and is created in the information domain from where it is shared and can be manipulated, meaning the media may not reflect the truth correctly. The information domain represents the subject of competition and mutual influence of engaged actors, which implies both offensive and defensive dimensions of communication activities to achieve information superiority in the information domain over the opposite party. The manipulative use of fear within the framework of the global war against terrorism, where politicians incited that fear in their

speeches and election campaigns through various channels by citing examples of interference by foreign powers in national political events, is an example of the defensive use of information warfare, which diverts the public's attention from domestic sources of dissatisfaction to geopolitical issues (Pain 2010, p. 228). New digital technologies make such use of information much more accessible.

The participants' minds are in the cognitive domain, making decisions based on their feelings, understandings, and beliefs (Alberts et al., 2001, p. 13). It is where physical battles are actually won or lost, and it concerns intangible concepts such as morale, leadership, situational awareness, knowledge level, or training through the filter of one's perception. New media, primarily social networks based on digital technologies with a personal approach tailored to each user, are ideal tools for conveying messages in this domain. All these domains are important and relevant for the processing and operationalization of geopolitics in international relations (Simons, 2019, p. 117), and digital geopolitics successfully frames them with new technologies.

In line with this, it should be noted that the three domains mentioned above permeate information warfare and its functioning, where politically subjective representations of the physical domain are used in the information domain (Simons, 2019) to help shape the cognitive domain (Alberts et al., 2001, p. 14). These concepts are crucial for digital geopolitics because they allow us to influence them through new means of communication and thus achieve geopolitical goals much more effectively.

### **Effects of digital transition of geopolitics**

The use of new information and communication technologies achieves several important effects, also significant from the perspective of digital geopolitics: 1) new opportunities and resources for actors who want to influence debates; 2) the power relationship between the government and citizens changes because it enables easier and faster organization and mobilization of people for political purposes regardless of physical distance (Simons, 2019); and 3) creates and strengthens new types of relationships in international relations between different

stakeholders (citizens, corporations, governments) (Hart, 2012, p. 212).

The field of digital geopolitics is accessible to a much wider number of actors, unlike the state implementation of geopolitics, which is reserved for the elite. In this way, a wider circle of people can participate in and influence geopolitical events through global activism on various issues, such as facilitating the mobilization of apolitical voters and, paired with state actors, help defend "red lines" in critical situations (Petrović, 2015, p. 148). That fact partly undermines the efforts of the global forces of power towards globalization and, in that process, also goes backward (World Economic Forum 2020). Elections in numerous European countries confirm this because even in the EU, an example of a region striving for globalization in every respect, political events tend towards greater nationalization of individual states. The question of the speed with which these two processes take place and the tendency towards a greater or lesser degree of globalization becomes an important issue, and a large part of these processes take place in the arena of digital geopolitics.

Changes are also taking place in the field of security. Interstate conflicts are an exception today; the main battlefield has been moved to cyberspace. Cyber attacks, espionage, and sabotage are changing conflict and security dynamics today. Military capacities are also changing under the influence of new technologies; weapons are becoming "smart," which also impacts the geopolitical situation because the threat is no longer necessary to appear at the door, i.e., at the border. However, with the help of new weapons, serious threats can also be made over long distances (Zirojević, 2024, str. I/77). That fact, of course, affects both the military balance and national defense strategies.

Surveillance, a significant power lever, is undergoing a transformation with the aid of new technologies. While these technologies offer unprecedented surveillance capabilities, their global affordability has shifted the balance of power from the state to individuals. This democratization of surveillance tools, however, also opens the door to potential misuse.

The upside of the digital revolution, which moves humanity forward, is greater networking. Today, the world is electronically connected in every possible way, from underwater cables to space satellites. This growing connectivity facilitates the flow and sharing of information and ideas and has a global impact. Digital technologies also transform diplomatic efforts and enable real-time communication and negotiations between states, and digital diplomacy is becoming increasingly important in shaping international relations. However, the lack of infrastructure and unequal access to digital capacities can negatively affect the state's position in the geopolitical sense. If countries lag in this matter, their population lags in education and misses out on global social flows, and the weaker flow and use of information reinforce social differences. Countries that think strategically and invest in equipping citizens, businesses, and institutions with the most modern technological tools and prepare for the next technological leap in the field of artificial intelligence will be able, despite other geopolitical factors (geography, resources), to occupy a more advanced position in the developing world order (Fleming, 2020).

## **Conclusion**

The rapid advancement of digital technologies has fundamentally transformed the landscape of geopolitics, shifting its focus from traditional territorial and resource-based concerns to more intangible and networked domains. As geopolitical content migrates from the physical world to the digital realm, the tools and actors involved in shaping global power dynamics have diversified. Digital platforms, artificial intelligence, and large datasets now serve as instruments of geopolitical influence, offering opportunities for both state and non-state actors to engage in international relations in unprecedented ways.

While the digitalization of geopolitics allows for greater public participation and democratizes access to geopolitical discourse, it also introduces significant challenges. The ease with which digital tools can be manipulated and misused in information warfare and cyberattacks highlights the risks posed by this transformation. Additionally, as geopolitical borders become more mental than physical, the complexity

of global power dynamics increases, with both positive and negative outcomes.

Ultimately, the future of geopolitics lies in the balance between harnessing the potential of new technologies for global cooperation and managing the risks of misuse and disruption. States, policymakers, and global institutions must adapt to this evolving digital reality, recognizing that geopolitical influence is no longer confined to elites but extends to a wider audience, empowered by digital tools. As technology continues to evolve, so too will the structures and processes that define global power, leading to a more interconnected, yet more contested, geopolitical landscape.

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## **Digitalna transformacija geopolitike: Novi alati, akteri i dinamika moći**

Ivana Z. Zirojević

Fakultet bezbednosti, Beograd

### **Sažetak**

Ovaj članak istražuje evoluciju geopolitike u digitalnoj eri, naglašavajući ulogu tehnologije u transformisanju tradicionalnih geopolitičkih okvira. Tradicionalno zasnovana na fizičkim karakteristikama teritorija, savremena geopolitika, pod uticajem digitalnih alata, prelazi u neopipljiviji, mrežni, oblik. Međusobna povezanost koju donose digitalne tehnologije zamaglila je granice između unutrašnjih i spoljnih državnih poslova, preoblikujući način na koji se geopolitička moć shvata i primenjuje. Kako nove tehnologije kao što su veštačka inteligencija, veliki skupovi podataka i digitalna infrastruktura dobijaju na značaju, postaju novi alati u globalnoj konkurenciji. Digitalna geopolitika demokratizuje učešće, omogućavajući pojedincima da utiču na međunarodni diskurs, ali sa druge strane, ona takođe, potencijalnom zloupotrebom ovih alata, postavlja i nove izazove. Štaviše, uspon digitalne geopolitike odražava kritički pristup, gde se ideološki i politički fenomeni redefinišu putem digitalnih sredstava. Ova transformacija dovodi do konvergencije tradicionalne i moderne dinamike moći, čineći geopolitiku pristupačnijom, ali i složenijom u smislu uticaja, zastupljenosti i globalnog rivalstva.

*Ključne reči:* geopolitika, digitalna geopolitika, nove tehnologije, strukture moći, dinamika moći, digitalna tranzicija

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# Scope, Nature and Causes of Juvenile Delinquency

Boro Merdović<sup>1</sup>, Biljana Jovanović<sup>2</sup>

<sup>1</sup> Ministry of Internal Affairs of the Republic of Serbia,  
Belgrade Police Directorate

<sup>2</sup> Ministry of Defense of the Republic of Serbia, Belgrade

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## Author Note

Boro Merdović  <https://orcid.org/0000-0002-6619-5934>

Biljana Jovanović  <https://orcid.org/0009-0007-0952-8978>

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Corresponding author: Boro Merdović

E-mail: [boro.merdovic@gmail.com](mailto:boro.merdovic@gmail.com)

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## Abstract

Juvenile delinquency is a specific social phenomenon studied by various scientific disciplines. The goal of every society is to establish order and protect general social values. Juvenile delinquency is a serious behavioral problem manifested through actions that deviate from social and legal norms, and as such, it should be taken seriously in society, given the significance, dangers, and long-term consequences it can cause. The aim of this research is to examine the etiological factors of juvenile delinquency, as well as the scope and phenomenological aspects that can be categorized under this concept. The conceptual confusion present in this field often complicates the creation of adequate and effective prevention programs. Using descriptive research methods, document analysis, comparative methods, as well as quantitative and qualitative analysis, we have distinguished various types of behavior, grading them from asocial behaviors to juvenile delinquency as behaviors that violate legal norms. The research results have shown that juvenile delinquency is a broad term encompassing various behaviors that breach social, moral, customary, and legal norms. We have also demonstrated that youth delinquency is a multi-causal phenomenon requiring a multidisciplinary approach for clarification. The conclusion is that juvenile delinquency is a complex phenomenon that demands an integrated and multidisciplinary approach in prevention. Investment in educational programs, family support, and health education, as well as the creation of a positive social environment, can significantly reduce the risk of delinquent behavior and mitigate its consequences. The contribution of this work is to assist professionals from different fields in the early detection of delinquent behavior in youth and the profiling of juvenile offenders, as the most dangerous form of delinquency.

*Key words:* juvenile delinquency, delinquency, antisocial behavior, etiology, profiling

## Scope, Nature and Causes of Juvenile Delinquency

### Introduction

In criminological theory, there is an inconsistent approach to the term “juvenile delinquency.” On one hand, some professionals consider that juvenile delinquency includes not only behavior contrary to legal regulations, which is therefore punishable, but also behavior that opposes the dominant perception of morality within a community, customs, as well as antisocial behavior, social neglect, hooliganism, etc. (Nikolić-Ristanović & Konstantinović-Vilić, 2018, p. 217). All these terms can be encompassed under a single concept: juvenile delinquency. Delinquency is the broadest term that encompasses all forms of behavior by minors that violate customary, moral, social, and legal norms. This latter understanding represents the most commonly used concept of juvenile delinquency, which is often equated with juvenile criminality in the literature. Given the degree of danger and the consequences it causes, juvenile delinquency is the most commonly studied form of youth misconduct. Research on juvenile delinquency represents a key aspect of modern science, particularly because of the influence that social and media narratives have on the perception of this phenomenon. The politicization of juvenile delinquency often leads to the creation of moral panic, where real or potential threats are exaggerated, which can have serious consequences for the development of crime prevention policies and strategies for juvenile crime prevention.

Juvenile delinquency is a sensitive and delicate phenomenon for several reasons. Minors, who still do not fully understand or assess their actions, are presented as actors of delinquent behavior, making them more likely to frequently encounter conflict situations. When juvenile delinquency is addressed as a problem and efforts are made to resolve it in the most efficient and effective way, it is essential to consider many other factors that play a dominant role. It emerges as a chain of problems, where each link in that chain has numerous factors that require explanation. In the classical discourse, juvenile delinquency is often examined through sociological and psychological frameworks,

analyzing the causes and consequences of young people's behavior. Research focuses on factors such as the social environment, family, peer relationships, and education. On the other hand, contemporary approaches also include analyzing the impact of technology, social networks, and globalization, which can shape delinquent behavior. The etiology of juvenile delinquency is complex and cannot be explained by isolating a single factor. There is almost a general scientific consensus that juvenile delinquency is caused by a combination of factors that operate within society, school, family, and the individual personality of the minor, along with various other indirect factors (socio-political, economic conditions, characteristics of the social environment) (Krneta & Šević, 2015).

When discussing the phenomenology, or manifestations, of juvenile delinquency, we also encounter a wide range of different forms of behavior. The degree of social danger associated with these behaviors varies, and it often influences the response of society and the social environment. Certain types of delinquent behavior, such as running away from home and school, graffiti writing, disrespect for authority, petty thefts, and fights without serious consequences, are often mistakenly attributed to hyperactivity, mischief, or behavior that is considered "normal" for children and adolescents in their developmental phase. These forms of behavior, however, represent a prelude to juvenile delinquency, which manifests in violations of criminal norms.

Speaking of some basic characteristics of juvenile delinquency, it is essential to note that there are no precise statistical data on all forms of delinquent behavior. Some types of behavior considered antisocial are not recorded in official statistics, and their exact number cannot be determined. The situation is somewhat different with juvenile delinquency, specifically the number of criminal offenses committed by minors. According to statistical data, the participation of minors as offenders in overall crime varies across countries, ranging from 12-20% (Nikolić-Ristanović & Konstantinović-Vilić, 2018). In Serbia, this percentage hovers around 4%, which is somewhat higher than the percentage recorded in the early 21st century (around 2.5% at that time). According to the data from the Republic Statistical Office, in

2023, a total of 2,598 criminal charges were filed against minors (ages 14-18), representing 5.4% of all criminal offenses committed. Therefore, the participation of minors in the population of reported offenders has been increasing in recent years, and this fact should certainly be taken into account. This is particularly important considering that the percentage of minors within the population of Serbia was 3.2% in 2012, suggesting that minors are more represented in the population of reported offenders than in the general population of Serbia. In the structure of committed crimes, property crimes dominate, accounting for over 67% until 2006 (Ignjatović, 2015, p. 21). In the period from 2019 to 2023 (RZZS), property crimes comprised 43%, drug-related offenses 18%, crimes against life and body 13%, and public order offenses 11%. According to statistical data from Western countries, the prevalence of behavioral problems among young people aged 5 to 15 is 5-10% (Loeber & Farrington, 2001) and continues to increase, although it is unclear whether this rise reflects an actual increase or improved detection (Gatti, Grattagliano & Rocca, 2019, p. 171). When committing crimes, minors tend to exhibit violent behavior and aggression. Children and minors most frequently commit violent crimes, such as violent behavior and fights with serious or minor bodily injuries, using various objects (knives, wooden or metal sticks, brass knuckles, or any item within reach, even firearms). Another characteristic of juvenile delinquency is the commission of crimes in groups (as accomplices or accessories) or as part of a group (skinheads, fan groups, etc.). The literature offers various explanations for this phenomenon, most commonly citing the need of minors for proving themselves and belonging to a group, solidarity with other group members, and fear of rejection by peers or other group members. In recent years, violent offenses committed by minors as members of fan groups have become dominant. According to data from the Ministry of Internal Affairs of the Republic of Serbia, the youngest registered hooligan is ten years old. In Belgrade, there are 11 fan groups, nearly half of whose members are minors, which likely contributes to peer violence (Otašević, 2015, p. 77). There has also been a noticeable increase in drug-related offenses among minors, including the illegal

production, possession, and sale of drugs. Particularly concerning is the fact that the number of minors who reoffend, whether in terms of criminological or criminal recidivism, is continuously rising. One of the constant characteristics of juvenile delinquency is the gender structure of offenders, indicating that boys are the offenders in 90% of cases.

In Europe, the last decade has seen an increase in the number of juvenile delinquents and a decrease in the age of young people committing delinquent acts. This requires preventive and intervention measures to be implemented as early as possible. Prevention can only be achieved when risks are detected early. The main focus of research should be on children who have committed criminal acts but are not criminally responsible, primarily problematic children rather than criminals with established behavioral patterns. Accordingly, social and educational systems, rather than the judicial system, should bear responsibility for this target group. From this perspective, it is essential that social, educational, and therapeutic activities focus on the various individual problems of each child and family (Marcu & Hulea, 2013).

The aim of this paper is to remove certain ambiguities and clarify the conceptual diversity related to juvenile delinquency, as well as to highlight the most common causes of delinquent behavior in children and juveniles. The ultimate goal would be the easier detection of certain forms of delinquency, early identification, and profiling of juvenile delinquents.

### **Terminological definition of the concept**

Behavioral disorders are a current topic in domestic and professional literature, receiving increasing attention due to their frequency and the potential serious consequences for the psychophysical and social development of children. These disorders can have a significant impact not only on the children themselves but also on their families, local communities, and society as a whole. The current lack of precise data on the prevalence of this type of problem is largely attributed to varying diagnostic criteria and difficulties in distinguishing them from transient, normative problematic behaviors that appear in early childhood (Žunić-Pavlović & Kovačević-Lepojević, 2011, p. 736).

Defining the term "behavioral disorder" sparks numerous discussions and disagreements among professionals, to the extent that there are as many definitions as there are authors addressing this topic. According to DSM-5, Conduct Disorder (CD) is a set of behaviors characterized by persistent misbehavior, including bullying, fighting, use or threat of weapons, physical cruelty to people and animals, property destruction, deceit, and serious rule violations (APA, 2013). Although disruptive behavior is observed to varying degrees throughout the development of most young people, it becomes clinically relevant when it is frequent, severe, persistent, rather than isolated, and causes distress and functional impairment (Steiner, 1997).

There is a noticeable discrepancy between the term itself and its meaning. Depending on the scientific discipline approaching the issue, different terms are used, such as: maladjusted children, atypical children, unadapted children, educationally neglected, unsocialized, neglected children, children at risk, children with asocial and antisocial behavior, children in conflict with the law, deviant, delinquent behavior, etc.

The category of children and young people is characterized by a specific bio-psycho-social development. This is a life period most sensitive to external influences, both positive and negative. Adolescence is the phase of life in which a person is formed and is accompanied by numerous physiological and psychological changes. Minors, as an integral part of society, represent a relatively distinct world, with unique ways and specific reactions to external stimuli. Developmental problems in children and youth have become a common occurrence, not requiring serious educational or psychological treatment unless these developmental issues accumulate and start to endanger and hinder the functioning and development of young people. In such cases, they are termed disorders and require appropriate professional, socio-pedagogical, and therapeutic intervention (Stakić, 2016, p. 37). Some of the terms most frequently encountered in the literature are asocial, antisocial, and delinquent behavior. In the following text, we will clarify certain terms according to the level of social danger they represent, from the lowest to the highest, from risky behaviors to juvenile delinquency.

Risky behaviors encompass all behaviors that may negatively impact the normal development of children and cause adverse consequences for other individuals in the child's environment. Numerous situations to which children are continuously exposed, within the family and outside it (unfavorable environmental influences, psychosocial factors), can turn young people into individuals with risky lifestyles (e.g., alcohol consumption, drug use, skipping school, risky sexual behaviors). Such behaviors represent developmental risks for children and youth, as well as for other individuals in their environment. Risky behaviors resulting from insufficient knowledge, lack of awareness, individual social immaturity, presence of prejudices or stereotypes, youthful activities, and curiosity can lead to various forms of deviant behaviors. Thus, risky behaviors do not deterministically represent a "path to deviance," but they are a warning sign of a tendency and significant probability of engaging in some form of deviant behavior (Jugović, 2004). The most common forms of risky behavior among children and adolescents are smoking, alcohol and drug use, frequent changes of sexual partners, and involvement in minor offenses, hooliganism, vandalism, violent behavior, running away from home and school, etc. (Merdović, 2019, p. 193).

According to Videnović, *asocial behaviors* are all behaviors directed against the environment, social norms, and customs, which significantly hinder or prevent normal growth and development, resulting in the engagement of various social welfare services in prevention, detection, investigation, and treatment (Videnović, 2006). *Antisocial behavior* is a term widely used in criminology and psychology. It refers to behavior directed against society and social norms. It serves as an umbrella term for all types of behaviors against social, legal, and moral laws, norms, and rules, authority, and social order. The emphasis with this term is placed on the fact that it is the behavior, not the entire person, that is antisocial; for this reason, it is preferred over the usual terms like delinquency or misconduct in more recent literature. It differs from asocial behavior in that asocial behavior does not oppose, but rather deviates from, typical social standards and values, representing a departure from those standards (Merdović, 2019, p. 25). An antisocial

personality is characterized by an individual's inability to establish strong social relationships, unwillingness to adhere to accepted norms, low loyalty to others, unwillingness to meet obligations, and lack of guilt for their behavior (Godfrey, 2012). An asocial person views others as sources of danger or pleasure, disregarding their safety, comfort, or satisfaction. Such a person experiences their impulses as urgent, with delay or substitution being unacceptable. The antisocial person differs radically from others in their attitude toward themselves, others, and the meaning of life. An asocial person tends to evade responsibility for unacceptable behavior through rationalization and shifting blame to others. Prolonged interaction with such a person always begins to provoke dissatisfaction, tension, and irritation (Monahan, Steinberg & Cauffman, 2009). One of the most frequently cited definitions of antisocial behavior in our literature, given by Milosavljević, is that antisocial behavior among minors is generally understood as more severe forms of deviant behavior, consisting of violations of legally sanctioned norms (Milosavljević, 2003).

According to some authors, antisocial behavior is divided into deviant and delinquent behavior. Deviant behavior is a system of actions or individual acts by a person that reflect a disagreement with accepted legal and moral norms in society (Huzik, 2021). Deviance represents characteristics, behaviors, or thoughts that significantly differ from the behavior of the rest of the population. Therefore, to determine deviance, it is essential to outline the boundaries of "acceptable" behavior. However, anything that goes beyond these boundaries is considered deviance. Deviance can be fixed or variable in terms of time and content. Deviance is usually determined based on what society does not recognize as deviant (Levesque, 2011). The term deviant behavior refers to all forms of behavior that significantly deviate from generally accepted values, norms, and rules of behavior, which can be both positive and negative. Proponents of using this term also introduce the criterion of social reaction, emphasizing that it involves behaviors that elicit societal disapproval (Milosavljević, 2003).

*Delinquency*, in contrast to deviance, always has socially dangerous consequences, causes changes in how society perceives the

offender, leads to the minor's self-recognition as an offender, and thus opposition to the society that rejects them (Međedović, 2021). When discussing juvenile delinquency, it is essential to note that there are multiple approaches to explaining this phenomenon. As previously mentioned, according to the criminological-sociological approach, the term juvenile delinquency represents behavior that is contrary to legal regulations, legally incriminated, but also violations of moral and customary norms (Nikolić-Ristanović & Konstantinović-Vilić, 2018). The formal-legal approach views juvenile delinquency somewhat more narrowly than the criminological-sociological approach. This approach explains juvenile delinquency solely as behavior that is, first and foremost, against the law, specifically as an offense or a criminal act. An even narrower approach suggests that juvenile delinquency is exclusively the violation of criminal legal norms, representing criminal behavior (Kostić & Mirić, 2015, p. 48). Juvenile delinquency is commonly understood as the commission of criminal acts by minors. Due to their age (14-18 years) and limited access to certain social spheres, minors cannot commit certain types of crimes (such as corruption, crimes against the economy, etc.). On the other hand, they dominate in statistical parameters indicating the frequency of violent crimes. Juvenile delinquency is a complex term in its content, consisting of various types of behaviors and actions by children and minors that differ in type, severity, and consequences.

These characteristics and specifics require a more detailed study of the causes and consequences of delinquent behavior, as well as the prospects and risks for juvenile offenders, to determine effective ways to correct their behavior and further resocialize them, which will be discussed in the next section.

### **Risk and protective factors**

Crime as a social phenomenon requires detailed and multidimensional analysis. It is often emphasized that it is important to distinguish between individual causes of criminal behavior and broader social factors that influence crime as a whole. This differentiation helps us understand the complexity of the causes that

lead to offenses. Personal traits of an individual, such as temperament, character, psychological characteristics, and mental health, can significantly influence the decision to commit a crime. However, the social context, including family, economic conditions, and cultural norms, plays a key role in this process. A lack of balance between these factors often leads to an insufficient understanding of specific forms of criminal behavior. Comparisons and analyses of various criminological theories indicate that no single factor alone can explain crime, including juvenile delinquency, which is a part of juvenile crime. Instead, an integrated approach is needed that considers many aspects of an individual's life and society as a whole.

A range of factors at the individual, family, and community levels either put youth at risk of delinquent behavior or act as protective factors that inhibit such behavior. Various factors have been identified that potentially influence pathways to crime, such as attachment and aspirations for school, parental supervision, discipline, abuse or neglect, delinquent peer groups, as well as factors within the immediate social environment related to low income, overcrowded households, and residential mobility (Loeber & Farrington, 2001). Therefore, the theory of risk and protective factors is often discussed. The same factor (e.g., family) can significantly influence the manifestation of delinquent behavior but can also be a crucial protective factor that deters youth from offending. Risk and protective factors that influence the occurrence of behavioral problems include all influences and conditions associated with a child's personality and environment, which can increase or decrease the likelihood of developing behavioral issues in an individual. Risk factors contribute to a higher probability of behavioral problems, while protective factors reduce that probability and encourage the development of positive patterns and behavior in children.

The factors that determine each individual's behavior can be endogenous (related to the individual's personality) and exogenous (external influences). This is one of the most frequently cited classifications in both domestic and foreign literature.

When discussing *endogenous factors*, opinions are divided and varied. Numerous studies confirm that personality factors influence the

manifestation of certain forms of behavior in each person. Research shows that genetic factors have a strong impact on aggressive behavior (Burt, 2009), which is a form of delinquent behavior. Modern biological theories focus on endocrine, physiological aspects, disorders of the endocrine system, and central nervous system diseases (Milić, 2008, p. 16). In the United States, 15-20% of juvenile delinquents have serious mental illnesses. Most chronic delinquents are characterized by hyperactivity, low tolerance levels, impulsivity, speech and language development disorders, and intellectual deficits. For delinquents whose antisocial behavior is limited to adolescence, there is an improvement as they take on adult roles (Igrački & Ilijić, 2016). A low level of intelligence has been considered a factor in delinquent behavior. A study of inmates in Texas who entered the prison system in 2002 found that approximately 23% scored below 80 on IQ tests, nearly 69% scored between 80 and 109, and only 9.6% scored above 110 (Ellis & Walsh, 2003). Although some studies have shown lower intelligence levels among delinquent compared to non-delinquent populations, this cannot be considered a decisive or fundamental cause of delinquent behavior (Kostić & Dimovski, 2015, p. 318). Aggressive behavior in youth is predominantly mediated by genetic factors, while non-aggressive behavior is mediated by both genetic and environmental factors (Eley et al., 2003). Psychophysiological factors can also shape an individual's behavior, including delinquent behavior. Low levels of certain hormones secreted in stressful situations or elevated hormone levels (e.g., testosterone) secreted in reward-seeking and dominant behavior situations influence criminal behavior (Merdović & Kovačević Lepojević, 2021). Some authors suggest that a reduced level of cortisol secretion indicates a constant search for sensations, entering risky situations, habituation to stressful situations, absence of fear, aggressive behavior towards peers and teachers, as well as criminal behavior (Platje et al., 2013). Temperament, a relatively stable and mostly innate tendency by which an individual experiences and regulates their response to the social environment, is a construct recognizable early in development, giving it significant potential in determining and correcting human behavior, including criminal behavior. In many respects, temperament

is a key biosocial construct. For instance, determining temperament characteristics at age 3 reveals behavioral outcomes in later stages of life development (Horner et al., 2015). Temperament, as a relatively stable and primarily hereditary trait that determines how an individual perceives and reacts to their social environment, is identifiable in the early stages of development. This aspect of personality has a potentially significant impact on the formation and correction of various behaviors, including tendencies toward delinquent behavior. According to research, children with behavioral disorders exhibit vengeful emotions, a strong propensity for impulsive behavior, anxiety, and depression, limited capacity for expressing and verbalizing emotions and feelings, and an inability to establish emotional relationships, which may later limit their ability to manage actions and adequately resolve interpersonal conflicts (Caspi & Moffitt, 1995; Behan & Carr, 2013).

*Exogenous factors* are external influences that determine behavior. Paradigms seeking to explain delinquent and criminal behavior highlight numerous social environment factors as dominant in determining each individual's behavior. Exogenous factors of youth delinquent behavior refer to external influences and environmental factors that can increase the risk of deviant behavior in young people. These exogenous factors can be political, economic, and social, and each is connected to the functioning of the family, school system, peer groups, immediate and broader social environment, media, internet, social networks, and so forth. There is a scientific consensus that the economic situation in a given society affects the increase in the number of criminal offenses. Socio-political events within a society are drivers of many negative phenomena, including juvenile delinquency. Specific circumstances in our country, such as wars and international sanctions leading to inflation, had a devastating effect on the economy. The rise in unemployment and the growing number of people living on the edge of survival impacted the collapse of the family and educational systems, from which we have not yet fully recovered. Population migrations, political crises, transitions, globalization of society, advancements in science and technology, and the erasure of borders between states are factors that have particularly impacted the child and youth population.

*The family* is the basic and most important unit of society, playing a key role in the upbringing and socialization of children. The primary functions of the family include biological-reproductive, kinship relations, economic function, and socio-cultural function (Marjanović, 2016, p. 99). It is the first environment where children encounter values, norms, and behavior patterns that shape them as individuals. In the family, children acquire their first habits, attitudes, and perceptions of themselves and the world around them, which directly affects their later development and functioning in society. Regardless of differences in class, religious, economic, and social affiliations, the family is a universal institution present in all cultures with a similar function – to provide the basic emotional and physical needs of its members, transmit social values and norms, and prepare new generations for active and responsible life in the community.

A family marked by understanding, love, empathy, and emotional stability represents a healthy environment for the development of all its members, especially children. In such a family, children feel secure, supported, and loved, allowing them to develop self-confidence, self-respect, and healthy social skills. Harmonious family relationships enable children to naturally socialize and adopt positive values and behavior patterns, influencing their future relationships and social behavior. On the other hand, in modern society, there is an increasing number of families facing various problems and challenges, such as economic difficulties, lack of time for family relationships, conflicts, or the presence of violence and other social-pathological problems. Families where relationships are not harmonious and lack empathy and support can negatively impact the development of children. Children from dysfunctional families are often at a higher risk of emotional difficulties, low self-esteem, and problematic behavior.

Dysfunctionality is one of the most frequently cited family-related risk factors. These are families characterized by disrupted relationships, frequent conflicts, violence, the presence of parents' social-pathological behavior patterns, neglect, abuse, and a history of criminal behavior in the family. All these factors influence the behavior of children and adolescents from such families. The need for security

and care, feelings of helplessness and dependence in children, create a fertile ground for various forms of victimization (Bjelajac & Merdović, 2019, p. 192). Insufficient care for children leads to an increase in uncontrolled and unstructured free time, which can provide opportunities for experimenting with antisocial and delinquent forms of behavior (Mahoney & Stattin, 2000). Recently, especially after the mass killing at Vladislav Ribnikar Elementary School in Belgrade in 2023, there has been a growing focus on parental control as an important factor in structuring children's behavior. When discussing parental control, we often encounter a dichotomy between psychological control and behavioral control. Psychological control is a parenting style that manipulates children's thoughts, emotions, and behavior, often suppressing their autonomy through tactics like inducing guilt and ignoring emotions. This approach is considered harmful to psychological development and is criticized as a form of abuse. In contrast, parental control that sets reasonable boundaries and enables supervision helps children adopt social norms and prevents future behavioral problems (Merdović, Počuča & Dragojlović, 2024). The way young people spend their free time, if not filled with positive activities and supervised by parents and teachers, can be a significant risk factor for various forms of delinquent behavior.

The manifestation of physical aggression and violence among parents is an especially severe form of family conflict, which serves as a strong risk factor for the development of aggression and antisocial behavior in children (Popović-Čitić, 2007). Disruptions in family structure and other unfavorable elements within it negatively impact the entire family system and its functioning. Such elements, either directly or through weakening family functions, generally have a detrimental effect on the development and socialization of young individuals (Merdović, 2019, p. 158). Socially pathological behaviors in parents, such as alcoholism, drug addiction, criminal and aggressive behavior, abuse, aggression, and violence, are significant predictors of negative behaviors in children.

In addition to these negative family factors, the family is also a significant protective factor against youth delinquency. Today's families

need support from all relevant societal factors more than ever to fulfill their role. Five protective factors form the foundation of the approach to strengthening families (Ozer et al., 2017):

- *Parental resilience* – finding ways to solve problems, build and maintain trust-based relationships, including with their child, and recognizing when it's necessary to seek help.
- *Social connections* – providing emotional support, help in solving problems, parenting advice, and practical support to parents from friends, relatives, and the social environment.
- *Concrete support in times of need* – assistance in meeting basic existential and economic needs, support and services from social actors when the family is in crisis (e.g., family member illness, domestic violence, etc.).
- *Knowledge of parenting and child development* – information about child development and appropriate expectations for children's behavior at each age helps parents view their children in a positive light and promotes healthy development. This information is most effective when provided when parents need it to understand their children better.
- *Social and emotional competence of children* – the ability of a child or adolescent to communicate positively with others, self-regulate their behavior, and effectively express their feelings positively impacts their relationships with family, other adults, and peers.

*The school* is one of the primary groups in which personality is positively shaped. Certainly, considering how the school fulfills its role and its influence on the social environment towards the individual, the impact of school can also be viewed from the standpoint of criminal etiology. Research shows that failure in school education significantly contributes to the occurrence of delinquent behavior (Kovačević, 2007). Reasons include overly extensive and unengaging curriculum content, inadequate school conditions, teacher incompetence, and student disinterest in learning. These factors often lead to skipping classes,

spending time outside school (in cafes, betting shops, parks), and engaging in alcohol and drug use. Poor academic performance and grade repetition can result in conflicts, rejection of authority, and a sense of discrimination, which encourages various forms of delinquent behavior. Difficulties in school can produce feelings of disappointment, inferiority, anger, and aggression, which, together with other risk factors, can lead to behavioral problems.

When discussing school as a risk factor for youth delinquent behavior, we must mention the *influence of peers*. Young people typically spend most of their school time with their peers and often continue to spend time with them after school. During adolescence, peer pressure is intense and significant. The desire for independence from family and an increasing need for inclusion in peer groups can be a significant risk factor, especially if there is a desire to belong to groups inclined towards delinquent behavior (such as fan clubs, delinquent groups, or other informal groups). If a peer group rejects an individual, they may experience frustration, potentially leading them to express aggression and other delinquent acts. On the other hand, belonging to a delinquent group often requires minors to commit certain offenses to be accepted by the group. One of the most notable characteristics of juvenile delinquency is complicity and committing crimes in groups. The initiation of drug use is also often driven by peer pressure and the influence of the group the minor belongs to or wants to join (Bjelajac, Matijašević & Počuča, 2012).

Media and the internet have a significant educational, cultural, and informative impact, helping people stay informed and gain new knowledge. While they can have a positive influence, particularly on young people, there is also potential for a negative impact. This influence depends on the quality of programs and the psychosocial state of young people. Negative content, such as that promoting violence, crime, and amoral values, can especially harm youth by encouraging undesirable behaviors and attitudes. In contemporary literature, research is focused on the internet and child safety online due to the expansion of internet and social media use. Protecting children online involves socially responsible organizing of the physical, psychological, and moral safety

of minors during their daily online activities (browsing, chatting, using social networks, online gaming). The goal is to protect children from harmful content, mitigate the negative effects of internet use, and raise awareness and knowledge about how virtual reality affects children (Bjelajac & Filipović, 2020, p. 261). A specific aspect of the negative influence on young people's behavior is the impact of video games. Initially, these games substitute for parental care and supervision, providing parents a "break" as children are occupied with playing. Later, this shifts to concern over excessive time spent on computers, in gaming centers, poor academic performance, loss of work habits, alienation from peers and society, the creation of a gamer subculture, and other consequences affecting children's real-life behavior. The most severe consequence of frequent video gaming is the development of addiction, which is gaining significance in modern society and requires serious intervention from professionals of various profiles (Bjelajac & Merdović, 2019a, p. 57). *Cyberbullying* and electronic violence are forms of child abuse that, alongside psychological, physical, and sexual abuse, represent serious issues that receive particular attention from science and professionals (Merdović, 2019a). As one of the most severe forms of criminal acts, mass killings are often associated with the influence of the internet and violent video games. Research following school shootings has shown that perpetrators spend considerable time on the internet, with interests in previous mass killings or shootings, violent video games, weapons, and other violent content. It is common for killers to post content on social media before or after the act, sometimes hinting at upcoming events or sharing recordings of the crime itself with messages. According to the perpetrators, the reason for such publicity is often to gain fame and ensure that everyone will know about them, regardless of the consequences. Fascination with violent acts and aggression, fame, a desire for recognition, imitation, and identification, readily accessible on the internet and through media, are factors contributing to the decision of unstable individuals to commit violent acts (Schildkraut & McHale, 2018), as we have seen, potentially fueled by indoctrination within the context of religious-psychological phenomena, religious fanaticism, and extremism (Zirojević, Bjelajac, 2013). The

media spectacle created by journalists around such events intrigues young people and contributes to the spread of sensational news and spectacle. Sensationalist reporting on criminal events leads to increased viewership or readership of a media outlet, better ratings, and profits but also to exaggerations about the nature and extent of crimes, resulting in affective reactions from the public, unsettling citizens, and increasing fear of crime (Bjelajac & Merdović 2018, p. 293).

Understanding endogenous and exogenous factors is essential for the prevention of juvenile delinquency, as it allows social institutions to focus on providing support to individuals, families, schools, and communities to reduce negative impacts on young people.

### **Profiling juvenile offenders**

If we consider the research findings presented so far, we can conclude that identifying the risk factors children are exposed to is a fundamental parameter for successful preventive action. In criminology and other behavioral sciences (psychology, sociology), screening plays a central role. Identifying potential offenders involves more than simply pointing to a specific individual; it requires a carefully designed strategy and appropriate tools for detecting individuals or groups at risk of engaging in criminal activities. Such strategies may range from simple and quick interventions to complex, multi-step processes that include multiple stages. The instruments used in this process can vary from simple risk assessment scales to advanced systems that combine various methods and settings for deeper analysis. Screening should target children who display risk factors shown to characterize juvenile offenders, as well as children and adolescents who engage in various antisocial behaviors that precede criminal behavior (Le Blanc et al., 1997). This is particularly important for practitioners who work with juvenile delinquency and engage with children in institutions and organizations. Based on etiological factors and the identified risk factors, it is crucial to detect certain forms of delinquent behavior as early as possible to prevent escalation into criminal acts. It is not necessary to screen only specific high-risk groups or individuals; any form of primary prevention is desirable to mitigate the influence of risk

factors and minimize the manifestation of delinquent behavior as much as possible.

## **Conclusion**

Juvenile delinquent behavior requires the attention of professionals across various fields who deal with behavioral issues. A wide range of behaviors that deviate from socially acceptable patterns can serve as an introduction to more serious behavioral problems. It is essential to identify such behaviors as early as possible, as they may lead to criminality, the most severe form of delinquent behavior. The earlier these behaviors are noticed and detected, the greater the chances for preventive action or later resocialization.

Juvenile delinquency is not the result of a single factor but rather a complex interaction of various circumstances and influences. In this process, multiple factors combine and interact, potentially leading a young person to display behaviors that may not initially appear as criminal acts. Although these behaviors emerge during their psychological and social development stages, they can lay the foundation for later delinquent behavior, and in some cases, lead a child or adolescent to become involved in more serious criminal activities. Through a comprehensive approach, involving research and analysis of factors affecting juvenile delinquent behavior, an effective social response can be built. Such a response involves collaboration between various sectors – education, social protection, healthcare, and the justice system – creating an environment that can support at-risk youth and reduce the likelihood of their involvement in criminal activities. By developing these preventive and intervention measures, society can significantly reduce the number of juvenile offenders and contribute to creating a safer and more just environment.

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## Obim, priroda i uzrok maloletničkog prestupništva

Boro Merdović<sup>1</sup> i Biljana Jovanović<sup>2</sup>

<sup>1</sup>Ministarstvo unutrašnjih poslova Republike Srbije, Beograd

<sup>2</sup>Ministarstvo odbrane Republike Srbije, Beograd

### Sažetak

Maloletničko prestupništvo je specifična društvena pojava koja je predmet izučavanja različitih naučnih disciplina. Težnja svakog društva je uspostavljanje reda i zaštita opštih društvenih vrednosti. Maloletnička delinkvencija je ozbiljan problem ponašanja, koji se manifestuje kroz ponašanja koja odstupaju od društvenih i pravnih normi i kao takva treba da bude ozbiljno shvaćena u društvu s obzirom na značaj, opasnost i dugoročne posledice koje može prouzrokovati. Cilj ovog istraživanja je da se ispituju etiološki činioci maloletničkog prestupništva kao i obim rasprostranjenosti i fenomenološke pojave koje se mogu podvesti pod ovaj pojam. Pojmovna zbrka koja je prisutna u ovoj oblasti često otežava kreiranje adekvatnih i efikasnih preventivnih programa. Metodom deskriptivnog istraživanja, analizom dokumentacije, uporednog metoda kao i metodom kvantitativne i kvalitativne analize razgraničili smo pojedine oblike ponašanja gradirajući ih od asocijalnih oblika do maloletničke delinkvencije kao oblik ponašanja kojim se krše zakonske norme. Rezultati istraživanja su pokazali da je maloletničko prestupništvo širok pojam koji sublimira različite oblike ponašanja kojim se krše društvene, moralne, običajne, zakonske norme. Takođe smo pokazali da je prestupništvo mladih multikauzalna pojava koja iziskuje multidisciplinarn pristup u njenom razjašnjenju. Zaključak je da je maloletnička delinkvencija složen fenomen koji zahteva integrisan i multidisciplinarni pristup u prevenciji. Ulaganje u obrazovne programe, porodičnu podršku i zdravstvenu edukaciju, kao i stvaranje pozitivnog društvenog okruženja, može značajno doprineti smanjenju rizika od prestupničkog ponašanja i umanjiti njegove posledice. Doprinos ovog rada je pomoć stručnjacima iz različitih oblasti u ranoj detekciji prestupničkog ponašanja mladih i profilisanja maloletnih učinilaca krivičnih dela kao najopsanijeg oblika prestupništva.

*Ključne reči:* maloletničko prestupništvo, delinkvencija, antisocijalno ponašanje, etiologija, profilisanje.

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# Comparative Analysis of the “Serbian World” and “Greater Serbia” Concepts

Aleksandar Ljubomirović

Center for International Relations and Sustainable Development,  
Belgrade

Faculty of Political Sciences, Belgrade

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## Author Note

Aleksandar Ljubomirović  <https://orcid.org/0009-0003-5932-7438>

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Corresponding author: Aleksandar Ljubomirović

E-mail: [aleksljubomirovic@hotmail.com](mailto:aleksljubomirovic@hotmail.com)

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## Abstract

This article aims to present designated outcomes of the author's research on the *Serbian world* concept, which surfaced as an indispensable part of the public discourse in the year 2020, and has been ever since repeatedly identified with the notion of "Greater Serbia". Hence, the methodology of the comparative analysis will be applied with the intention of systematically examining the resemblances and differences of the said concepts, including also elements of the qualitative content analysis. The qualitative content analysis includes pre-selected public statements of prominent regional stakeholders in which they identify the *Serbian world* with the "Greater Serbia" concept. This represents a significant approach for the understanding of the *Serbian world per se* and its comparison with other note-worthy concepts, because it is still regarded mainly as a mental construct. Therefore, whilst analysing this concept the focus must be placed on processes of mental shaping of the world as understood by the participants of the discourse, and on the process of the conceptualization of reality. Based on the results of the analysis, the author concludes that only its opponents regard the *Serbian world* as a modernized version of "Greater Serbia" with the purpose of discrediting the newly popularized term, and for which they assume will have an exclusively territorial connotation with imperial pretensions. However, the analysis has shown that the constant comparisons with "Greater Serbia" are part of an ongoing anti-Serbian campaign, and that the concept was not designed after any greater-state ideas. The *Serbian world* concept has a predominantly cultural dimension, with a focus on the promotion of the 'world of values' of the Serbian people.

*Key words:* Serbian world, Greater Serbia, concepts, greater-state projects, borders

## **Comparative Analysis of the "Serbian World" and "Greater Serbia" Concepts**

### **Introduction: From "Greater Serbia" to "Serbian World" accusations**

For roughly two centuries now, since the beginning of the Serbian struggle for a single and independent nation state, the political and intellectual elites from its neighbouring countries have been uninterruptedly spreading their concerns about the supposed intentions of the Serbs to create a "Greater Serbia" (Krestić 1998, p. 134). As of that moment, this represented a relentless catchphrase of all anti-Serbian statements and narratives, not only for their domestic audiences, but for the much wider global public. These continuous accusations arose because of the persistent aspirations of the Serbian people for a national liberation and unification, which encroached on the imperial interests of great powers, and on the other hand, on the greater-state ambitions and demands of its neighbouring countries such as Albania, Bulgaria, Croatia and Hungary. Such tactics have been well known for a long time now and were inherited by the regional political and intellectual elites from "the cradle of accusations about a Greater-Serbian threat" which refers to the Habsburg Monarchy, and especially Benjamin von Kallay, the Austro-Hungarian minister of finance and administrator of the Condominium of Bosnia and Herzegovina (1882-1903) (Popov 2008, p. 9; Antić/Kecmanović 2016, p. 121). The phenomenon called "Greater Serbia" has, thus, been one of the most powerful means of combatting the national interests and existential rights of the Serbian people, led by its various opponents, without interruption for two centuries now, making this campaign almost as long as the Serbian struggle for a nation state itself. Accusing the Serbian elites for "Greater-Serbian nationalism", the regional decision-makers saw the Serbs as their main obstacle in order to realize their greater-state projects, on which they worked consistently and persistently, adhering to the Machiavellian principle that all means are allowed to achieve this goal, which, at times, even included the genocidal destruction of Serbs (Krestić 1998, pp. 123-124).

Since the moment, the term *Serbian world* became indispensable in the wider domestic and regional public discourse, it was a substantial part of an especially eye-catching narrative that occurred in the statements of usually Bosniak, Croatian, Montenegrin, and, in some smaller extent, Western European and Albanian political and intellectual elites, and which referred to the frequent comparisons of the concept with the regionally widespread notion of "Greater Serbia" (Vukićević/Tuhina 2021). In contrast to the main Serbian social actors, who in the vast majority looked favourably upon the newly popularized term, its opponents began publicly criticizing the emergence of the notion of the *Serbian world*, interpreting it as a renewal of irredentist and greater-state aspirations of the Serbian state leadership. The first in a series of high-ranking officials from the region and abroad, who explicitly declared the *Serbian world* as "a euphemism for the idea of greater Serbia, endangering other countries and the identities of other nations" was none other than the former President of Montenegro, Milo Đukanović (Beta 2021; Marković 2020; Sloboden pečat 2020). After that statement, numerous other social actors, including mostly the political and intellectual elite, started following the same narrative as Milo Đukanović, and, since the year 2020, began constantly identifying the *Serbian world* with the notorious "Greater Serbia" idea. Consequently, this article sets out to analyse the main similarities and differences between the *Serbian world* and "Greater Serbia" in order to prove that the newly popularized syntagma is much broader than the territorial connotations it has been accused for by its opponents. This will be achieved by using the methodological approach dubbed as the comparative analysis, with a partial application of the qualitative content analysis, which is crucial for the better understanding and definition of the concept in academical terms, given that the *Serbian world* is still widely regarded as a mental construction. Hence, whilst analysing the *Serbian world* concept, the focus must be placed on processes of mental shaping of the world as it is understood by the prominent social actors participating in this particular narrative, as well as on the processes of the conceptualization of reality. After the concept is defined as understood by the political and intellectual elites using it

in their public statements, it can be effectively compared with the notion of "Greater Serbia" in order to answer the main question of this article and prove the *Serbian world* to be an authentic idea of the current Serbian political and intellectual elites. At the end, a synopsis of selected research results will be presented, as well as possible perspectives for further analysis of the concept.

### **Methodological approach**

As this article aims to compare the *Serbian world* concept to the widespread notion of "Greater Serbia", the use of the comparative analysis as the methodological foundation is rather logically imposed. This analytical methodology is a systematic approach used to evaluate and compare two or more social phenomena, in order to identify their resemblances and variances, as well as to develop patterns that facilitate their understanding (Della Porta 2008, p. 199; Cocq/Szekely 2021, p. 14). In addition, the comparative research involves the explanation of similarities and differences of conditions or outcomes among large-scale social units, usually nations, cultures or even concepts (Drobníč 2014, p. 1127). Accordingly, the main goal of this methodological approach is the comparison of phenomena in order to identify key independent variables and establish what link, if any, exists between them and the dependent variables. The comparative analysis can be, therefore, be also useful to establish the nature of that relationship, assessing whether it is necessary, sufficient, or both. Moreover, cross-case comparison allows social scientists to build broad theories that are applicable in different contexts (Cocq/Szekely 2021, p. 13). Hence, by relying on the comparative analysis, the author of this paper seeks to determine the links, if any, between the *Serbian world* and "Greater Serbia", in order to prove that the former isn't merely a 'newly continued' or 'modernized' version of the latter, or in other terms the 'dependent variable'. However, in order to successfully conduct the analysis, the first process must include the presentation of the pre-selected dataset on the concepts, as well as the narrative from public statements in which the notion *Serbian world* is identified with "Greater Serbia", so that their similarities and differences may be observed in more detail. This is an especially

significant approach, because the credibility of the findings of the comparative analysis depends significantly on the quality of the research work done before, and after, the central part of the analysis (Schneider/Wagemann 2012, p. 13).

In that regard and in contrast to the "Greater Serbia" concept, the notion of the *Serbian world* remained under-researched in social sciences, given that only a few academic papers are devoted to its detailed and structured analysis. In academic journals published on the territory of the Republic of Serbia, there is only one note-worthy contribution, which at the same time represents a pioneering input on this topic, entitled "Creating the 'Serbian world': Qualitative content analysis of public statements regarding the concept and defining its dimensions" (2024) and composed by the same author of this text. In this particular work, the author delineates different dimensions of the *Serbian world* concept, relying on the qualitative content analysis of the available public statements of high-ranking Serbian officials and its intellectual elite. Moreover, what especially attracts attention is the fact that there are more published scientific contributions on the *Serbian world* outside of Serbia, which proves that it caught more attention in its neighbouring countries and the West, including numerous broadcasts, articles, researches, studies and interviews dedicated to the analysis of the said concept. One of the first and most notable studies was conducted by the Digital Forensic Center (DFC) from Montenegro, under the name "The Serbian World – Originally Borrowed Concept" (2021) in which the *Serbian world* concept is presented as Serbia's new strategy for gaining influence within and meddling with the interior political affairs of Montenegro, with the sole intention to integrate it into the political orbit and state borders of Serbia. In the same year, the mentioned DFC, published another, rather extensive, study about "Russia's role in the Balkans: The Case of Montenegro", financed by the U.S. State Department, in which one chapter is devoted to a comparative analysis of two concepts – the *Serbian world* and the *Ruskiy mir* – which are claimed to be identical. The author states that the idea of creating a *Serbian world* is one of the key tools for spreading Russian influence which aims to undermine Western values, as well as

the process of European and Euro-Atlantic integration in the Western Balkan region. Among the notable works is also the one published by a German-Bosniak institute called *Pangea*, titled "The Serbian World of Aleksandar Vučić" (2021), where the author presents the concept as a camouflaged version of the 'Greater Serbia dreams' and a strategy of the Serbian political leadership for the secession of the Republic of Srpska. Additionally, there is the scientific effort of the German communicologist Thomas Brey, entitled "Staatsziel Revisionismus: Die Jugoslawienkriege und Russlands Angriff auf die Ukraine" (2022), where the *Serbian world* is portrayed in the context of the Russian invasion of Ukraine, which should imply that, similar to the *Ruskiy mir*, the Serbian concept will grow into an aggressive and revisionist project with tendencies to invade its neighbours. The last notable academic paper is titled "Serbian World" (2022) and is published in the magazine *Međunarodni Forum Bosna*. The author, similar to the previous studies, suggests that the concept serves Russian foreign policy objectives in the Balkans and states that Serbia still has territorial aspirations towards its neighbours. Therefore, the above-mentioned studies, published outside of Serbia, depict the *Serbian world* in a negative way, advocating the narrative that the concept is a continuation of the "Greater-Serbian threat", serving also Russian interests in the Western Balkan region.

Considering that there aren't many trustworthy studies on this topic and due to the lack of official sources defining the concept, the *Serbian world* largely remains a mental construct of leading social actors, who have an influence on the formation of the public opinion, and the way in which they understand, accept and use the term in their public addresses. Consequently, this research also partially focusses on the reconstruction of cognitive structures from public comments on the *Serbian world* concept in contemporary Serbian, regional, and foreign media outlets, relying on the methodological approach of the qualitative content analysis, with a focus on especially non-Serbian political and intellectual factors, given that the dataset has shown that it was usually foreign and regional actors comparing it with the notion of "Greater Serbia". This is regarded to be a significantly important approach whilst

analysing the *Serbian world* concept *per se* due to its insufficient processing in social sciences and the fact that the notion is yet to be defined in, for instance, official state strategies or documents such as notable foreign concepts based on similar ideas (*Russian world*, *Turkic world* etc.). Hence, this article focusses in part on the processes of mental shaping of the world how it is understood by the participants of the *Serbian world* narrative, and the processes of the conceptualization of reality. In this context, the participants of this discourse must be understood as elites of symbolic power, capable of creating constructed communities, controlling the means of communication and possessing adequate capital, therefore being able to rule over others and influencing their way of thinking by forming public opinion (Kozdra 2018, p. 62).

In this regard, the qualitative content analysis will be used to systematically process the content of public statements with the purpose of extracting meaningful insights and patterns from the collected dataset, which is an important approach for the sake of reconstructing the *Serbian world* concept in the way it is understood, accepted and used by the prominent social actors (Gheyle/Jacobs 2017, p. 2). Put differently, the qualitative content analysis is a useful tool for effectively transforming raw data into valuable insights, which entails more than simply reading or observing, and is about redefining key points, categorizing differences and identifying recurring patterns that might otherwise slip unnoticed through gaps (Krippendorf 2004, p. 17). At the same time, by monitoring the content, it tries to establish appropriate connections and relationships between phenomena in the collected data, which makes it possible to theoretically establish the way in which stakeholders observe the *Serbian world*. As dictated by the qualitative content analysis, the research consists of purposefully selected texts and articles, including statements of leading non-Serbian social actors, who publicly criticized the said concept since the year 2020 (Zhang/Wildemuth 2009, p. 2). The analysis of the dataset contains over thirty public statements published in relevant regional media, including *Politika*, *Tanjug*, *Radio-television of Serbia* (RTS), *Danas*, *Novosti*, *Standard*, *Beta*, *N1* (Serbia), *Al Jazira*, *Federalne*,

*Slobodna Bosna, Istraga* (B&H), *Jutarnji list*, *Croatian Radio-television* (HRT), *Laudato TV* (Croatia), *Dnevne novine*, *Pobjeda*, *Vijesti* (Montenegro). In addition, the analysis incorporates relevant foreign media houses, such as *Associated Press*, *Foreign Policy*, *Neue Züricher Zeitung*, *Deutsche Welle*, *Radio Free Europe*, *Der Standard*, and *Frankfurter Allgemeine Zeitung*. The time frame from 2020 until today (2024) was chosen for the reason because the modernized version of the term *Serbian world* originally came under the spotlight of the wider domestic and regional public on September 4<sup>th</sup>, 2020. It was the first time the term was mentioned in a public address by a high-ranking official of the Government of the Republic of Serbia, namely the then Minister of Defence, Aleksandar Vulin, which gave the concept the outline of an important political and national idea (Ljubomirović 2024, p. 106; Borba 2022; Karabeg 2021). From its beginning, almost all significant social actors were involved in the debate about the its essence, contributing to the *Serbian world* becoming an unavoidable part of the public discourse, but not the academic community as well.

### **The “Serbian World” concept – a euphemism for “Greater Serbia”?**

Interestingly, it was, like in the previous cases throughout modern Serbian history, the foreign or rather non-Serbian stakeholders who initiated the discourse about the *Serbian world* being the modernized version of the old “Greater Serbia” aspirations of the Serbian political and state elite. The first among many to impose such a narrative was the then Montenegrin President, Milo Đukanović, when he assessed the *Serbian world* as an unequivocal threat and a “a euphemism for the idea of a greater Serbia” (Beta 2022; Marković 2020; Sloboden pečat 2020). What specifically draws attention in this aspect is the fact that the assessment of Milo Đukanović dates from September 30<sup>th</sup>, 2020, which is less than a month after a high-ranking Serbian government official used the term *Serbian world* for the first time in a public appearance (Uredništvo srpskog sveta 2022). This would, in turn, imply that the labelling of the *Serbian world* concept as a ‘newer version’ of “Greater Serbia” is almost as old as the usage of

the coin itself in public by Serbian social actors, and suggests that its opponents contributed to the promotion and popularization of the term (Raković 2022, p. 11-12). Less than a month after minister Vulin's speech in Banja Luka, Croatian President Zoran Milanović hosted his, at the time, Montenegrin counterpart, Milo Đukanović. On the same occasion, when Đukanović marked the term as a 'euphemism for "Greater Serbia" ambitions', Milanović added that his primary task as of that moment would be discredit the *Serbian world* concept in the eyes of the West: "*Especially in the future, my task will be to draw the attention of my interlocutors [...] in the West, [...] to these things [Serbian world] that they actually know little about and are not interested in*" (Vukićević/Tuhina 2021). That this kind of narrative about the *Serbian world* concept has become widespread and largely accepted in Croatia is also confirmed by a detailed assessment given by another former Croatian President, Stjepan Mesić, who believes there are still unresolved greater-state projects in the Balkan region, among which the Serbian political and state elite stands out. On the same occasion, he underlined that "*not everyone understood that borders cannot be changed*" and compared the *Serbian world* to some, in his personal opinion, former Serbian greater-state ambitions, adding: "*We had 100,000 dead and the border didn't change a single millimetre. We return to those messages from the 'Serbian world' that Ilija Garašanin [Prime Minister of Serbia in the 19<sup>th</sup> century; author of "Načertanije"] sent, such as 'unification of countries wherever Serbs live', then Stevan Moljević, a member of Draža Mihailović's staff [leader of the pro-monarchist Chetnik troops during WW2], who promoted ideas for the expansion of Serbian borders*" (Ibid. 2021). Another former Croatian President, Ivo Josipović, joined this discourse on the *Serbian world* and assumed that nationalism, including territorial and imperial pretensions, were emerging once more in the Western Balkans. He emphasized that it is clear to everyone who the persons in charge are: "*The theoreticians of the 'Serbian world' and the awakened spirit of [Slobodan] Milošević [former President of Serbia & FR of Yugoslavia] are the most responsible for the restless political scene in the Western Balkans*" (Spalović 2022).

However, the most restless opponents of the concept are the outstanding social actors from Montenegro, probably due to the fact that this Adriatic country is generally regarded as one of the three pillars of the *Serbian world*, together with Serbia and the Republic of Srpska (Nikolaidis 2020). Especially Đukanović has repeatedly labelled the term as a threat to other countries and the identity of other nations: "There is no doubt that their ultimate goal is the unification of that Serbian area, thereby endangering other states and endangering the identity of other nations, starting with Montenegro". In addition, he assessed that the Serbian Orthodox Church (SPC) is the spearhead of "Greater Serbian nationalism" and Russian imperial interest in the Balkans (Marković 2020). In his elaborations the narrative about the *Serbian world* being a continuation of the "Greater Serbia" project is also present: "Serbia's nationalism is trying to influence Montenegro in a malignant way, without giving up the Greater Serbia idea as a project which only changed its name into the 'Serbian World'" (Beta 2021). After the defeat of his Democratic Party of Socialists of Montenegro (DPS) in the parliamentary elections in 2020, Đukanović continued commenting the *Serbian world* concept. After the Montenegrin Assembly voted in favour of no-confidence motion for the Government of Zdravko Krivokapić, Đukanović stated for the German media outlet *Deutsche Welle*: "Greater Serbian nationalism from Belgrade realized that the victory of their favourites opened the door for a new annexation of Montenegro, this time through the 'Serbian world' project. That didn't happen because we had a responsible opposition led by DPS" (Politika 2022). After the victory of Jakov Milatović in the 2023 presidential elections, which marked the end of the decades-long rule of Đukanović, an author's text of the Bosniak journalist Avdo Avdić was published. In his text, the author stated that with the victory of Jakov Milatović, the *Serbian world* gained access to the sea, and that Montenegro will once again become the coast of the Serbian sea (Avdić 2023).

Furthermore, the Bosniak opponents of the *Serbian world* were equally voiced in their opposition to the newly emerged concept as their Montenegrin counterparts. While among the Montenegrin stakeholders usually the political elite stood out, among the Bosniak social actors,

the *Serbian world* concept was negatively commented by both members of the intellectual elite, as well as state-level decision-makers. Hence, when asked whether the concept should be taken seriously, Šefik Džaferović warned that the talk by Serbian politicians of a new *Serbian world* was reminiscent of former Serbian 'strongman' Slobodan Milošević's "Greater Serbia" project: "*It is, as presented by Serbian officials, just another name for Greater Serbia. [...] It is a dangerous message, which represents the continuation of the rhetoric about Greater Serbia, that is, Milošević's vocabulary about 'all Serbs in one state'*" (Aktuelno 2021). In addition to this, the former Chairman of the Presidency of B&H, Bakir Izetbegović, said that the *Serbian world* is just another name for the notion of "Greater Serbia" and that he expects Serbian President Aleksandar Vučić not to allow such statements by Serbian officials (meaning Aleksandar Vulin) and "*not to remain silent while such things are being said*" (Al Jazeera 2021; Beta 2021b). The same narrative can be found again in an author's text composed by Bosniak intellectual, Dr Nermin Tursić, for the internet portal *Slobodna Bosna*, in which he states: "*The 'Serbian world' is a modified type of the sophisticated Greater Serbia concept, adapted to new, contemporary circumstances. [...] Through the formulation of an integrated Serbia, it is necessary to re-create a unique 'Serbian space' that would be aligned with the interests of the 'mother country'*" (Tursić 2024). Lastly, the Associate Professor at the University of Sarajevo, Hamza Karčić, also wrote about the *Serbian world* concept in his author's text for the *Foreign Policy Magazine*: "*What 'Greater Serbia' failed to achieve by brute force in the 1990s may now be attempted by hybrid means. Political state capture from within independent states, rather than military incursion, seems to be Serbia's preferred method for pursuing the dream of a Serbian world*" (Karčić 2023).

Lastly, there were also Albanian and Western European stakeholders who identified the *Serbian world* with the "Greater Serbia" concept in their public addresses, but not in the same extent as their Bosniak, Croatian and Montenegrin complements. Among them, the current Prime Minister of the breakaway and so-called "Republic of Kosovo", Albin Kurti, stood out with his remarks on the *Serbian world*

concept, where he indirectly stated that it is nothing less than the continuation of the "Greater Serbia" project: "So, he [Aleksandar Vulin] who was once the Vice-President of the 'JUL' party, which was led by Milošević's wife Mira Marković, today [...] is praised for being the inventor of the term 'Serbian world'" (Venhari 2023). Additionally, the former Slovenian President, Borut Pahor, who, speaking at the opening of the 17<sup>th</sup> Bled Strategic Forum, stressed out that the European Union (EU) must do everything to convince Serbia to strengthen its policy of Western orientation and EU integration: "The official policy of Serbia should be to give up the idea of a Serbian world, to give up support for separatist aspirations in B&H, as well as to successfully end the dialogue with Kosovo" (Sandžacke 2022). Furthermore, along with important stakeholders from former Yugoslavia, there are also notable Western European social actors, who gave their views on the *Serbian world*, among which the German political scientist, Mihael Martens, sticks out: "Belgrade has never given up on the dream of a 'Greater Serbia'. It's just that the project is now known by a different name, that of 'Serbian world'" (Martens 2023). In conclusion, Toby Vogel, from the Council on Democratization Policy, understands the term as follows: "This is a continuation of Slobodan Milošević's 'Greater Serbia' project, although obviously through peaceful means and the articulation of the vision of President Vučić, which has been evident in his actions and policies for some time - Vučić as the leader of all Serbs" (Vukićević/Tuhina 2021).

The conducted qualitative content analysis of public statements about the *Serbian world* leads to the conclusion that, in fact, the non-Serbian social actors who are openly opposed to the concept, labelled it as an 'equivalent' of the much older and widespread notion of "Greater Serbia", and that, for them, it represents an expansionist and messianic policy of the Serbian state leadership, which in the near future will aim to redraw the borders of its neighbours in order to unite all Serbs in one political and national space (Stanković 2021). By comparing the concepts, the opponents of the *Serbian world*, therefore, strive to further discredit it amongst the general public and Western decision-makers, as seen from the statement of Croatian President, Zoran Milanović. Unlike the statements of Serbian social actors, where

five dimensions were reconstructed, the public addresses of non-Serbian stakeholders lead to the conclusion that, for them, there is only one territorial component (Ljubomirović 2024, p. 124). Accordingly, that component (1) is a newer version of the Serbian greater-state aspirations, (2) is based on the unfulfilled idea of "Greater Serbia", and (3) aims to threaten the territorial integrity of its neighbouring countries.

### **"Greater Serbia" and the "Serbian World" concepts – dismantling myths**

The most important resemblance when comparing the *Serbian world* with the notion of "Greater Serbia" is undoubtedly their territorial or geopolitical dimension, given that both are, in a larger or smaller extent, connected to the idea of creating a single, united and independent Serbian state, bigger than the current border of the Republic of Serbia. Although this may be true, there is a major difference in their territorial dimensions. Whereas the "Greater Serbia" includes some territories where Serbs do not represent an absolute or even relative majority, like in Northern Macedonia, the *Serbian world* concept only aims to united those areas where the Serbian people signify an absolute or relative majority, such as in Serbia, Montenegro and the Republic of Srpska, with some variations also including the Union of Serbian municipalities in the Federation of B&H, as well as municipalities in Croatia with a Serbian national majority (Antić 2022, p. 324). Such a representation of the *Serbian world* also corresponds to the current ethnic distribution of the Serbs in the Balkans, which the results of the population censuses in the republic of the former Yugoslavia clearly show. Therefore, the "Greater Serbia" concept is much more exclusive and aggressive than the *Serbian world*, which, in contrast, aims to fulfil the two centuries long struggle for a Serbian nation state, based on European models.

Furthermore, the opponents of the Serbian struggle for a nation state, connected the roots of the "Greater-Serbian threat" to a well-known document on foreign and regional policy, composed in 1844 by the then Prime Minister of Serbia, Ilija Garašanin, titled "Načertanije",

to which the *Serbian world* was compared with by former Croatian President, Stjepan Mesić (Vukićević/Tuhina 2021). While stakeholders from neighbouring countries of Serbia view this document as the start of the "Greater-Serbian threat", a careful analysis of the document "Načertanije" in the context of the entire European, Balkan and South Slavic historical situation during the 19<sup>th</sup> century, carried out by prominent academics Radoš Ljušić, Milorad Ekmečić, and Vasilije Krestić, clearly shows that Garašanin was drawing up a plan for the future Serbian nation state, including the proposal to solve the so-called *Serbian question* within a much broader South-Slavic country (Ekmečić 2002, p. 216; Ljušić 2004, pp. 18–42). According to the idea of Garašanin, Serbia would represent a centre around which all willing areas inhabited by Serbs of the Balkans would gather, with the accession being open to other South Slavic peoples such as Bulgarians as well as Croats (Popov 2008, pp. 47–52; Garašanin 2016, p. 44). In accordance to the said, the notion of *Serbian world* is much closer to Ilija Garašanin's idea, introduced in his famous national and foreign policy program "Načertanije", in which he understood Serbia as a centre around which all Serbs and potentially other South Slavic nations of the Balkans would gather, than to the accusations of a "Greater Serbia" with territorial claims and imperial pretensions suggested by its opponents in order to discredit and oppose the Serbian national struggle. In that context, the *Serbian world* concept should be understood similarly to the way other European nations view their own 'worlds' such as the *Francophonie*, *Russian world* or *Turkic world*. In the concept of the *Serbian world*, the notion of 'world' should be understood by its ancient meaning, that of a civilizational space. In this context, ancient sources spoke about the Hellenic, Roman and Byzantine world as a way to define broad territories under the influence of a singular centre. Not only did these large spaces share the centre's cultural values, but they displayed political loyalty to it and were integrated into its economic orbit. In many of these aspects, the concept of the *Serbian world* is an updated version of the ancient perception of a shared civilizational space (Laruelle 2015, p. 3). Thus, the *Serbian world* is in many aspects an updated version of the older perception of the historical notion of the 'world'. In this context,

Belgrade, as the capital of Serbia, would represent the political, economic, cultural, and even religious centre of all Serbs, while Serbia, as currently the only independent Serbian state, would assume the role of the Italian region of Piedmont and serve as the core of an all-Serbian integration (Ljubomirović 2024, p. 106). This was also confirmed on several occasions by Serbian stakeholders outside of Serbia, referring to the statement given by the President of the Republic of Srpska, Milorad Dodik, who stressed out that Belgrade is the capital of all Serbs from Bosnia (Beta 2024). In addition, the largest Serbian political party in Montenegro, Democratic Front (DF), sincerely supports the idea behind the *Serbian world* concept, which was confirmed by its leader, Andrija Mandić: "*The idea of a 'Serbian world' appeals to Serbs across the border and we are already working on its realization*" (Vukićević/Tuhina 2021). However, to prevent Serbia from becoming a 'Balkan Piedmont' in the 19<sup>th</sup> century, the main factors of the Austro-Hungarian political elite made it their main task to degrade the prestige of Serbia among all Serbs and South-Slavic people in its Monarchy, and all under the banner of a "Greater-Serbian threat". The Austrian authorities managed to successfully spread this narrative among the South-Slavic people of its Monarchy (Bosniaks & Croats), who, after its collapse, together with their Albanian and Montenegrin counterparts, became the frontrunners in the anti-Serbian campaign, which, as the previous chapter shows, is still ongoing today (Popov 2008, pp. 280-289).

Nevertheless, the concept of borders and its changing is an important narrative when it comes to, both, the propagators and opponents of the *Serbian world* as well as "Greater Serbia". The importance of borders is further elaborated by Alexander Dugin, a well-known Russian geopolitician, who notes that the concept of boundary is the essence of politics and determines the future of a state: "*The boundary is the quintessence of politics. [...] Boundaries determine success or failure, define starting conditions, and decide an inevitable defeat in the future. [...] This is the very metaphysics of boundaries*" (Kozdra 2018, p. 62). However, borders are not only real geographical objects, but also mental constructions, which are closely related to the mechanisms of social inclusion and exclusion, which separate and draw

lines between cultures and civilizations. Moreover, mental constructions are often referred to in public discourse by political elites, who have institutional or symbolic power. These mental constructions of borders, which elites reproduce in public discourse, do not remain products of imagination, but become a source for the creation of contemporary identities, taking concrete actions and creating policies. Another important element regarding borders are concepts, which are cognitive structures in the form of mental representations, associations, and knowledge, and which create a framework for explaining the physical and symbolic space in which a people live (Laruelle 2015, 8-10). Russian academic, Yuri Stepanov, claims that concepts are "cultural clusters", which differ depending on the culture, and are therefore an element of collective knowledge or awareness of the world shared by one speech community (Suslov 2018, 341). The concept of borders is similarly understood by Serbian intellectuals, such as Dositej Obradović, the first Serbian minister of education and an influential protagonist of the Serbian national and cultural renaissance. In his *Letter to Haralamije*, he pointed out that "one language means one national community and that the borders of that language are also the borders of the nation in question, regardless of what countries they live in and what churches they belong to" (Popov 2008, p. 35).

In this aspect, from the moment when the term *Serbian world* became relevant in contemporary political and ethnocentric discourse, it immediately turned into an important motif in the narrative about borders, mental construct, and concepts in their various dimensions. This is also the key difference between the two notions, as the *Serbian world*, in contrast to "Greater Serbia", is a much broader concept with different dimensions that doesn't merely relate to territorial connotations, but also aims to foster a cultural, religious, political, economic, and national unity among the Serbian people worldwide, beyond geographical borders. This is in line with the way how the ideologues of the *Serbian world*, particularly historian Aleksandar Raković, assesses the concept, stating that in the national politics of Serbia there are different models of how the term is interpreted (Novosti 2021). In accordance, a qualitative content analysis of the

collected data from fifty online texts and articles, published from 2020 until 2024, shows that the *Serbian world* concept consists of five dimension – national, cultural, religious, psychosocial and territorial – with a possible sixth (economic), in contrast to the concept of "Greater Serbia" which solely has a territorial connotation (Ljubomirović 2024, p. 124). Another architect of the notion, Gojko Raičević, founder of the national TV station *IN4S* that frequently broadcasted the show *Srpski sv(ij)et (Serbian world)*, also believes the newly popularized term to be much broader than the "Greater Serbia", highlighting the following: "*The Serbian world is bigger than Greater Serbia, but don't worry those who think that there is some danger lurking in that world, we are completely benevolent*" (IN4S 2021). The concept, indeed, received its territorial dimension only as of the year 2020, when the Belgrade-based newspaper *Politika* published an article by Dr Aleksandar Raković, where he presents his view on the *Serbian world* idea, which would implicate a Serbian unification: "*In my opinion, the best solution would be to have a federal state comprising Serbia, Montenegro and Republika Srpska*" (Pobjeda 2020). Only two months later, the territorial dimension was adopted by the then minister of defence, Aleksandar Vulin, with whom the *Serbian world* concept was launched to the highest political level and became an important state idea (Karabeg 2021). In Vulin's public addresses, the issue of administrative borders is often brought up, as can be witnessed at the annual meeting of the Socialist Movement (PS), when he, as the party's president, emphasized that "*the Serbian world should be one political space, one state*" (MORS 2020; Stanković 2021).

Nonetheless, that Serbia is not aspiring to change the existing *status quo* and borders of its neighbouring countries is confirmed in an interview given by Serbian President, Aleksandar Vučić, during which he was answering to the numerous accusations that arose after minister Vulin's speech on the *Serbian world* and unification of the Serbian people: "*Every time they say it's Vučić and Serbia because they have to find the culprit in Serbia for everything. That is why it is important that people know what the official policy of Serbia is, it is the one that says that Serbia's borders are inviolable, and we are not interested in*

*other people's borders. We have to protect our own and show clearly and unambiguously what our policy is" (RSE 2021). In that regard, Aleksandar Raković, although a firm advocate of the territorial model, believes that the cultural dimension is the prevailing one: "If I were to interpret Vučić's model of the Serbian world, it would be about cultural connection. In contrast to Vulin's, which is clearly defined as national integration. Therefore, the Serbian world is not a concept that is unambiguous or strict. The cultural concept that has conquered the Serbian world is dominant in relation to the rest, and those who are against it have nothing left but to criticize it" (IN4S 2021; Novosti 2021). That the cultural dimension is the prevailing one can be witnessed also through the tireless effort of the Serbian Government in systematically aiding institutions and organizations gathering Serbs outside their home country, which serve as informal cultural centres (Matica Srpska, Vukova zadužbina, Prosjeveta, etc.) and aim to promote the values of the Serbian nation (DFC 2021, p. 4). This strongly correlates to way how the last of the *Serbian world* ideologues, Miljan Glišić, the founder of the internet radio *Snaga Naroda*, understands the concept: "The 'Serbian world' refers to the world of values of a nation, with its peculiarities. The phenomenon is universal, and geopolitical circumstances are transitory" (Jadovno 2021). The notion of 'values' is also crucial in the concept of soft power, with which other people and nations need to identify and which, in turn, cannot be imposed on others (Kosachev 2012, p. 2). Therefore, the *Serbian world* concept should be understood as Serbia's new (unofficial) soft power approach, similar to other European models, such as the *Francophony*, *Russian world*, or *Turkic world*, as it relies on the same ambivalence. It is based on a cultural approach, closely linked to the national cultural heritage and has related political aspirations through which it seeks to defend the 'world of values' of the Serbian nation in the regional and international arena (Laruelle 2015, p. 23). In this context, it should be emphasized that many other European countries work towards the creation of their own so-called 'worlds', in which their language is spoken or their people live, as is the case with *The Organization of Ibero-American States for Education, Science and Culture (OEI)**

(Avijucki 2009, pp. 58–59). Therefore, the *Serbian world* concept is fully in line with European practice, and as such represents a legitimate basis for the promotion of the Serbian language and culture, as well as the realization of a paternal relationship with Serbs living outside the borders of Serbia.

## Conclusion

The comparative analysis of the two widespread and, in the public discourse, popular concepts has shown that, although there are certainly some resemblances which might suggest that the *Serbian world* is an updated version of the "Greater Serbia" notion, these accusations predominantly derive from the numerous opponents of the struggle of the Serbian people and their political leadership for a nation state. Thus, the *Serbian world* has been constantly identified with the notorious notion of "Greater Serbia" by its opponents with the sole intention of discrediting the concept in the eyes of the regional public, and especially important Western decision-makers. Moreover, what particularly attracts attention is the unremitting overlap or continuity in the political discourse of the opponents of the *Serbian world*, given that all significant regional social actors adopted basically the same, to some extent *Serbophobe*, narrative and uninterruptedly identified the concept with "Greater Serbia". Among the main rivals of the idea behind the *Serbian world* concept were usually Croatian, Bosniak and Montenegrin stakeholders as well as their intellectual elites, along with Western European and Albanian social actors in some smaller extent. Overall, as this article has shown, there wasn't a significant member of the regional intellectual or political elite who didn't mention the term at least once, as evidence of Serbia's 'disintegrating', 'non-European' and 'aggressive' policy towards its neighbouring countries. In fact, it was rather its opponents than its supporters who unintentionally contributed to the popularization of the concept, which is confirmed by one of the ideologues of the *Serbian world*, Dr Aleksandar Raković, in his book "*Srpstvo i Pravoslavlje*" (2022): "Although they didn't mean to, all of them promoted and popularized a new term – the *Serbian world*" (Raković 2022, pp. 11–12).

These continuous accusations arose because of the persistent aspirations of the Serbian people for a national liberation and unification, which encroached on the imperial interests of great powers (in the past), and on the other hand, on the greater-state ambitions and demands of its neighbouring countries such as Albania or Croatia (in the present). Therefore, they often sought to present all national-oriented concepts (*Serbian world*) and documents ("Načertanije") throughout modern Serbian history as a "Greater-Serbian hegemony" and in order to prevent the Serbian people of fulfilling their national interests which were in direct contrast to their own. Additionally, although there certainly were some "Greater-Serbian thoughts" throughout modern Serbian history, such concepts were never part of the official Serbian state policies, in contrast to some greater-state projects and imperial pretensions in neighbouring countries like Albania and Croatia, which are to some extent ongoing today. Therefore, the accusations of the *Serbian world* being a camouflaged version of "Greater Serbia" have no grounds and represent a continuation of the anti-Serbian campaign which has been ongoing for almost two centuries now (Popov 2008, p. 136). Lastly, as stated in the analysis, the *Serbian world* concept, unlike some analogous notions such as the *Russkiy mir*, *Francophonie*, or *Turkic world*, has not officially become part of the Serbian foreign or regional policy orientation or any other state document for that matter, and the question arises whether this will be the case in the future. Therefore, discussions about true nature, meaning and intentions of the *Serbian world* concept remain almost exclusively the product of mental constructions and understandings of the term in public appearances by prominent social actors who use it.

Nevertheless, this article has shown that both concepts are strongly connected to the still unresolved *Serbian question* which implies the creation of a single nation state of the Serbian people in the Balkans based on legitimate European models and which, in turn, has been ongoing for almost two centuries now. The idea of the *Serbian world* has arisen at a time when the Serbs in the region of former Yugoslavia are practically the most endangered and marginalized ethnic group in Europe and while the state of political rights of the Serbian people in the

neighbouring countries of Serbia is concerningly low (Pešić 2018; Antić 2021, p. 9). This was recorded in the annual *Report on the Political Rights of the Serbian People in the Region*, which states that there is a further decline in the political rights of the Serbian people in almost all states and entities in the neighbouring countries of Serbia (Antić 2021, p. 102). Therefore, the main aspect of the *Serbian world*, even though it has a territorial connotation as well, aims to take care of the Serbian people outside its borders, and on the other hand, refers to the much broader 'world of values' of the Serbian nation which cannot be imposed and thus needs to be accepted by others. The notion of 'values' is crucial to any soft power approach and therefore the *Serbian world* needs to be regarded in this aspect (Kosachev 2012, p. 2).

At the very end, bearing in mind that the *Serbian world* is a relatively new and under-explored concept, it is worth mentioning the potential perspectives for further research and analysis in the social sciences. Since the term is often identified with analogous concepts such as the *Russkiy mir*, with the purpose of presenting it as a continuation of the Russian foreign policy in the Balkans, they should be compared in order to determine if the Serbian approach derives from the Russian one, or if it represents a unique idea based on the national interests of the Serbian people and its political leadership. At the same time, it is worth analysing the *Serbian world* concept as a soft power approach of the Republic of Serbia, because it truly is based on this particular method, like other similar European models. Finally, the genesis of the modernized version of the term should be investigated in more detail from the year 2016, when it was developed by its ideologues, until today, when it is a widely popularized concept and a serious state idea.

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## Komparativna analiza „Srpskog sveta“ i koncepta „Velike Srbije“

Aleksandar Ljubomirović

Centar za međunarodne odnose i održivi razvoj (CIRSD), Beograd

### Sažetak

Ovaj naučni rad nastoji da predstavi odabrane ishode autorovog istraživanja o konceptu *Srpskog sveta*, koji je od trenutka kada je postao sastavni deo javnog diskursa, konstantno poistovećivan sa idejom „Velike Srbije“. Stoga se rad zasniva na komparativnoj analizi, s namerom da se sistematski ispituju glavne sličnosti i razlike navedenih koncepta, pritom se delimično oslanjajući na kvalitativnu analizu sadržaja. Navedeni metodološki pristup obuhvata unapred odabrane javne iskaze istaknutih društvenih aktera u kojima oni identifikuju *Srpski svet* sa konceptom „Velike Srbije“. Ovo predstavlja izuzetno značajan pristup za razumevanje *Srpskog sveta* kao takvog, kao i za njegovo poređenje sa drugim konceptima, jer se on i dalje smatra mentalnim konstruktom, zbog nedovoljne obrađenosti u društvenim naukama. Dakle, pri analizi koncepta fokus se stavlja, kako na procese mentalnog oblikovanja sveta na način na koji ga razumeju učesnici diskursa, tako i na procese konceptualizacije stvarnosti. Na osnovu rezultata analize, autor dolazi do zaključka da isključivo njegovi oponenti, *Srpski svet* doživljavaju kao modernizovanu verziju „Velike Srbije“, s namerom da ga diskredituju u javnosti, smatrajući da on ima isključivo teritorijalnu konotaciju, kao i imperijalne pretenzije. Međutim, rezultati analize pokazuju da je poistovećivanje *Srpskog sveta* sa „Velikom Srbijom“ deo dobro osmišljene viševekovne anti-srpske kampanje, te da koncept nije nastao po uzoru na prethodne velikodržavne ideje. *Srpski svet* ima pretežno kulturološku konotaciju, sa fokusom na promociju 'sveta vrednosti' srpskog naroda.

*Ključne reči: Srpski svet, Velika Srbija, velikodržavni projekti, granice, koncepti*

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# Criminal Aspects of Euthanasia in the Republic of Serbia

Nenad Bingulac<sup>1</sup>

Adrian Borka<sup>2</sup>

<sup>1</sup>Faculty of Law for Commerce and Judiciary, Novi Sad

<sup>2</sup>Secretariat for Education of the AP Vojvodina, Novi Sad,  
Faculty of Law for Commerce and Judiciary, Novi Sad

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## Author Note

Nenad Bingulac  <https://orcid.org/0000-0003-1187-7054>

Adrian Borka  <https://orcid.org/0009-0007-3397-4783>

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Corresponding author: Nenad Bingulac

E-mail: [nbingulac@pravni-fakultet.info](mailto:nbingulac@pravni-fakultet.info)

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### **Abstract**

The question of legal and medical regulation of the right to euthanasia, although the action itself has been performed since the existence of humanity, was raised in the 20th century. Then the regulation of this issue begins, bearing in mind that it was actually implemented, and that it could lead to abuses and extermination of certain nations. With the legal regulation of this issue, discussions begin, primarily legal and medical, but also philosophical, moral, sociological and religious. And while some states regulate, whether they expressly prohibit or allow it, certain states do not regulate the legal aspect of euthanasia. Certainly, any regulation is better than the absence of any legal norms governing this issue, which leave room for arbitrariness and abuse. In the paper, I emphasize the connection between the right to life and the right to die, individual and general interest. In addition to the above, I point out the arguments for and against euthanasia, clarify the concept of euthanasia and the forms of euthanasia, emphasize the criminal law aspect of euthanasia, as well as how this issue is legally regulated in the law of the Republic of Serbia.

*Key words:* Euthanasia, criminal law, criminal offense, comparative law, Republic of Serbia

## **Criminal Aspects of Euthanasia in the Republic of Serbia**

### **The concept of euthanasia**

Euthanasia can be considered as taking the life of a human being at his own request. This mainly refers to those who, for example, incurable patients, they want to end an unbearable life, but unlike suicide, they ask someone else (usually a doctor) to help them in this. Therefore, it is not the (theoretical) right of a person to kill himself, but the responsibility of another person, who contributed to the death at the request of the deceased (Dimitrijević et al., 2007, p. 153). In the legal literature, it is defined as assisted suicide or as the killing of a person by mild means, for reasons of humanity and, as a rule, with the consent of that person. Of course, one should always keep in mind the division of euthanasia into active (a positive act, any act and intervention that ends the life of a dying patient) and passive (failure to perform, not to apply, to do nothing, to miss all methods of treatment, so as a consequence of such an act, death occurs, but also eg turning off life support) euthanasia.

There are also various syntagms used to denote euthanasia. A synonym, syntagma, which is also used for euthanasia is mercy killing.

### **Criminal and legal aspects of euthanasia in theory**

The legal aspect comes down to the problem of responsibility for decisions that are in the borderline area of the patient's life and death. The consent of the injured party was studied especially when it was related to the crime of murder. Thus, euthanasia or killing by consent has become simultaneously a psychological, legal, moral, ethical, religious and medical problem. Of course, it is primarily a legal and medical phenomenon. In older legal literature, this problem was discussed in connection with murder in a duel, and it was emphasized that a murder committed in a duel is not a criminal offense, provided that the duel was carried out according to the rules with the consent of both participants (Čejović, 1996, p.236). Euthanasia in the legal sense is a criminal act of murder and is subject to criminal responsibility and

punishment. Due to the fact that, unlike murder, the main motive here is compassion, it is evident that in judicial practice, murder is derived from euthanasia, punished more lightly or the person is exempted from punishment. In principle, the issue of euthanasia can be solved in three ways: (I) to foresee it as a criminal offense of murder, (II) to foresee it as a criminal offense of privileged murder, (III) to legalize it under precisely defined conditions (Šantrić, 2004, p. 182).

The first and most common possibility of legal treatment of euthanasia is its identification with ordinary murder. Regardless of the effort to legalize euthanasia, the fact is that nowadays the attitude of most countries towards it is negative, so in most cases it is treated as ordinary murder. However, regardless of this treatment, when choosing a punishment and determining its height, motives that are humane and altruistic are not out of the court's eyes, so a lighter punishment is almost always given, because the motives are different than in ordinary murder. In ordinary murder, e.g. we have self-interest, and here we have compassion as a motive (Ilić, 2018, p. 17).

Another variant of the legal status of euthanasia is that it must be considered a criminal offense of a special type, i.e. that it is a privileged murder. Supporters of the opinion that euthanasia should be considered a separate criminal offense, distinguish between two cases, when euthanasia was performed at the request of a person who is terminally ill, and another case, when euthanasia is the result of a request from the patient's family, but against the patient's will. According to supporters of this distinction in euthanasia, the perpetrator would have to be punished only in another case, namely for the crime of murder. In the first case, one could not talk about the existence of criminal responsibility, or one could say that euthanasia is a special crime, with a lighter punishment. This opinion is justified by the fact that every individual is authorized to dispose of his life and that it is unpunishable to deprive oneself of life (suicide). If someone demands another to take his life, then that other cannot be punished for an act for which even a suicide would not be punished. Punishment could exist only in the case when such an injury to one's own body would offend some general, higher interests e.g. the rights of another (Čejović, 1996,

p.238). It is considered that, in addition to our own interest in preserving life, there is a general interest of society in the life of each of us. Society can protect certain goods even against the will of the person to whom they belong, so his consent to the violation of those goods is not relevant from a legal point of view to remove the character of a criminal offense from the violation of goods. This would mean that no matter how much the sick person's approval was given to another person, that approval cannot remove the perpetrator's responsibility, because it is not just their private matter. However, the fact is that there is a difference between murder and euthanasia, and that these acts cannot be equated. That is why it seems acceptable that euthanasia be provided as a separate criminal act, i.e. privileged murder, with special (lesser) punishments. It is considered, therefore, that this is the first step towards the legalization of euthanasia, which our legislation could also accept, especially taking into account the legal systems of Italy, Austria, and Norway, which treat euthanasia as a privileged murder (Petrović, 2010, p. 41).

The third possibility, which is spreading more and more, is that euthanasia is not considered a criminal act of murder, but that it becomes a legal institution. This trend of legalization exists mostly only in the West (Belgium, Netherlands). In Eastern European countries, developing countries, the question of legalization is not raised much, which is a result of the existence of other problems, and the fact that in these countries public interest is more important than individual interest. In those countries, there is also a fear that life can escape state control, which would only be a prelude to seeking more complementary rights. In the West, the right to die is becoming part of the spectrum of human rights. It is considered that part of every human freedom is the right to die by choice, when life has lost its meaning, and the patient, whose life is at stake, decides. Otherwise, the state interferes in an unacceptable way in the life of an individual, who has lost all value. Not allowing someone to die if he already wants it, and that life is not worth living, is a kind of violence that will disappear with the democratization of the world (Ilić, 2001, p. 16). The following attitudes and solutions can serve as a basis for legal regulation of euthanasia: (1) give the right to the

patient to decide whether his life and medical (unpromising) treatment will be terminated; (2) absence of criminal prosecution and accountability of medical personnel; (3) the duty of the staff to implement the serious decision of the patient. As the way in which euthanasia would be performed, its passive vision, with the maximum fight against pain, as well as its active vision, also with the aim of fighting against pain, are stated. Those who fight for the legalization of euthanasia do not recognize the legality of higher, state interests that deny individuality. A system that, through measures of repression and prohibition, ensures the protection of free and sane individuals from itself, becomes an end in itself and is not in the function of providing protection to a person who is in trouble (Pravni portal, 2018).

Finally, it must be pointed out that the media also have a special importance and role when it comes to this form of social phenomenon. The media has much more influence on the issue of security culture in general (Bjelajac, Marković, 2024, p. 49)

### **The issue of euthanasia according to the Criminal Code of the Republic of Serbia**

Article 119 of the Criminal Code of Serbia sanctions the criminal offense of inducing suicide and assisting in suicide, for which, depending on the form, a sentence of 3 months to 10 years can be imposed. Also, the Criminal Code of Serbia (National Assembly of the Republic of Serbia, 2019, art. 117) does not decriminalize euthanasia, but foresees it as a separate and lighter crime compared to murder. The law stipulates that whoever takes the life of an adult out of compassion due to a serious health condition in which that person is, and at his serious and explicit request, will be punished with imprisonment from 6 months to 5 years. Anyone who helps another to commit suicide under the same conditions will also be prosecuted, and the penalty is up to 3 years (Article 119, paragraph 2), which means that the so-called passive euthanasia. Mercy killing in Serbia is still at the level of proposals. Although the right to a dignified death is provided for in the draft of the Civil Law from 2015, it has not been adopted to date, and every form of euthanasia in Serbia is considered a criminal offense, bearing in mind

that even the ethics committee of the medical society does not approve of opening a discussion on the legalization of euthanasia. Article 117 of the Criminal Code of the Republic of Serbia provides for a criminal offense called - Deprivation of life out of compassion, as follows: "Whoever takes the life of an adult out of compassion due to a serious health condition in which that person is, and at his serious and express request, will be punished imprisonment from six months to five years." As we can see, Serbian criminal law does not recognize the term "euthanasia", similar to other legal systems in the world, but uses the term "deprivation of life out of compassion." Deprivation of life out of compassion (as a form of privileged murder ) is incriminated among the group of crimes against life and body (Art. 113-127). It contains all the constitutive elements of the criminal offense of murder (Art. 113). The action of the criminal offense is the same as in the case of the criminal offense of murder. This means that the action consists in taking the life of another person, most often by doing it, and exceptionally by not doing it. Bearing in mind the objective interpretation, the act of execution is limited, however, by the will of the passive subject. If someone demands to be deprived of life in one way (e.g. by giving an excessive dose of medication), and the perpetrator does it in a completely different way (e.g. by shooting a firearm), it should be considered that there is an ordinary murder and not this crime (Stojanović, 2012, p. 411). In theory, the execution of this criminal act by inaction is disputed, because we believe that the boundaries between certain forms of active and passive euthanasia are not clear. The essence of the criminal offense consists in depriving the life of an adult out of compassion at his serious and explicit request, due to the serious health condition in which that person is (Stojanović, 2012, p. 412). The reason for the exclusion of illegality in connection with the criminal act of deprivation of life out of compassion should be the consent of the injured party. The consent of the injured party in criminal law refers to the serious, free, conscious consent of the injured party to the injury inflicted on him (Čejović, 1974, p. 233). It follows from this definition of consent of the injured party that it must fulfill the following conditions in order to be valid as an institute of criminal law

dogmatics: 1. that the consent was undoubtedly given, ie. that it objectively exists; 2. that it was given before the commission of the criminal offense or during the commission of the criminal offense, and not afterwards; 3. that the person giving consent is capable of giving consent; 4. that the consent is serious and given freely. When it comes to life, the consent (Čejović, 1974, p. 233) of a passive subject (patient) under Serbian criminal law cannot rule out illegality. There is a strong reason for this. First of all, it is the protection of human life, as a specific object of attack. Society has an interest in protecting the life of its citizens as the highest legal good, which is why the taking of life is illegal, even if it was carried out at an express request. The legislator, therefore, enters the subjective sphere of the individual in order to better protect him, in order to somehow promote general and social interests. Thus, some authors talk about the fact that a person does not have the right to freely dispose of individual goods, the maintenance of which rests on the interest of society, and therefore the existence of the criminal offense under Art. 117 (Kurtović & Petrić, 2000, p. 658).

Deprivation of life must occur as a result of a serious and express request of a passive subject. A serious request will exist if it is a real will and a free will. If the passive subject is unable to make decisions on his own due to illness, there is no free will, as is the case when the capacity is reduced. It is considered that consent does not exist even in cases where the request was given under duress, threat, in error, or in general if it was coerced in any other way. In that case, it should be considered that there is a criminal offense of murder and not taking life out of compassion. The request is considered explicit (Novoselac, 2005, p. 216) if it is formulated clearly and concretely. A written request is not required (although it is desirable), but a conclusive action is sufficient, but which objectively and clearly exists. The request must also be clearly addressed to a specific person, the perpetrator of the crime. In theory, the prevailing opinion is that you cannot make a "blank request" that would be "valid for the future" (eg a statement by a person that in the event that he falls ill sometime in the future from an incurable disease, or is no longer conscious, etc.). The request must

therefore be clearly formulated towards the perpetrator of the crime immediately before the commission of the crime and must not be revoked before the commission of the crime (Rešetar, 2017, p. 113). A criminal offense can only be committed against an adult. It is considered that majority is required not only at the time of committing a criminal offense, but also when giving consent (Stojanović, 2012, p. 411). In addition to the age requirement, the law mentions another important condition. It is a serious health condition of a passive subject. We believe that the phrase is very broad and vague, and looking at comparative legal solutions, such a health condition could be: the last stage of an incurable disease, suffering unbearable pain that causes obvious suffering, a certain fatal outcome in the near future. The passive subject must be deliberately deprived of life (Korošec, 2004, p. 191). The perpetrator of the crime is aware of all the features of the crime and wants to commit it. Deprivation of life with intention is indisputable, because the perpetrator made the decision on the basis of an explicit and serious search for a passive subject. This additional subjective element of the being of the criminal offense is motive. It is considered that the motive for taking life out of compassion is an altruistic act, something that is actually positively socially and morally valued (Stojanović, 2012, p. 412).

Article 119 of the Criminal Code of the Republic of Serbia provides for a criminal offense called – Inducing suicide and assisting in suicide. Suicide is not a crime in today's legal systems. It is the same in the Serbian legal system. The decriminalization of the crime of suicide began in the 18th century, and some countries only relatively recently decriminalized it (England since 1961 (Stojanović & Perić, 2003, p. 105), Ireland only in 1993 (Grozđanić, 2009, p. 60). However, bearing in mind the social danger of assisting and inducing suicide, it is completely justified to incriminate them as a criminal offense, which the Serbian legislator does in Art. 119. CC: "Whoever induces another to commit suicide or assists him in committing suicide, whether this is committed or attempted, shall be punished by imprisonment from six months to five years." Whoever helps another commit suicide under the conditions of Art. 117 of this Code, if this is done or attempted, it will be punished

by imprisonment from three months to three years. Who deed from para. 1. of this article against a minor or against a person who is in a state of significantly reduced sanity, will be punished by imprisonment from two to ten years. If the work from para. 1. of this article committed against a child or an insane person, the perpetrator will be punished according to Art. 114 of this Code. Whoever acts cruelly or inhumanely with a person who is in a relationship of subordination or dependence towards him, and as a result of such behavior commits or attempts suicide which can be attributed to the negligence of the perpetrator, shall be punished with imprisonment from six months to five years." From Art. 119 of the Criminal Code of Serbia, we see that a criminal offense consists of one basic form (paragraph 1), one privileged form (paragraph 2, which is related to art. 117 – deprivation of life out of compassion), two qualified forms (paragraph 3. and para. 4) and one special form (para. 5) Criminal act for para. 1-4. is inducing suicide and assisting in suicide. The act of a criminal offense can be committed in different ways. Inducing someone to commit suicide means influencing another person to commit suicide in various ways, i.e. with the intention of influencing the very will of another person to make a decision to take his life. Assisting in suicide means providing help to a person who has already made the decision to commit suicide (Grozđanić, 2009, p. 60). Paragraph 5. It has a specific execution action, because it is required that the perpetrator acts inhumanely towards the person who committed or attempted suicide, and is in a subordinate or dependent position towards the perpetrator. For each form from Art. 119. it is necessary that there is a causal connection, i.e. "that the act of leading caused or strengthened the decision of a person to commit suicide, and that the act of helping contributed to the commission of suicide" (Stojanović, 2012, p. 416). The consequence can be both suicide and suicide attempt. If a minor is induced to commit suicide or is assisted in committing suicide or a person whose consciousness is significantly reduced to understand the importance of suicide, it is not necessary to punish the perpetrator that the suicide was committed, but it is sufficient that it was only attempted. This is the first qualifying form of the crime. If a child or a person who is not capable of reasoning on their own is

induced to commit suicide or is assisted in committing suicide, i.e. to understand the importance of suicide and absolutely not control his will, the act qualifies as the most severe form and is equated with aggravated murder. A special form is in situations where, due to inhumane, cruel treatment of a person who is in some relationship of dependence or subordination to the perpetrator, the passive subject kills himself, or attempts suicide. It can be about various types of mental and physical abuse, harassment, bullying, etc. There must be a causal connection between such a way of acting by the perpetrator and the suicide of the passive subject (Stojanović, 2012, p. 417). The consent of the passive subject does not exclude illegality, for the same reasons that were already mentioned earlier in the case of the criminal offense from Art. 117. although, under certain conditions, we can say that the common denominator of both criminal acts is precisely the consent of the injured party (patient). In practice, the demarcation of these two criminal acts can be done by whether the act of taking life is undertaken by the doctor (or another person) or by the patient (passive subject) (Đurđević, 1996, p. 231). As long as the last free decision is in the hands of the patient, the doctor's actions can only be characterized as assisted suicide. On the other hand, if the decision is completely in the hands of the doctor, it is a criminal offense under Art. 117. The difference between active assistance in dying and assistance in the suicide of a terminally ill patient basically corresponds to the difference between the perpetrator of a criminal act and an accomplice (Đurđević, N., 1996, p. 233). Criminal acts from paragraph 1-4. require intention, while the special form in para. 5 requires only negligence as a degree of guilt. The threatened punishment for the basic form is from 6 months to 5 years in prison. For the qualified form, the penalty is from 2 to 10 years in prison. For the most severe form, the prison sentence is a minimum of 10 years, or from 30 to 40 years. For the privileged form, the prison sentence is from 3 months to 3 years. For a special form, the prison sentence is 6 months to 5 years. It is interesting to note at this point that the German Criminal Code does not recognize this crime and does not prescribe it as a punishable offense. According to the German authors, the reason is purely technical – rational in nature. As German criminal law does not

recognize the crime of suicide, according to the authors, there should not be a criminal offense of aiding and abetting suicide (Rešetar, 2017, p. 116).

It is important to state that the patient's right to consent to a medical measure also includes the patient's right to withhold consent to a medical measure, that is, the right to refuse medical treatment. The Law on Patients' Rights stipulates that, as a rule, no medical measure may be taken on him without the patient's consent (National Assembly of the Republic of Serbia, 2013, Article 15). It follows that the patient has the right to refuse "aimless" life-sustaining measures (as well as all other medical measures recommended to him) directly, if he is capable of reasoning at the time of making the decision, or indirectly, through a person who is authorized in advance by the patient to make decisions on consent to the medical measure on his behalf. In this case, the doctor must respect the will of the patient. According to this law, the doctor would have to refrain from further life-sustaining measures. However, if he disconnected the patient from the ventilator, it is questionable that he would "deprive another of his life" and then there would be a risk of liability for the criminal offense of murder (Đurđević, 2020, p. 263). If the patient exercises his right to refuse medical treatment, but without making an express request that goes in the direction of taking life, then the termination of medical measures could not be qualified as taking life out of compassion. Although the Criminal Code of the Republic of Serbia does not recognize the consent of the injured party as a basis for excluding the illegality of the criminal act, and the interruption of medical measures itself could not be brought under the institute of extreme necessity, even less necessary defense and acts of little importance, domestic criminal law theory speaks of the consent of the injured party as on the basis of exclusion of the illegality of a criminal offense that is not provided for by law (Stojanović, 2009, p. 124). All of this leads us to the conclusion that passive euthanasia, in some way and under certain circumstances, is still decriminalized in the Republic of Serbia.

## Conclusion

Aspirations for patient and physician autonomy are equally valuable goals. Long-standing principles of law not only allow patients not to be treated without consent, but allow them to refuse any medical treatment. On the other hand, there is an equally long-standing custom of the medical profession to do everything possible to sustain human life. This custom is supported both in legislation and in judicial practice. It goes a long way in preventing patients from refusing life-saving medical measures, as doctors are at risk of being punished if they allow a patient to die because they do not consent to medical intervention. Today, the prevailing legal order distinguishes between passive and active euthanasia. In principle, the law recognizes passive euthanasia. However, legislators are reluctant to accept the patient's right to self-determination in relation to his own life and death. The discrepancy between the legal prohibition of active euthanasia and the actual tolerance towards such a procedure is considered a shortcoming of any legal system. It is true that euthanasia is still considered a criminal offense in the majority of legislations, but with reservations regarding the motives that drive it. Again, the number of countries that have enacted laws on euthanasia or advocate for its liberalization is growing day by day.

Like all other unresolved issues, the question of euthanasia leaves behind many dilemmas, sharply polarizing the world into those for and those against. Both sides have arguments, and it is unlikely that a consensus will be reached. It will probably be a long time before the differences between these two camps are bridged. Only then will it be obvious whether the struggle for the legalization of euthanasia was a prophetic announcement of a significant social change for the better, or a deterioration that only draws us deeper into the vortex of decadence and decay. Perhaps euthanasia will be legalized everywhere in the future, allowed in cases of permanent vegetation. But dying is a part of life and it should, like everything else in life, be lived in the best possible way. Just as we all have the support of the environment at the beginning of life, we also need that support in the moments of death. In the future, palliative medicine and the possibility of pain relief should

primarily be developed, but euthanasia should also be legally regulated, and doctors and lawyers should be familiarized with this problem in detail. Those who suffer from an incurable disease and who plead for their lives to end quickly, may still, after careful examination and reflection, be subjected to euthanasia. It is the best way for a person to get rid of the suffering that he cannot or does not want to endure. A medically indicated act that shortens a person's suffering and enables a dignified death should not be condemned either from a moral or legal point of view. Man's right to master not only the body, not only life, but also death should be respected. This is what philanthropy consists of, which should not be alien to laws either.

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## Krivičnopravni aspekti eutanazije u Republici Srbiji

Nenad Bingulac<sup>1</sup>

Adrian Borka<sup>2</sup>

<sup>1</sup>Pravni fakultet za privredu i pravosuđe, Novi Sad

<sup>2</sup>Pokrajinski sekretarijat za obrazovanje AP Vojvodine, Novi Sad,  
Pravni fakultet za privredu i pravosuđe, Novi Sad

### Sažetak

Pitanje pravnog i medicinskog regulisanja prava na eutanaziju, iako se sama radnja vršila od postojanja čovečanstva, postavlja se tek u XX veku. Tada kreće regulisanje i „uređivanje“ ovog pitanja, imajući u vidu da se faktički sprovela, te da je moglo dovesti do zloupotreba i korišćenja za suzbijanje određenih nacija. Sa uređivanjem ovog pitanje kreću i rasprave, pre svega pravne i medicinske, ali i filozofske, moralne, sociološke i religijske. I dok neke države uređuju ovo pitanje, bilo da izričito zabranjuju ili dozvoljavaju, određene države ne regulišu pravni aspekt eutanazije. Svakako da je bilo kakvo regulisanje bolje od nepostojanje zakonskih normi koje uređuju ovo pitanje, koje ostavljaju prostor za proizvoljnost i zloupotrebe. U radu prikazujem vezu između prava na život i prava na smrt, pojedinačnog i opšteg, društvenog interesa. Pored navedenog, ukazujem na argumente za i protiv eutanazije, pojašnjavam sam pojam eutanazije i oblike eutanazije, naglašavam krivičnopravni aspekt eutanazije, kao i kako je ovo pitanje pravno regulisano u uporednom pravu i pravu Republike Srbije.

*Ključne reči:* Eutanazija, krivično pravo, krivično delo, uporedno pravo, Republika Srbija

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# The Institute of Plea Bargain in the Legislation of Montenegro and Challenges in its Implementation

Dženana Mrvaljević

Faculty of Law for Commerce and Judiciary, Novi Sad

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## Author Note

Dženana Mrvaljević  <https://orcid.org/0000-0003-4777-2502>

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Corresponding author: Dženana Mrvaljević

E-mail: [dzenana.m.nuhodzic@gmail.com](mailto:dzenana.m.nuhodzic@gmail.com)

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## **Abstract**

The subject of research in this paper is the institute of Plea bargaining. The starting point of the research is the positive-legal method, having in mind that only by a detailed analysis of solutions accepted in the domestic legal system can we assess the scope, practical implications, as well as inadequacies and imperfections in the way of regulating the institute or practice, which are the subject of this research. The author points out the numerous shortcomings in the legal regulation of the institute. In order to determine the effectiveness of the plea bargain, and to identify practical repercussions, we conducted empirical research in the form of a survey i.e. a questionnaire. The questionnaire was designed as a means of surveying 189 judiciary civil servants - judges, prosecutors and lawyers, in order to find out how people who do not create, but only implement legal norms, feel about this institute, to what extent they use its solutions, whether they find it justified, if they consider it necessary and appropriate, what their impressions regarding the first few years of implementation of this institute are; what the directions of its further upgrading are, and whether the practical application of this institute attains the appropriate results. Finally, by using a critical method the author gave an overview of the issues related to the plea bargain.

*Key words:* plea bargain, guilt, defendant, terrorism

## **The Institute of Plea Bargain in the Legislation of Montenegro and Challenges in its Implementation**

### **Introduction**

When one of the founders of the United States Thomas Jefferson said he believed the jury was "the only conceivable anchor by which the government can bind itself to the principles of its own Constitution" (Penn, 2015), he probably had no doubt that some two hundred years later, in the country of which he was the Founding Father, 90 % of cases will be settled by a plea bargaining. The reasons for the introduction of this institute should be sought in the advantages that the settlement gives (Langbein, 1979, p. 262).

Although initially the practice of negotiating with the defendant was regarded extremely negatively, the late nineteenth and early twentieth centuries were characterized by a significant increase in crime rates, which was a product of industrialization, urbanization, and professionalization of the police (Fisher, 2004, pp. 116–124). In the late 1960s, the fight against crime became a priority of state policy, as America was faced with a serious rise in the crime rate (Stuntz, 2005, p. 15). For these reasons, the plea bargaining is beginning to be looked upon with much more favor. This ultimately resulted in the legalization of the plea agreement in 1970 and its exit from the "gray" zone after two hundred years of practical application. In this way, the agreement gained full legitimacy, and the following year the US Supreme Court stated that resolving the indictment by agreement between the defendant and the prosecutor is an important part of judicial activity, and that it should be encouraged (Mrčela, 2002, p. 353). Today, according to some statistics, more than 90% of cases in the United States are resolved through plea agreements (Nikolić, 2006, p. 35), and it is possible to come across data that show that more than 95% of cases were resolved in this way. (Delacote & Ancelot, 2009, p. 1929).

As the implementation of the plea agreement flourished on American soil, the situation in Europe was significantly different. Namely, the agreement in the proceedings in Europe started much later, which is not surprising if we have in mind the numerous obstacles that

stood in its way. In addition to the understanding that criminal proceedings pursue interests that the defendant should not have, the division into public and private law was strict, which meant that the agreements remained in the domain of private law. Furthermore, the basic principles of criminal procedure did not facilitate the introduction of a plea agreement, and in addition, proceedings in Europe were not under particular pressure for a long time, as the trial was reduced to a replay of the investigation. Also, the uncertainty of the jury trial that existed in America was not a problem in European proceedings (Bajović, 2009, p. 188). On the other hand, the procedure in Europe did not only mean a decision on guilt, but also the determination of the sentence, so conducting the procedure was necessary in situations when the guilt of the defendant was unquestionable (Damaška, 2004, p. 8).

However, due to the large increase in the crime rate, and especially due to the expansion of organized crime, it was necessary to look for new modalities to fight the crime. Also, the global economic crisis conditioned the finding of faster and cheaper forms of criminal procedure (Feješ, 2013, p. 265). Therefore, in order to find an alternative to the classical procedure and increase its efficiency, the institute of plea bargain was introduced into European legislation (Ivičević, 2005, p. 203), so it can be said that there is a constant movement of continental procedure from inquisitorial to accusatory (Krstulović, 2002, p. 373).

Although the institute of the plea bargain originates from the Anglo-Saxon legal tradition, it has recently been recognized and applied by a large number of continental legal systems, including the legal systems of the states of the former SFRY.

Prescribing this institute provided the normative basis for achieving one of the key goals of criminal reform, which is to improve the efficiency of criminal proceedings (Bejatović, 2014, p. 411). The wide acceptance of this institute in the European-continental legislations gave the right to talk about the infection with such solutions (plea bargain infection) in a certain sense.

The subject of the analysis of this paper will be the legal determination of the plea bargain, with special reference to the

omissions and mistakes of the legislator, as well as the analysis of empirical research aimed at identifying problems that arise in the application of this institute in practice.

### **Imperfections in the legal regulation of the plea agreement in Montenegro**

Following the trend of most European countries, the Plea Agreement has found its place in the new Criminal Procedure Code of Montenegro since 2009. However, it took almost a decade to achieve visible results, since in the first years when the agreement was introduced into Montenegrin legislation, its implementation has not taken place at all. From 2009 until today, the provisions governing the plea agreement have undergone numerous changes, but they still do not regulate this institute clearly or precisely enough. It could even be said that the numerous changes that followed the original solution opened even deeper dilemmas regarding the application of this institute.

Namely, a plea bargain can be concluded for all criminal offenses prosecuted *ex officio*, except for the criminal offenses of terrorism and war crimes. Why the legislator decided to exclude the application of the agreement in relation to these two categories of criminal offenses is not very clear. It is clear that these are the most serious crimes that cause unforeseeable and irreparable consequences, but it is not clear what criteria he was guided by when he excluded the application in relation to these crimes, and not for example, and in crimes against humanity and other crimes from titles of international crimes or other serious crimes in general.

Another change, which followed the initial legal regulation of the plea agreement institute, opened a new dilemma. Namely, the right to initiate the conclusion of the agreement belongs to the state prosecutor, the suspect and his defendant. The new solution, unlike the previous one, gave this right to a larger number of persons, since earlier that right belonged to the state prosecutor, the defendant and his defense counsel, and not to the suspect. The reason for introducing the suspect into the provisions of the agreement should be sought in the

desire of the legislator to allow the conclusion of the agreement before the procedure formally begins, i.e. in the investigation phase. However, there are several problems with this. First, Article 44 of the CPC, which states the rights and duties of the state prosecutor, emphasizes his right to conclude a plea agreement with the defendant, while in this article the suspect is not listed as a person with whom the prosecutor can conclude an agreement. Secondly, although there is an unquestionable need to start informal negotiations even before the beginning of criminal proceedings, i.e. even in the investigation phase, its conclusion should wait at least until the order for investigation is issued for the sake of legal certainty. Third, the parties are negotiating the conditions for concluding the agreement, so the existence of a formal act seems necessary, especially from the aspect of the defendant. Namely, in order to conclude a plea agreement with the prosecutor, the defendant must know exactly what his confession refers to. Therefore, the issuance of an order to conduct an investigation is the earliest moment when an agreement can be concluded. Different solutions would lead to the possibility for the suspect to plead guilty first, and for the state prosecutor to start drafting the indictment after that. Fourth, the following paragraph of the same article deepens the dilemma regarding the suspect and his position in the procedure of concluding the agreement. The paragraph states that "when the proposal referred to in paragraph 1 of this Article is submitted, the parties and the defense counsel may negotiate the plea conditions." The strict interpretation of this norm would lead to the following conclusion: the legislator gave the suspect the opportunity to submit a proposal for concluding an agreement, but in order to negotiate it he would have to wait for the status of the defendant, i.e. he would have to wait for an investigation order against him, indictment or information.

The next in a series of omissions made by the legislature relates to the proposal to conclude the agreement. Namely, it remains completely unregulated what happens if the state prosecutor does not accept the proposal, so the agreement is not concluded. It was necessary to prescribe the obligation of the state prosecutor to destroy the proposal of the suspect, defendant or defense counsel for the

conclusion of the agreement if no conclusion is reached. The need for such a proposal to be destroyed stems from the fact that it, even when it does not explicitly contain a confession, actually implies that the defendant was willing to admit guilt (Kojović et al., 2010, p. 255).

The most obvious mistake of the legislator was hidden in Article 300, paragraph 4, which states: "A plea agreement shall be filed if an indictment has not yet been filed, i.e. no bill of indictment or private lawsuit has been filed with the president of the panel referred to in Article 24, paragraph 7 of this law, and after the indictment is filed i.e. bill of indictment or private lawsuit is filed with the president.". If this position was interpreted without bringing it into connection with the others, it could completely mislead us to the conclusion that a plea agreement is allowed in relation to all criminal offenses, including those for which the state prosecutor is not in charge, but are being prosecuted in a private lawsuit.

### **Deciding on the agreement and the problems that arise in that regard**

The reached agreement does not produce any legal effects in itself. In order for that to happen, the final decision on it should be made by the competent court at a special hearing attended by the defendant and his defense counsel, as well as the state prosecutor. The injured party and his / her attorney shall be notified of the hearing for deciding on the agreement. Although the legislator predicted that in the case of the defendant's absence from the scheduled hearing the agreement will be rejected, there is still not a word about what happens to the agreement if the state prosecutor does not come to the scheduled hearing. However, it is not impossible to imagine that such cases could occur in practice, so it is necessary to fill this legal gap. We also believe that the legislator acted wrongly when he did not allow the defendant to request a return to the previous state in a situation when the court rejects the agreement due to his absence. Since no appeal is allowed against such a decision, it should be allowed to return to the previous state when the conditions for that are met, and this is

especially due to the fact that the defendants will most often miss the mentioned hearing for really justified reasons.

An appeal against a judgment brought on the basis of an agreement is not allowed, but the legislator has allowed the decision deciding on the agreement to be the subject of an appeal. This appeal is always decided by the out-of-court panel, which makes a decision both when the decision was made by the president of the out-of-court panel, but also when the decision was made by a judge of the Trial Chamber. In the spirit of the general rule that the appeal is decided by the court of second instance, it should have been provided that the appeal against the decision, which decided on the agreement, is decided by the out-of-court panel of the immediately higher court. This would certainly give the agreement, and after that the verdict, greater legitimacy (Škulić, 2009, p. 889).

## **Questionnaire**

In order to determine the effectiveness of the plea agreement and practical repercussions, we conducted empirical research in the form of a survey, ie a questionnaire. The conducted questionnaire was anonymous, partly open and partly closed, and on a large sample (more than 100 respondents). In addition to open-ended questions, where they were free to give their opinions and comments, for a certain group of questions, respondents had available answers when assessing the impact of certain factors on the conclusion of the Agreement. The questionnaire was conducted on a stratified sample whose strata included judiciary civil servants (judges, prosecutors and criminal lawyers), i.e. persons who deal with the application of the Agreement in practice.

In 2018 and 2019, 198 respondents from the entire territory of Montenegro answered the questionnaire, which contained twenty questions. The questions referred to the problems related to the implementation and legal regulation of the plea agreement. In the continuation of the work, the results of the conducted research will be presented.

Based on the survey, most respondents believe that the decision of the legislator to allow the conclusion of the agreement for all crimes was wrong, i.e. that the older decision should have been kept according to which the conclusion of the agreement was possible only in relation to crimes punishable imprisonment for up to ten years.

Also, in connection with the problem we pointed out in the paper, which refers to the introduction of the term "suspect" in the provisions governing the plea agreement, the vast majority of respondents (77%) believe that the legislator wanted to enable the conclusion of an agreement in the investigation phase. However, those who do not think that the intention of the legislator was to allow the conclusion of the agreement in the investigation phase, as the reasons why the legislator in Article 300 paragraph 1 of the CPC, in addition to the state prosecutor, the defendant and his defense counsel identified the suspect as well, most often state that they do not know why the legislator did so. Also, a large number of answers state that it is about ignorance and unprofessional approach to the problem or the failure of the working group that worked on this legislative intervention, since the law is written without adequate participation of professionals – lawyers, prosecutors and judges, and that in Montenegro laws write bureaucrats in ministries and government, and the majority in parliament only raises their hands (votes). They see one of the reasons in the lack of commitment to the meaning of a specific term and the stage of the procedure in which the suspect appears, the mechanical copying led by other members in which "suspects, defendants and accused" appear together. They say all this is indicated by the fact that nowhere is mentioned the moment before the order to conduct an investigation, how it is decided then, and it is not logical for someone to agree to any plea agreement if it is uncertain whether an order to conduct an investigation will be issued. However, most of the respondents believe that this is a typographical error that was not noticed in time, i.e. terminological negligence, because it is clear that in order to conclude a plea agreement it is necessary to have an identified perpetrator and a reasonable suspicion expressed through adequate evidence that it was this person who committed the criminal offense in question

(investigation phase), because otherwise they would open a wide space for abuse of the said institute, all as provided by the CPC. Considering that the criminal procedure starts from the moment the order on conducting the investigation is issued, when the suspect gets the status of the accused, there is no logical basis for someone to sign a plea agreement before initiating the criminal procedure.

When it comes to the decisive reasons leading to the conclusion of the agreement, the majority of respondents (58% of them) see them in the defendant's assessment that in this way he will be given a milder sentence, ie a sanction, than in regular proceedings. A slightly smaller number of respondents (33%) believe that the main reason for concluding the agreement is more efficient the completion of criminal proceedings and only 9% of respondents cite concessions made by the state prosecutor's office as the determining reason for concluding the agreement.

The analysis of the survey further indicates that almost the same percentage of lawyers, judges and prosecutors who believe that the conclusion of the agreement should be allowed until the end of the main trial (35%), and those who believe that the conclusion of the agreement should be allowed until the main trial (38%). Also, regarding the question of who should initiate negotiations, most respondents believe that it is irrelevant for the conclusion of the agreement, which was confirmed in the answers to the next question when most respondents stated that they believed that initiating negotiations by the defendant and his counsel does not necessarily mean that the plaintiff will be in a better negotiating position.

When asked what the problems they most often faced in practice were when negotiating the Agreement, surprisingly, a large number of respondents stated that in practice they did not encounter any problems during the negotiations. Also, a significant number of respondents indicated that the most common problem in negotiations is the inability to reach an agreement on the amount of the fine. In addition to these, the most significant problem in practice is the inconsistency of the prosecution's practice, the inconsistency of court practice, as well as the prosecutor's insistence on sentences that are the same, and often

greater than those that offender would receive in regular proceedings. What is particularly worrying are the allegations that prosecutors very often use detention against the offender as a means of coercion to agree to the conclusion of an agreement. Lack of timeliness of the state prosecutor's office, i.e. a long period of time from the submitted proposal for concluding the agreement to receiving the answer, was stated as the main problem during the negotiations. Unsuccessful negotiations are also a consequence of the fact that prosecutors often take a "take it or leave it" stance. In addition to the above, the problem in reaching an agreement is often the ignorance of the accused. Defendants state that they often cannot explain to their clients that signing an agreement does not mean that they will always receive the mildest prescribed punishment, i.e. that they will completely avoid punishment. Also, the obstacle to concluding an agreement, in the case of several defendants, is the fear of the accused that in this way he will cause harm to other persons who prove their innocence. Mild penal policy in our country was also pointed out as one of the problems.

Issues related to the court's conduct in deciding on the agreement seem to be particularly important. We asked judicial officials whether the court asked detailed questions when deciding on an agreement to make sure that a guilty plea had the required quality (conscious, voluntary, true, etc.), and whether, in deciding on the agreement, the court checked in detail that the guilty plea was given in accordance with other evidence. According to the vast majority (71%), the court is actively trying to find out about the conditions under which the agreement was concluded and for that purpose asks detailed questions to make sure that the guilty plea is conscious, voluntary, true and of the required quality. However, a slightly smaller percentage of respondents (64%) believe that the court checks in detail whether the guilty plea was in accordance with other evidence when deciding on the agreement.

Finally, a disappointingly high percentage of respondents (51%) testified that political and other influences persuade prosecutors to enter the plea agreement process.

## Conclusion

The transition from a judicial to a prosecutorial concept of investigation has been a major and demanding task for the Montenegrin legislature. In addition to the comprehensive changes that needed to be made with the adoption of the new Law, the legislator faced another great challenge, and that is the introduction of a completely new institute into the legal system, such as a plea agreement. It is clear that this job was not easy and that it was not to be expected that it would be done flawlessly, at least in the first attempt, since there was no previous experience. However, it turned out, completely unacceptably, that the original legislative solution was also its best version.

The remarks that are often made to this institute are in fact claims that it is not in accordance with the basic principles, i.e. the principles of criminal procedure. However, the current provisions on this institute are in line with most of the proclaimed principles of criminal procedure. True, there are deviations from several principles, but the nature of this institute and the goal it should achieve, without a doubt, justify deviations from certain established principles. In addition, the principles must be adapted to the real state of affairs and the spirit of the times in which we live. Throughout history, principles have changed and gained or lost in importance, so there is no reason to be different today. After all, insisting on respecting the established principles without exception, even when it does not give the expected results, would make the function of criminal law and procedure as a whole meaningless.

The current legal solution is full of technical errors, legal inconsistencies, gaps and illogicalities. All this undoubtedly has an impact on the practical application of this institute. Therefore, the legislator should with due care change the provisions that regulate this institute. Although errors of a technical nature do not cause special problems in practice, they have no place in the Criminal Procedure Code, so it is incomprehensible that several amendments to the said Law have not been corrected. When it comes to more serious shortcomings, the suspect should, above all, be deleted from these provisions, since the conclusion of an agreement is possible only with

the defendant as the practice has shown. Furthermore, the agreement should either be allowed for all criminal offenses or its application should be limited depending on the prescribed penalty. Singling out only some criminal offenses, for which the conclusion of an agreement is not allowed, has no justification, nor a logical basis, as we have pointed out in the paper. In addition to being an institute that contributes to the efficiency of criminal proceedings, for the plea agreement to be in the spirit of justice the rights of the injured party must not be neglected, but it seems that they are. The least that the legislator would have to do is to prescribe the obligation of the state prosecutor to call on the injured party to file a property claim before concluding the agreement, if he has not already done so.

The conducted research pointed out several worrying facts. The first in a series refers to the fact that prosecutors often use detention against the accused in order to force him to conclude an agreement. This is a classic abuse of the institute of plea agreement, and this practice of the prosecutor undoubtedly affects the voluntary confession of the accused. The lack of timeliness of the state prosecutor's office, i.e. a long period of time from the submitted proposal for concluding the agreement to receiving an answer, is also one of the key problems in the application of this institute. The solution could be found in the possible prescribing of the deadline within which the party to which the proposal for concluding the agreement was made is obliged to respond to it.

In order for the plea agreement to achieve its purpose, it is necessary for the courts to unequivocally determine that the guilty plea which is the subject of the agreement was given knowingly, voluntarily and truthfully, and that it is in accordance with other evidence. Of particular concern is the fact that most of the persons who apply the agreement in practice testify that political and other pressures have a great influence on the prosecutor's decision to conclude an agreement with the accused. It is certainly a practice that is not desirable and that promotes all those negative aspects of the introduction of this institute in domestic legislation.

Based on all the above, it is concluded that in order to achieve the expected results, it is necessary to start a serious change in the

norms that regulate the institute of plea agreements. In addition to amending the legal text, it would be necessary to issue instructions to prosecutors to avoid the current problem of inconsistency in the practice of the prosecution. It is also necessary to continue working on the education of judges, prosecutors and lawyers. Finally, a very important condition for the proper application of this institute in practice is the removal of all external influences during its conclusion, which will probably be the most difficult to achieve.

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## **Sporazum o priznanju krivice u zakonodavstvu Crne Gore i izazovi u njegovoj primeni**

Dženana Mrvaljević

Pravni fakultet za privredu i pravosuđe, Novi Sad

### **Sažetak**

Predmet istraživanja ovog rada je institut Sporazuma o priznanju krivice. Polaznu osnovu istraživanja čini pozitivno-pravni metod, jer se samo detaljnom analizom rješenja prihvaćenih u domaćem pravnom sistemu može ocijeniti domašaj, praktične implikacije, kao i nedostatnosti i nesavršenosti u načinu regulisanja instituta ili u *praxis*-u, koji su predmet ovog naučnoistraživačkog rada. Autorka u radu ukazuje na brojne manjkavosti zakonskog regulisanja pomenutog instituta. Radi utvrđivanja učinkovitosti sporazuma o priznanju krivice, te za prepoznavanje praktičnih reperkusija, sproveli smo *empirijsko* istraživanje u formi ankete, odnosno upitnika. Upitnik je osmišljen kao sredstvo anketiranja 189 nosilaca pravosudnih funkcija – sudija, tužilaca i advokata, kako bi se došlo do saznanja o tome kako lica koja ne kreiraju, već puko sporovde pravne norme, doživljavaju ovaj institut, u kojoj mjeri koriste njegova rješenja, da li ga smatraju opravdanim, da li ga smatraju potrebnim i prikladnim, kakve su njihove impresije povodom prvih nekoliko godina implementacije ovog instituta; koji su pravci njegove dalje nadgradnje, te da li praktična primjena ovog instituta postiže odgovarajuće rezultate. Na kraju, autorka je, koristeći se kritičkom metodom, dala osvrt na problematiku sporazuma o priznanju krivice.

*Ključne reči:* Sporazum o priznanju, krivica, okrivljeni, terorizam

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# Legal Grounds for Determining Detention According to the CPC, and Court Practice in the Republic of Serbia

Teodora Živadinović

Faculty of Law for Commerce and Judiciary, Novi Sad

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## Author Note

Teodora Živadinović  <https://orcid.org/0000-0001-5446-8774>

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Corresponding author: Teodora Živadinović

E-mail: [teacimburovic93@yahoo.com](mailto:teacimburovic93@yahoo.com)

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## **Abstract**

When the presence of the defendant is mandatory during the conduct of criminal proceedings and the defendant avoids doing so and facilitates the smooth conduct of the same, there are, the Law on Criminal Procedure provides for the conditions by which his presence is ensured. There are several foreseen measures by which the presence of the defendant can be ensured, starting from summons as the mildest measure to detention as the most severe measure provided for by the Code of Criminal Procedure of the Republic of Serbia, providing that detention can be applied as the last measure of procedural coercion. The reasons for ordering custody are determined by Article 211 of the Code of Criminal Procedure, with the basic prerequisite for ordering custody of the defendant being the existence of reasonable suspicion that the defendant has committed the criminal offense charged against him. In this paper, we will look individually at the grounds provided by law, which justify and mandate the determination of the measure of detention against the suspect.

*Key words:* custody, Code of Criminal Procedure, conditions for determining custody, judicial practice.

## **Legal Grounds for Determining Detention According to the CPC, and Court Practice in the Republic of Serbia**

### **Introduction**

Although the European Convention for the Protection of Human Rights and Fundamental Freedoms (Article 5, Paragraph 1) guarantees every person the right to personal freedom, it nevertheless provided several grounds when deprivation of liberty will not be considered illegal.

Also, the Constitution of the Republic of Serbia provides in a general formulation that "everyone has the right to personal freedom and security, and deprivation of liberty is permitted only for the reasons and in the procedure provided for by law." crime, will be prosecuted in accordance with positive legal regulations, and in order to ensure his presence and the smooth conduct of the criminal proceedings, if he avoids it, a series of measures from the lightest to the most severe, which are decided by the competent court, are foreseen.

In order to determine the measure of detention, as the most severe measure that ensures the presence of the accused and the unhindered conduct of the criminal proceedings, it is necessary that there are reasons that justify such a decision. Special importance during the hearing of the accused is established by Article 33, paragraph 4 of the Constitution of the Republic of Serbia and Article 6, paragraph 3, item c of the EC, so that every person who is available to the court and who is tried for a committed criminal offense has the right to be tried in his presence, that is, to allow him to be heard and to be able to present his defense.

Thus, in order to prove the existence of the conditions provided by the Code for ordering custody, at any stage of the procedure, the competent authority is obliged to hear the defendant and determine the existence of the reasons prescribed by the Code of Criminal Procedure, i.e. to accurately state the legal basis according to to whom the defendant is ordered to be detained. During the hearing, the defendant can be questioned only about the grounds of suspicion that are charged against him in connection with the committed criminal act.

All rights of the defendant are provided for in Article 68 of the Code of Criminal Procedure. Among others, the defendant has the right to freely choose the way of defense. And if the prosecutor and his chosen defense attorney can attend his hearing (Article 6, paragraph 3c of the EC, Article 14, paragraph 3d of the MoJ, Article 33, paragraph 2 of the Constitution), as well as an ex officio defense attorney in the case when the defendant does not have a selected defense attorney, which he alone decides on.

According to judicial practice, the circumstances on the basis of which custody is determined must be assessed both individually and in connection with each other (Decision of the High Court in Belgrade, KŽ2. no. 470/16, 2016:25).

Criminal legislation treats custody as a preventive deprivation of liberty of the accused person, which is used as a means of securing his presence and enables the criminal proceedings to be carried out smoothly, which does not constitute a criminal sanction.

The grounds according to the Code of Criminal Procedure for determining the detention measure are:

### **Reasonable suspicion**

The basic and mandatory condition that must be met in order to order custody of the defendant is the existence of a well-founded suspicion (a high degree of probability) that a certain person has committed a certain criminal act, and thus acquired the status of a defendant. This type of doubt represents content that is not determined by law. There needs to be evidence of actions that indisputably indicate that they are the work of the defendant, which can be confirmed by evidence, documents or forensic evidence. Earlier interpretations that evidence is a sufficient reason that represents the possibility of starting an investigative procedure, which would be sufficient for starting an investigation and thus for ordering detention, proved to be insufficient. It proved necessary for the court to gain conviction on the basis of concrete evidence that the existing suspicion represents a higher level of certainty that a certain person has committed the criminal offense charged against him by his actions.

It is possible to establish a well-founded suspicion when, in the determination process, it is proven that there is more solid material evidence that can be concluded with certainty that they are in some way connected with the committed criminal act that is charged against a certain person. It is a debatable question whether it is necessary to examine the validity of suspicion in a specific case in every case when a decision is made to review the determination, extension or termination of detention.

The new Code of Criminal Procedure introduced certain changes in relation to the previous provisions in this area, so that in Article 216, paragraph 4, there is a possibility that in the case after the confirmation of the indictment due to the lack of grounds for suspicion, the court may, in the sense of Article 377, paragraph 4. examine the indictment and make a decision. This condition for ordering custody is stipulated by the Constitution of the Republic of Serbia. (Article 30, paragraph 1, item 18), and is a *conditio sine qua non* in the procedure for determining custody.

"Reasonable suspicion" means a set of facts that directly indicate that a certain person is the perpetrator of a criminal offense, and is a constitutional category incorporated into the Code of Criminal Procedure as a condition for ordering detention. In addition to the existence of well-founded suspicion, which is not a sufficient reason for ordering and extending custody, it is necessary that there is another reason for ordering custody, such as the risk of escape or the risk that the defendant will repeat the criminal offense, which is also prescribed in the conditions provided for in Article 5, paragraph 1 EC and according to the practice of the European Court of Human Rights (ECtHR).

According to a certain person, the court can order (and extend) detention only if at the same time it assesses that there is a well-founded suspicion that he has committed a criminal offense and that his detention is necessary for the smooth conduct of criminal proceedings.

The Code of Criminal Procedure recognizes different degrees of suspicion, namely:

- "grounds of suspicion" as a set of facts that indirectly indicate that a criminal offense has been committed or that a certain person is the perpetrator of a criminal offense. Certainly, "ground of suspicion" represents a weaker ground of probability in terms of blaming the commission of a criminal act.
- "reasonable suspicion" as a set of facts that directly indicate that a certain person is the perpetrator of a criminal act; and
- "justified suspicion" as a set of facts that directly support the well-founded suspicion and justify the filing of charges.

A degree of doubt should exist during every decision on custody in the pre-investigation procedure and in the investigation. After confirmation of the indictment, it is logical that the degree of suspicion in relation to custody should follow the same quality of suspicion that is required for confirmation of the indictment, so at that stage of the procedure, in relation to detention, the relevant suspicion should be – justified suspicion (Criminal Procedure Code , Article 2, point 17, 18 and 19).

The existence of a well-founded suspicion that the defendant has committed the criminal acts charged against him, and he has no registered residence, nor residence in the territory of the Republic of Serbia, that his address of residence has been deregistered, that the defendant is unemployed according to his own statement, and that he does not have any personal documents from what it follows that the center of the defendant's business and life activities is not connected to one particular place in the Republic of Serbia, which represent special circumstances that indicate that the defendant will flee if he is at liberty and thus become unavailable to the judicial authorities of the Republic of Serbia, which is why the detention of the defendant is based on the law from Article 211, paragraph 1, point 1 of the CPC, shows that it is a necessary and necessary measure to ensure the presence of the accused, so that the proceedings could be conducted smoothly (Decision of the High Court in Belgrade, KŽ2. no. 1019/21 of 5 august 2021).

Also, in addition to the existence of a reason for ordering custody, in the case where the defendant, during the hearing with the

presence of an ex-officio defense attorney, and to the circumstance of the existence of a reason for ordering custody according to Article 211, paragraph 1, item 1 of the CPC, stated that he did not could report to the search, because he was undergoing treatment ..., that he would not run away and leave his residence, and then the defense counsel proposed the imposition of a milder measure - a ban on leaving the apartment pursuant to Art. 208 of the CPC, the first-instance court is obliged to consider the possibility of imposing a milder measure to ensure the presence of the accused (Decision of the Basic Court in G. Milanovac, Kv 24/20 of 11/02/2020 and Decision of the High Court in Čačak, KŽ 5/20 of 14/02/2020).

On the part of proceduralists, there are different interpretations on defining the grounds of suspicion, such as:

- defining suspicion according to the degree of certainty - reasonable suspicion exists if there is a greater degree of certainty (Grubač & Vasiljević, 1999:328).
- defining suspicion according to the degree of probability - reasonable suspicion exists if there is a higher degree of probability that a criminal offense has been committed than in cases of suspicion and ordinary suspicion (Jeremić, 1981:146).
- definition according to the seriousness of the evidence - reasonable suspicion exists if there are serious evidence that a criminal offense has been committed (Vuković, 1981:126).
- definition according to the existence of evidence - reasonable suspicion exists if there is certain evidence for it (Lazin, 1997:76).
- definition according to the strength of the evidence - reasonable doubt exists if there is strong enough evidence for it (Lazin 1997:402).

According to Bejatović, in practice, stable criteria are built up on what evidence and what level of evidentiary credibility, reasonable suspicion is based on, through years of action by the courts and in general by the official actors of the criminal procedure. According to the ruling opinion, this is a justified reason that until now the Code has not

defined reasonable suspicion, but it has been left to the free belief of the official actors of the criminal procedure, and above all the court, with the fact that in this respect, the decisive influence of the established judicial practice. That free belief is, of course, realized within the framework of the principle of free evaluation of evidence, and the rules related to the burden of proof.

Grounds for suspicion and well-founded suspicion should be viewed from two aspects.

The first one, which refers to the mutual relationship between the degree of suspicion, which is characterized by the fact that the basis of suspicion is a lower degree of suspicion compared to well-founded suspicion, and justified suspicion, a somewhat higher degree of suspicion compared to reasonable suspicion, and another aspect that is of a procedural nature and, accordingly, the grounds of suspicion are characteristic of the pre-investigation procedure and investigation, while reasonable suspicion exists when, in those stages of the procedure, a higher degree of suspicion is required to determine detention, and the existence of justified suspicion is necessary to confirm the indictment (Škulić & Ilić 2013:31).

### **Escape danger**

In addition to other reasons specified by law, the risk of flight is also a basis for ordering detention. The Code of Criminal Procedure, Article 211, paragraph 1, point 1, provides that detention can be ordered when the defendant is hiding or his identity cannot be established or if he avoids appearing at the main trial, that is, when there are certain circumstances that indicate danger from running away.

Concealment of the accused exists when the accused hints by his actions that he will make it impossible to establish his identity and the possibility of appearing at the main trial. These actions can manifest in very different ways. They occur in the frequent change of residence that the defendant fails to report, i.e. fictitiously registering at a specific address and avoiding staying at the same address. Also, the action of the defendant to avoid appearing, but to stay in a hidden place, is a

way of hiding, which prevents him from attending the proceedings against him.

Whether the competent authority will judge that these are actions that indicate hiding the defendant and avoiding appearing in the proceedings against him, depends on the morals and character of the person, on his previous behavior and attitude towards state authorities, previous convictions, his family and personal circumstances, as well as the defendant's expectations of what kind of decisions will be made in the proceeding. The impossibility, that is, the problem of determining the identity (identity) of the defendant can be a difficulty, which depends on the defendant's behavior. Namely, not having personal documents, avoiding presence in order to take impressions of papillary lines, changes in physical appearance, etc. they represent the problem of establishing identity. When establishing the identity requires a long time, the Code of Criminal Procedure provides for the possibility of ordering the defendant into custody until his identity is established.

That due to the fact that the identity has not been determined correctly, there may be a wrong decision by the competent authority on the determination of custody, is proven by judicial practice that knows the case that after the determination of custody, the defendant, during his stay in custody, informed the court about the fact that his name and surname are longer rather than the one indicated in the decision on detention. (Decision of the Basic Court in Belgrade, Kž.98/04 of January 20, 2004).

The legislator has foreseen several circumstances that may indicate the obvious preparation of the defendant to avoid being present during the conduct of proceedings where his presence is necessary. The actions of the defendant in this sense exist in cases where the defendant is not hiding, but does not respond to the summons of the court in order to obstruct and delay the proceedings. This is the reason for ordering detention, however, this is a factual issue and it is up to the court to assess in each relevant case whether failure to respond to a court summons constitutes an act of avoiding attending the main trial (Mirković, 2000:40).

In such situations, the court takes into account the number and frequency of these actions of the defendant, as well as the intensity of avoidance and possible justifications by which the defendant wants to confirm his actions as justified. Often, by canceling the power of attorney to the chosen defense attorney, at the moment when the deadline for the procedure before the acting authority is scheduled, the defendant obstructs by hiring another defense attorney and thus avoids going to court, according to him in the manner allowed by law. Thus, the defendant repeatedly hired a new defense attorney immediately before the main trial, and then, when the defense attorney would come to the main hearing and ask for a postponement due to the defendant's illness, and the court ordered the defense attorney to submit medical documentation, he canceled the defense attorney's power of attorney and hired a new one - case OSB, Kž. no. 266/07 of February 6, 2007 (Simić & Trešnjev, 2008:281).

In addition to the above-mentioned circumstances that indicate the danger of the defendant fleeing, the court determines and assesses whether there is any other basis that also indicates the possibility that the defendant may avoid attending the court by his activities and behavior, and it is necessary to analyze and take into account the character of the person, his relationship with state authorities, previous convictions, eventual frequent change of place of residence, his financial condition, family and personal circumstances, etc.

According to judicial practice, the risk of flight exists when a person who is without property and without permanent sources of income, who is not bound by personal or family circumstances to a specific place of residence, as the center of his life activities. The fact that he has registered his residence in the meantime is not important. (Decision of the Court of Appeal in Belgrade, Kž2 1348/19 of July 12, 2019), as well as the fact that the defendants, as migrants, crossed the territory of a number of countries without documents, until arriving in the territory of the Republic of Serbia, indicate the existence of a risk of escape (Decision 208/19 of the Court of Appeal in Belgrade and the decision of the High Court in Belgrade No. 4587/18 of January 4, 2019).

If the defendant is hiding, there is a possibility of preparing to escape, which is an action that can make him unavailable to the competent authority to act. Thus, the apparent avoidance of attendance at the main hearing is a circumstance that indicates the existence of a risk of escape, and the first-instance court, when it postponed eight scheduled hearings at the request of the defendant, and did not hold seven hearings due to the unjustified absence of the defendant, ordered custody of the defendant (Ilić, 2013:494).

Circumstances that indicate that the defendant intends to hide and be unavailable during the proceedings against him are manifested in unreasonably frequent changes of residence, failure to report a change of residence and making it impossible for the competent authority to find him, as well as a change of identity.

The defendant usually begins his escape by hiding, although hiding often also represents preparation for the realization of the escape. However, hiding cannot be equated with running away. In contrast to escape, hiding is not characterized by a dynamic character, but rather by a static one, e.g. stealth in another location (Matijašević & Joksić 2019:22).

The defendant's escape makes it impossible to establish his identity and is a reason for ordering custody, with the fact that there are no circumstances that indicate a risk of escape, and there is no reason to order custody in the case when the court knows the address where the defendant resides undeclared, regardless of the fact that the defendant does not live at the address where he has registered residence (Decision of the Court of Appeal in Belgrade, KŽ2. no. 1411/11 of April 29, 2011).

### **Collusive danger**

The danger of collusion, that is, the danger of evidentiary obstruction of the defendant, is a special basis for ordering custody.

According to Article 211, paragraph 1, item 2 of the Code of Criminal Procedure, this danger exists in cases where existing circumstances indicate that the defendant will destroy, hide, alter or falsify evidence or traces of a criminal offense or if special

circumstances indicate that he will interfere with the proceedings by influencing witnesses, accomplices or concealers. When there are circumstances that indicate that the defendant can directly or indirectly influence witnesses or accomplices, destroy documentation and other valid evidence, collude with them, blackmail or threaten them, this is an aggravating circumstance for the authority conducting the proceedings, as well as the procedure of proving the committed criminal offense that is charged to the defendant, which justifies that the acting authority determines the measure of custody. Also, there is a danger that the defendant may destroy, hide or replace the evidence or traces of the committed criminal offense that have not been found until then, as well as that his possible accomplices may help him in this. These are justifiable reasons that demand that the defendant be ordered into custody and that his activity in the aforementioned sense be disabled and that the authorities conducting the proceedings be given the opportunity to collect material evidence to establish the defendant's guilt and the possibility of unhindered criminal proceedings.

The defendant can exert causal influence either in a direct conversation, i.e. verbal contact with witnesses, accomplices or concealers, either in a telephone conversation, through the exchange of letters, e-mail correspondence, or any other adequate technical means of communication (Bejatović, et al., 2013:186).

The duration of detention on this basis can be in effect until the evidence for which it was determined is provided, and at the latest until the first-instance judgment is passed, so the Code of Criminal Procedure distinguishes between the possibility of obstructing the accused by influencing two groups of evidence, namely, as material evidence and as statements that arise from certain personal sources of evidence, i.e. from the testimony of certain persons.

The defendant can destroy, hide, change or falsify material evidence in order to avoid the possibility of not proving or disputing the well-founded allegations of the prosecution about the facts against him in the proceedings. Destruction of evidence can be done by physically destroying evidence or traces. Hiding is the moving of evidence to a location unknown to the procedural authorities that would use it in the

procedure. In each specific case, it is necessary to assess whether there is a possibility of evidential obstruction by the defendant, and therefore, whether it is justified to order detention on the basis of this optional reason.

It is necessary for the court to point out the existence of causal danger in each specific case with its decisions. Thus, it can happen that during the interrogation, the defendant gives different statements about the defendant's participation and role in the commission of criminal acts, while he is on friendly terms with the second accused who has not yet been heard because he is on the run (Matijašević, et al 2008:19).

During his stay at liberty, there is a possibility that the defendant may change the evidence by physical, chemical, mechanical or other actions, and he may also falsify the original evidence in its content and form, thus making it impossible to prove his participation in the commission of the criminal offense charged against him. The existence of the defendant's causal danger is also reflected in the actions he undertakes by influencing the statements of witnesses, accomplices or concealers, given that their testimonies represent a crucial means of evidence for the final outcome of the criminal proceedings. The defendant can use his activities to intimidate witnesses or promise them certain rewards if they testify in his favor. Thus, the legislator foresees the means of protection of witnesses, accomplices and concealers, in order to prevent influence on them, and all for the purpose of sealing false and "fabricated" statements that they would give in the process of establishing the truth about the committed criminal act.

For the extension of detention on this basis, it is not enough to indicate only the abstract possibility of influencing the statements given by witnesses, accomplices or concealers, but special circumstances that predict the existence of this danger should be determined and specified. When detention is ordered on this basis, its duration can be until the moment of securing the evidence that should have been obtained. Therefore, the court cannot extend detention on the basis of the evidence obtained until then, given that there must be other reasons provided by law for further extension of detention. When a decision is made on the extension or cancellation of detention, it is necessary to

specify the specific circumstances on the basis of which the decision is made, as well as its justification.

### **Danger of repeating the act**

In order to determine this measure provided for in Article 211, paragraph 1, item 3 of the Code of Criminal Procedure, it is necessary to have special circumstances that indicate that the defendant will repeat the criminal offense in a short period of time, complete the attempted criminal offense, or commit the criminal offense he threatens to commit. It represents a danger of repeating the criminal act and grounds for determining the measure of detention for preventive reasons. As recivism violates and violates the basic human rights of citizens, the legislator prescribed this measure in order to protect people's safety. The conditions for determining this measure are circumstances that would exist and indicate the possibility that the defendant will repeat or complete the attempted criminal offense, that is, that he will commit the offense he threatens. Each of these dangers is both an independent, and a common, i.e., simultaneous reason that is the basis for determining custody. The criminal offense that the defendant repeats can be the same or of the same type, while the criminal offense that was charged to the defendant and ended in an attempt can be completed. During all the aforementioned actions of the defendant, it is necessary that the expressed threat is manifested and understood as serious. When it comes to the court's opinion regarding the facts that are "special circumstances" on the basis of which the decision to determine custody and the existence of real danger will be based, it is necessary to take into account the defendant's previous convictions, the time interval from the last conviction of the defendant to the time when he committed a new criminal offense that is not being charged, as well as whether the committed criminal offenses were of the same type and whether they were committed against the same injured person.

In the process of making a decision as to whether there is a danger of repeating the criminal act, it is necessary in each specific case to determine the factual assessment of the situation and its evaluation, which gives the possibility of correct decision-making when making the

decision. Thus, the facts and circumstances that indicate the danger of repeating the criminal act, which were already the subject of the assessment and the basis for ordering the detention of the defendant, and then for the extension of the detention, lose their importance and weight with the passage of time, and in the absence of new facts, they can no longer be the basis for the application of detention as the most severe measure, but the same purpose can be achieved by the application of milder measures. (Decision of the Appellate Court in Belgrade, Special Department, KŽ2-Po1. 109/21. dated 16.7.2021).

The danger of repeating the crime (as a basis for ordering custody) must be determined to the extent of the existence of special circumstances "that" the defendant will repeat the criminal offense in a short period of time, so detention cannot be ordered against the defendant if the court determines the existence of circumstances that indicate "that could repeat the work in a short period of time. (Decision of the High Court in Belgrade KŽ2 No. 436/21 of April 7, 2021 and Decision of the Basic Court in Mladenovac K. No. 399/20 – Kv No. 148/21 of March 17, 2021).

A number of objective circumstances may indicate that the defendant may repeat the criminal offense, such as: the fact that the defendant is a special returnee, i.e. there is a well-founded suspicion that he has committed the same or related criminal offense for which he was already convicted, that he is addicted to the use of psychoactive substances, that a large amount of objects that were intended or used for the commission of criminal acts of document forgery, illegal production, possession, carrying and trafficking of weapons and explosive substances, counterfeiting of money or forgery and misuse of payment cards were taken from the defendant.

Special circumstances that indicate that the defendant will repeat the criminal offense in a short period of time, in this particular case, are that the defendant is accused of committing a criminal offense while serving his prison sentence in the premises where he lives. (Decision of the High Court in Belgrade KŽ2 No. 963/21 of July 27, 2021 and Decision of the Basic Court in Obrenovac K. No. 70/21 of July 5, 2021).

This ground for detention, although it also acts as a preventive measure to prevent the commission of a criminal offense, essentially indirectly satisfies the legitimate goal by which detention is intended to achieve the goal defined by the CPC and the Constitution of the Republic of Serbia - that detention is a measure that is determined only when it is necessary for conducting criminal proceedings (Sinanović, 2013:61).

According to the defendant, detention is justified for the reason that he often changes residences, is not employed and is a heroin addict, who in a short period committed several criminal acts of robbery in order to get the money he needs as a heroin addict. In order to determine the measure of detention on this basis, it is necessary to determine the relevant and special circumstances that indicate the danger that the defendant will repeat the crime if he is at liberty, with the fact that there is a legal obligation to establish the existence of special circumstances for the said reason for detention.

The decision on determining or extending detention due to the risk of repeating the criminal offense must contain specific reasons based on collected data and evidence, from which it can be concluded with certainty that there is some legal basis for granting detention, and which must be argued with a detailed explanation.

### **Public disturbance**

Determining the measure of custody due to public disturbance is provided for in Article 211, paragraph 1, point 4 of the Code of Criminal Procedure, with the cumulative existence of the stipulated conditions. It is debatable on the basis of which parameters the court makes an assessment and which criteria it uses in relation to making a decision that the foreseen procedures could cause "public disturbance" which could threaten the smooth and fair conduct of criminal proceedings. Certainly, this condition represents the unity of the objective gravity of the committed criminal act and the punishment provided for that crime, along with the mandatory condition of cumulateness, which requires that the manner and severity of the criminal act charged to the defendant, may lead to public uproar, which could also affect to the smooth and fair conduct of criminal proceedings. It can be stated that,

first of all, public disturbances should be viewed from the aspect of protecting citizens, i.e. preserving public safety, which would be violated due to the way the crime was committed and the consequences of the crime, and which among citizens can be seen in the fact that due to the severity and consequences of the committed criminal act, due to the defendant's stay at liberty, fear or panic prevailed among them. In order for public disturbance to be a condition for detention, it is necessary that the manner and severity of the consequences of the committed criminal act be causally-consequently related to public disturbance, as well as the need for public disturbance in that case to be in a cause-and-effect relationship with the emergence of the possibility of jeopardizing the smooth and fair conduct of criminal proceedings procedure, with the existence of causality between them. The legitimacy of certain detention for this reason would be justified only if there is a possibility of proving that the release of the defendant would undeniably disturb the public and possibly violate public order. The extension of detention is justified for this reason if public pressure would be more pronounced, which could endanger the rights of the accused and the smooth conduct of criminal proceedings.

Disturbing the public, as one of the cumulative conditions, justifies the extension of custody on the legal basis provided for in Article 211, paragraph 1, item 4 of the CPC, with the fact that the criminal offense charged to the defendant is prescribed a prison sentence of more than ten years, that is, a prison sentence of more than five years for a criminal offense with elements of violence or that the first-instance verdict imposed a prison sentence of five years. From the following example of court practice, it can be stated that, considering that the defendant was charged with the criminal acts of rape and attempted rape, for which the punishment is more than 10 years in prison, that the manner of committing the criminal acts and the severity of the consequences led to disturbing the public which may threaten the smooth and fair conduct of criminal proceedings because there is reasonable suspicion that the defendant committed them in the house of the injured party, that the defendant and the injured party were the first neighbors who live in a small town and know each other, that light

physical injuries were inflicted on the injured persons, that the said criminal acts cause the injured persons a feeling of shame, humiliation, suffering and pain, especially in a small community. (Decision of the Court of Appeal in Kragujevac, KŽ 370/2016 of April 21, 2016).

When the execution of the criminal offense was accompanied by cruelty, recklessness or some manner that makes it particularly difficult, which represents the existence of particularities in the manner of execution of the criminal offense or the consequences that occurred, this is also one of the cumulative conditions on the basis of which the court can issue a decision to order the defendant to be detained, because his stay at liberty could cause a lot of pressure from the public, which could threaten the defendant's rights to a fair trial, as well as the reactions of victims and citizens.

Disturbing the public as a reason for ordering detention must exist at the moment when the court makes a decision whether to order the defendant into custody, bearing in mind that not every public disturbance is a reason for ordering detention, but only that which may threaten the smooth and fair conduct of criminal proceedings. In order to extend the detention on this basis, it is necessary that public concern exists and continues at the moment when a decision is made whether the detention needs to be extended

The court certainly has an obligation when deciding whether there is a basis for harassment, to precisely state and explain the reason, that is, the way in which public harassment can affect the smooth and fair conduct of criminal proceedings. By the way, the public's anxiety also arises due to the way the crime was committed, that is, the consequences that occurred after that. This basis for ordering detention combines as an objective condition the seriousness of the crime and the threatened punishment, but it also sets an additional condition that must be cumulatively fulfilled, so that the manner of execution or the seriousness of the consequences of the criminal offense led to public anxiety, and this could threaten the smooth and fair administration criminal proceedings. According to the Decision of the Appellate Court in Belgrade KŽ2 Po1 no. 208/12 of May 21, 2012 and the decision of the High Court in Belgrade - Special Department K.Po1 no. 11/12 – Kv.Po1

no.292/12 of May 3, 2012. public harassment in terms of its scope and intensity must exceed the usual harassment that is usually present in all cases where serious criminal offenses are tried. This measure is also imposed when criminal proceedings are conducted for the committed criminal acts of aggravated murder as well as criminal acts against sexual freedom, especially when they were committed against children or minors, as well as when the defendant is a public figure or holds a high position in society.

Also, the public may be upset when the course of the proceedings is monitored by the media that report on it to the public, so that the presentation of certain facts in the proceedings may have an impact on the obstruction and smooth and fair conduct of the criminal proceedings. In addition to the stated grounds for ordering custody, special grounds are also prescribed in the summary procedure, the procedure for imposing a security measure of mandatory psychiatric treatment and during the extradition procedure.

## **Conclusion**

The presence of the accused is necessary for the smooth and successful conduct of criminal proceedings. When the defendant avoids to facilitate the smooth running of the same by his presence, the legislator has foreseen the measures that will be determined against him and thus force him to act. The most difficult measure for ensuring the presence of the accused and for the smooth conduct of the criminal proceedings is detention, which requires the fulfillment of certain conditions in order to determine its presence against the accused.

The legal reasons for ordering detention, for a person who is suspected of being the perpetrator of the criminal offense charged against him, are prescribed by Article 211 of the Code of Criminal Procedure.

They refer to establishing the identity of a person who avoids attending the main hearing, which indicates the possibility of escape, as well as circumstances that indicate the possibility of destroying, altering, falsifying evidence of a committed criminal offense, as well as the possibility of influencing witnesses, accomplices or concealers. Also,

the reasons for ordering detention can be the circumstances that there will be a repetition of the criminal offense in for a short period of time or to commit a new criminal offense that he threatens, as well as a reason that may arise from disturbing the public, which may threaten the smooth and fair conduct of criminal proceedings.

Regardless of the reasons for which the court makes a decision on the detention of a certain person, in each specific case it is obliged to always assess whether the conditions prescribed by law for the application of this measure are met, as well as whether it is necessary to apply it, bearing in mind the principle of legal security of guaranteed human rights, above all, the right to personal freedom.

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## **Zakonski osnovi za određivanje pritvora prema ZKP-u, i sudskoj praksi u Republici Srbiji**

Teodora Živadinović

Pravni fakultet za privredu i pravosuđe, Novi Sad

### **Sažetak**

Kada je obavezno prisustvo okrivljenog u toku vođenja krivičnog postupka a okrivljeni izbegava to učini i omogući nesmetano vođenje istog, postoje, Zakonom o krivičnom postupku predviđeni su uslovi kojima se njegovo prisustvo obezbeđuje. Postoji nekoliko predviđenih mera kojima se prisustvo okrivljenog može obezbediti počev od poziva kao najblaže mere do pritvora kao najteže mere koju je predvideo Zakonik o krivičnom postupku Republike Srbije, predviđajući da se pritvor može primeniti kao poslednja mera procesne prinude. Razlozi za određivanje pritvora određeni su članom 211 Zakonika o krivičnom postupku, s tim da je osnovni preduslov za određivanje pritvora okrivljenom postojanje osnovane sumnje da je okrivljeni učinio krivično delo koje mu se stavlja na teret. U ovom radu osvrnućemo se ponaosob na zakonom predviđene osnove, koji opravdavaju i nalažu određivanje mere pritvora prema osumnjičenom.

*Ključne reči:* pritvor, Zakonik o krivičnom postupku, uslov za određivanje pritvora, sudska praksa.

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The paper should have the following structure: names and affiliations of author(s) (name and surname, address of their organization/institution and e-mail address of the author for correspondence), title, abstract (150-250 words), keywords (4-6), text, list of references. All structure elements

must meet the Conditions for editing scientific journals, which are published as Annex 1 to Pravilnik o kategorizaciji i rangiranju naučnih časopisa [Rulebook on categorization and ranking of scientific journals („Službeni glasnik RS“, broj 159 od 30. decembra 2020).

### **Name(s) of author(s)**

One paper can have a maximum of three authors. The surname(s) and initial(s) of the author(s) should be written in their original form (with Serbian diacritical marks, diacritical marks used in other world languages or diacritical marks in alphabets of national minorities and ethnic groups). The surname(s) and initial(s) of the author(s) name(s) are written without stating one's position and title.

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If there is more than one author, only the address of one author who is in charge of communication should be given. ORCID numbers (<https://orcid.org/>) should be stated for all authors.

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The title gives the first impression of the work which is why it is important that it describes the content of the article as faithfully as possible, but also attracts attention and provokes interest to read that manuscript. It is in the interest of the journal and the author to use words suitable for indexing and searching. Try to be concise and write the title of your paper in as few words as possible.

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(<https://apastyle.apa.org/style-grammar-guidelines/capitalization/title-case>)

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In title case, major words are capitalized, and most minor words are lowercase. In sentence case, most major and minor words are lowercase (proper nouns are an exception in that they are always capitalized).

major words: Nouns, verbs (including linking verbs), adjectives, adverbs, pronouns, and all words of four letters or more are considered major words. minor words: Short (i.e., three letters or fewer) conjunctions, short prepositions, and all articles are considered minor words.

In title case, capitalize the following words in a title or heading:

- the first word of the title or heading, even if it is a minor word such as "The" or "A"
- the first word of a subtitle the first word after a colon, em dash, or end punctuation in a heading major words, including the second part of hyphenated major
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Lowercase only minor words that are three letters or fewer in a title or heading (except the first word in a title or subtitle or the first word after a colon, em dash, or end punctuation in a heading):

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- all headings within a work (Levels 1–5; these are also bold or bold italic)
- the title of your own paper and of named sections and subsections within it

the Results section

- titles of periodicals (these are also italicized)

*Journal of Latin Psychology*

*Chicago Tribune*

- table titles (these are also italicized)
- figure titles (these are also italicized), axis labels, and legends

## **Abstract**

An abstract is a short informative presentation of the content of an article that allows the reader to quickly and accurately assess its relevance. It is in the interest of journals and authors that abstracts contain terms that are often used to index and search articles. Elements of the abstract are the aim of the research, methods, results and a brief conclusion. The abstract may also contain other elements - national, regional, cultural context, the social background of research, national significance of the research, etc.

## Keywords

Keywords are terms or phrases that thematically, theoretically, methodologically, disciplinary, subdisciplinary and in other relevant ways refer to the content of the article for indexing and searching. In principle, they should be assigned based on an international source (list, dictionary or thesaurus) that is most widely accepted either within the given scientific field (e.g. in the field of medicine, Medical Subject Headings) or in science in general (e.g. Web of Science list of keywords). In identity sciences, keywords also reflect the need to preserve the cultural, scientific and technological heritage of the Republic of Serbia. Keywords are given immediately after the abstract and in the language of the abstract. For papers to be more searchable it is recommended that keywords not be the words used in the title, unless it is a word that does not have an adequate synonymous replacement and is very important for search.

## Text of the paper

The text of the paper should be in Word document format, as follows:

- font: Verdana;
- page size: 6.69" x 9.45" (17 x 24 cm);
- margins: Top 0.98" (25 mm); Bottom 0,79" (20 mm); Left 0,79" (20 mm); 0,79" Right (20 mm);
- to write the text use font-style normal font (upright), unless otherwise stated;
- line spacing in the text: 1.15 pt;
- line spacing in footnotes: 1 pt;
- font size of the title: 12 pt bold;
- font-size of subtitles: 11 pt bold;
- font-size of body text: 10.5 pt;
- font-size of footnotes: 9.5 pt;
- font size for tables, graphs and figures: 10 pt;
- indentation of the first line of the paragraph: 0.5 (12.7 mm) (option: Paragraph /Special /First line);
- text alignment: Justify;
- text colour: Automatic;
- page numbering: no numbering;

- do not break words by entering hyphens in the next line (Paragraph /Line and Pages /don't hyphenate);
- save the paper in Word 97-2003 Document format (\*.doc).

A scientific article can have a maximum of 30,000 characters with spaces, including the list of references, written and formatted according to the general guidelines for word processing found at the end of this guide, in the section "Text formatting". On occasion, a monograph study may be larger, but not less than 40 pages per author. Book reviews can contain text of up to 1,500 words.

### **Thank-you note**

The name and number of the project financed from the budget, i.e. the name of the program within which the article was written, as well as the name of the scientific research organization and the ministry that financed the project or program, are stated in a special note after the conclusion, before the list of references.

### **Previous versions of the paper**

If the article was presented at a conference in the form of an oral statement in a previous version (under the same or similar title), that piece of information should be stated in a special note at the bottom of the first page of the article. A paper that has already been published in a journal or a collection of papers cannot be published in another journal under a similar title nor in an amended form, in terms of evaluating scientific research results.

### **Submitting papers**

The journal is published three times a year. Deadlines for submitting papers are February 15th, May 15th and September 15th.

The authors are obliged to submit a signed and scanned author's statement when submitting their paper, stating that the paper (wholly or in part) has not been previously published, i.e. that it is not auto-plagiarism or plagiarism.

The statement form can be downloaded from the journal's website:

<https://kpolisa.com/Authorship-statement-the-Culture-of-Polis.pdf>

Submit papers by uploading them on the electronic platform of the journal – click on the Make a Submission button, on the right side of the cover page of the journal, or find the same option in the drop-down menu (About us – Submissions).

### **Citation rules**

The journal Kultura polisa uses the APA citation style, 7th edition, which includes citing bibliographic parentheses according to the author-date system in the text, as well as a list of references with bibliographic data after the text of the paper.

Direct quotations (verbatim – word for word) must be shown in quotation marks (note the quotation marks for the English language: ALT 147/ALT148). When quoting a text that is not in the original language of the work in which it is cited, no quotation marks are used, because there is no direct match of the words in the search engine, but the source of the citation must be indicated, as in all other cases. If a direct citation is longer than 40 words, no quotation marks are used – such a citation must be in a text block, which is indented by 0.5 inches, with the source cited before the block or at the end of the block, before the last punctuation mark. The spacing in the block is 1.5. Example:

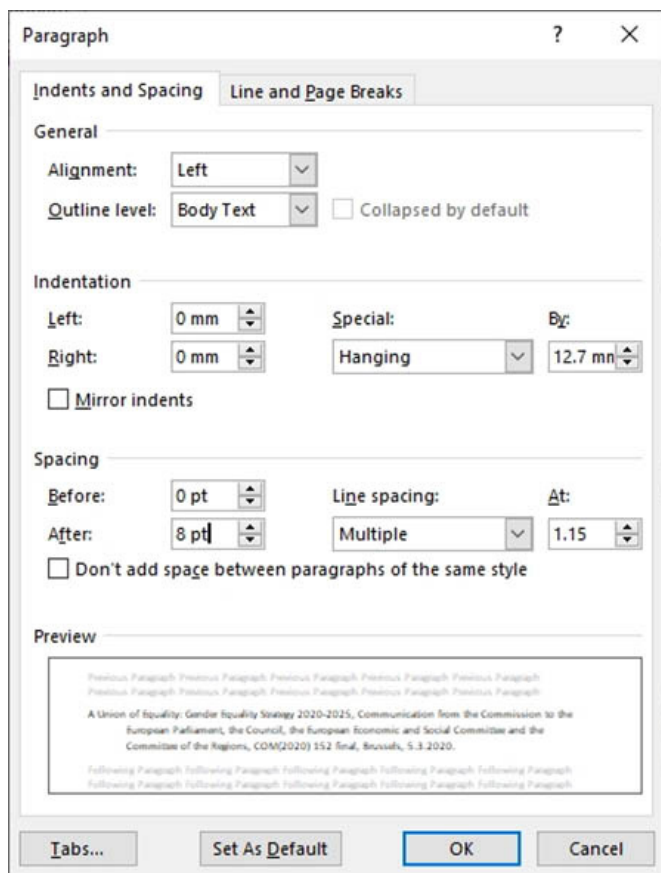
self-regulating consensus rules governing the platform, and finally a personalized article selection mechanism for users – personalized journalism.

In the case when there were a small number of publishing houses on the journalistic market, they behaved monopolistically.

The press had authority over setting agendas, and readers had no choice but to receive the news that the press decided was important to them. At that time, the press called readers 'the masses' and treated them as one mass (Figure 1). A mass by definition is not able to choose the news according to personal wishes (Kim & Yongik, 2018).

When they took positions, it was very difficult for the competition to enter the market, so they

The list of references (References) begins on a new page after the text of the Conclusion. Reference sources are arranged without numbering, in alphabetical order by the first letter of the last name of the first author for each source. In the settings under the "Paragraph" tab, set the hanging indent to the value 0.5", i.e. 12.7 mm, and this value is also the basic setting of Microsoft Word. Set the spacing for the list of references as follows: Before 0, After 8.



Unlike the rules for writing titles and subtitles in the article itself, the titles of sources in the list of references are written according to the rules for Sentence case, i.e. by starting the sentence with a capital letter and all other words in the sentence with a lowercase letter, except in the case of proper names. This rule applies in the reference list

regardless of how the title of the cited work is written in its original form. This rule does not apply to journal titles.

Examples:

Lee, B., Rumrill, P., & Tansey, T. N. (2022). Examining the role of resilience and hope in grit in multiple sclerosis. *Frontiers in Neurology*, 13, Article 875133. CC BY.

<https://doi.org/10.3389/fneur.2022.875133>

Smith, H. (2019). Monetizing movement. In M. Graham, R. Kitchin, S. Mattern & J. Shaw (Eds.), *How to run a city like Amazon, and other fables* (pp. 570-605). Meatspace Press.

[https://issuu.com/meatspacepress/docs/how\\_to\\_run\\_a\\_city\\_like\\_amazon\\_and\\_other\\_fables](https://issuu.com/meatspacepress/docs/how_to_run_a_city_like_amazon_and_other_fables)

If non-Latin alphabet material is cited in the English text, references should be transcribed into the Latin alphabet. In APA style, the list of references must be displayed in alphabetical order, which would not be possible if the references were in another alphabet. When citing sources written in another language, the title of the source (article/book/book chapter, etc.) in the list of references should be translated into English in square brackets immediately after the original title, without using italics in square brackets. The title of a journal or an edited book (collection), as well as the name of the publisher, must also be written in the Latin alphabet, but not translated. If there is an official English translation, it can be used, especially in cases where it provides a better understanding of the topic or publication.

Below are the rules and examples for inputting bibliographical data in the list of references and in the text. For each type of reference, the citation rule is given first, followed by an example of a citation in the list of references and bibliographic parenthesis.

Bibliographic parentheses are usually put at the end of the sentence, before the punctuation mark, and contain the author's surname, year of publication and the corresponding page number(s), according to the following example: (Bjelajac, 2017, pp. 15–17).

## Monograph (Book)

### *Single author*

Surname, initial (s) of the name(s) (if the author uses a middle name, first write the initial of the personal name, space, then the initial of the middle name). Year of publication in parentheses. *Title*. Publisher (without stating the seat of the publisher, unless the seat is an integral part of the name of the publisher, such as the University of Belgrade).

Bjelajac, Ž. (2017). *Bezbednosna kultura – umeće življenja* [Security culture – The art of living]. Univerzitet Privredna akademija u Novom Sadu: Pravni fakultet za privredu i pravosuđe u Novom Sadu.

(Bjelajac, 2017, p. 25)

Fukuyama, F. (1992). *The end of history and the last man*. Free Press.

(Fukuyama, 1992, p. 65)

### *Two authors*

Author Surname, Initial(s)., & Author Surname, Initial(s). (Year). *Title*. Publisher.

Despotović, Lj., & Jevtović, Z. (2010). *Geopolitika i mediji* [Geopolitics and media]. Grafomarketing.

(Despotović & Jevtović, 2010, pp. 34–36)

Krastev, I., & Holmes, S. (2019). *The light that failed*. Allen Lane.

(Krastev & Holmes, 2019, pp. 23–24)

### *Three or more authors*

Author Surname, Initial(s)., Author Surname, Initial(s)., & Author Surname, Initial(s). (Year). *Title*. Publisher.

Milisaavljević, B., Varinac, S., Litričin, A., Jovanović, A., & Blagojević, B. (2017). *Komentar Zakona o javno-privatnom partnerstvu i koncesijama: prema stanju zakonodavstva od 7. januara 2017. godine*

[Commentary on the Law on public-private partnerships and concessions: According to the state of legislation from January 7, 2017]. *Službeni glasnik & Pravni fakultet Univerziteta u Beogradu*.

(Milisavljević et al., 2017, p. 37)

### ***Editor / compiler / translator instead of author***

If there is an editor instead of an author, insert the editor's name in the place of the author's, followed by (Ed.) or (Eds.) for more than one editor.

Kaltwasser, C. R., Taggart, P., Ochoa Espejo, P., & Ostigoy, P. (Eds.). (2017). *The Oxford handbook of populism*. Oxford University Press.

(Kaltwasser et al., 2017)

### ***Same bibliographic parenthesis, multiple references***

*Different authors – References separated by semicolons.*

(Stepić, 2015, p. 61; Knežević, 2014, p. 158)

*Same author, different years - State the author's surname, and then the years of publication of different references in the order from earliest to most recent and separate them with a comma, i.e. a semicolon when stating the number of pages.*

(Stepić 2012, 2015) or (Stepić 2012, p. 30; 2015, p. 69)

*Different authors, same last name - Some authors have the same last name, if this happens the initials (s) of the author should be added in all citations, even if the year of publication is different.*

(Subotić, D., 2010, p. 97), (Subotić, M., 2010, p. 302)

(Williams, A., 2009), (Williams, J., 2010)

### ***Book / Proceedings – Chapter***

Author of chapter Surname, Initial(s). (Year). Title of chapter. In Editor of book Initial(s). Editor of book Surname (Ed(s).), Title of book (Edition if not first., Page numbers). Publisher.

Stepić, M. (2015). Pozicija Srbije pred početak Velikog rata sa stanovišta Prvog i Drugog zakona geopolitike. In M. Stepić & Lj. P. Ristić (Eds.), *Srbija i geopolitičke prilike u Evropi 1914. godine* (pp. 55–78). Gradska biblioteka u Lajkovcu & Institut za političke studije u Beogradu.

(Stepić, 2015, p. 61)

Lošonc, A. (Ed.). (2019). Discursive dependence of politics with the confrontation between republicanism and neoliberalism. In D. M. Vukasović & P. Matić (Eds.), *Discourse and politics* (pp. 23–46). Institute for Political Studies in Belgrade.

(Lošonc, 2019, p. 31)

### **Journal article**

#### ***Regular edition***

Author of chapter Surname, Initial(s). (Year). *Title of journal/periodical, Volume(Number)*, page range. DOI (if available)

Gaćinović, R. (2020). Sistem kao izraz uređenosti određene delatnosti u društvu [The system as an expression of the orderliness of certain activity in society]. *Kultura polisa*, 17(41), 247–258.

(Gaćinović, 2020, p. 253)

Bjelajac, Ž. Đ., Dašić, D., & Spasović, M. (2011). EU environmental policy and its criminal law framework. *Medjunarodni problemi*, 63(4), 567–582. <https://doi.org/10.2298/MEDJP1104567B>

(Bjelajac et al., 2011, p. 571)

#### ***Special issue or special section in a journal***

Editor Surname, Initial(s)., Editor surname, Initial(s)., & Editor Surname, Initial(s). (Eds.). (Year). Title of the special issue [Special issue]. Journal title, volume(issue). DOI broj (if available)

Bjelajac, Ž. Đ., & Filipović, A. M. (Eds.). (2020). Pedofilija – Uzroci i posledice [Pedophilia – Causes and consequences] [Special Issue]. *Kultura polisa*, 17(1).

(Bjelajac & Filipović, 2020).

Campbell, K., Lustig, C., & Hasher, L. (Eds.). (2020). Aging and inhibition: The view ahead [Special issue]. *Psychology and Aging*, 35(5).

(Campbell et al., 2020)

If you are citing an article within a special section or issue (rather than the entire issue or section), use the format for a journal article. You do not need to include the title of the special section or issue.

Delibašić, V. (2020). Krivičnopravna zaštita dece od seksualnih zloupotreba [Criminal protection of children from sexual abuse]. *Kultura polisa*, 17(1), 53–67.

(Delibašić, 2020, p. 58)

## Blog

Author Surname, Initial(s). (Date in full). Title of the blog post. *Name of the blog*. URL

Lee, C. (2010, November 18). How to cite something you found on a website in APA style. *APA Style Blog*.

<http://blog.apastyle.org/apastyle/2010/11/how-to-cite-something-you-found-on-a-website-in-apa-style.html>

(Lee, 2010)

The author of the blog may use a screen name, if this is the case then use the screen name in place of the author.

If the author is not indicated on the blog, the name of the blog is used, as well as when quoting a reference with a corporate author.

JCU Library News. (2019, May 28). Reading challenge reviews:

Football heroes and tragics. *JCU Library News*.

<https://jculibrarynews.blogspot.com/2019/05/reading-challenge-reviews-football.html>

(JCU Library News, 2019)

## Encyclopedias and dictionaries

### **Unknown author**

Surname, Initial(s). (Ed(s).). (Year of Publication). *Title of encyclopedia/dictionary*. Volume (if there is more than one). Publisher Name. URL (if available)

Manning, M. J., & Wyatt, C. R. (Eds.). ( 2011). *Encyclopedia of media and propaganda in wartime America*. ABC-CLIO.

(Manning & Wyatt, 2011)

Title of entry. (Year of Publication). In Editor's initial(s). Last Name. (Ed(s).). *Name of encyclopedia or dictionary* (edition if given and not the first edition). Publisher Name. URL

Nirvana. (2001). In S. Sadie (Ed.). *The new Grove dictionary of music and musicians* (2nd ed., Vol. 17). Macmillan Publishers.

(Sadie, 2001)

### **Known author(s)**

Author's Last name, First Initial. Second Initial if Given. (Year of Publication). Title of entry. In Editor's First Initial. Second Initial if given. Last Name (Ed.), *Name of encyclopedia or dictionary* (edition if given and is not first edition., p. or pp. page number or numbers). Publisher name. DOI or URL if given

Bowman, S., & Johnson, S. (2007). Age stratification and the elderly. In K. Christensen & D. Levinson (Eds.), *Encyclopedia of community: From the village to the virtual world*. SAGE Publications.

<https://doi.org/10.4135/9781412952583.n7> (Original work published 2003)

(Bowman & Johnson, 2003/2007)

### **Corporate or group author**

Name of Institution or Group. (Year of Publication, or n.d. if unknown). *Name of encyclopedia or dictionary* (edition if given and is not the first edition) prvo). Publisher Name. DOI of URL if available.

Oxford University Press. (n.d.). Zombie. In *Oxford English dictionary*. Oxford University Press. Retrieved January 4, 2020, from <https://oed.com/view/Entry/232982>

(Oxford University Press, n.d.)

### **Doctoral dissertation**

Surname, Initial(s). (Year of Publication). *Title of dissertation: subtitle*. [Description, Name of University: Faculty (if necessary)]. Name of archive or website. URL

Filipović, A. (2016). *Paradigma kulturološkog pozicioniranja video igre* [The paradigm of cultural positioning of video games]. [Unpublished doctoral dissertation, Univerzitet umetnosti: Fakultet dramskih umetnosti].

(Filipović 2019, 145–147)

Axford J.C. (2007). *What constitutes success in Pacific Island community conserved areas?* [Doctoral dissertation, University of Queensland]. UQ eSpace.

<http://espace.library.uq.edu.au/view/UQ:158747>

(Axford, 2007)

### **Newspaper or magazine article**

#### **Known author(s)**

Author Surname, Initial(s). (Full date of publication). Title of Article. *Title of newspaper or magazine*, page numbers. (for printed edition). URL (for online edition)

Avakumović, M. (2019, December 8). Platni razredi – 2021. godine [Salary classes – 2021]. *Politika*.

<https://www.politika.rs/sr/clanak/443548/Ekonomija/Platni-razredi-2021-godine>

(Avakumović, 2019)

### **Unknown author(s)**

Title of article: subtitle, if it is given. (Full date). *Title of newspaper or magazine*, page numbers (for printed edition). URL (for online edition)

Get on board for train safety. (2012, June 17). *Toronto Star*, A14.

In text – (“one two or three words from the title”, year, page numbers)  
 (“Get on board”, 2012, p. A14)

### **Corporate as author**

Name of Institution [acronym, if necessary]. (Year of Publication). *Title* (edition, if it is not the first). Name of Publisher (not if the same organization is the author and the publisher).

Ministarstvo za evropske integracije Republike Srbije [Ministry of European Integration of the Republic of Serbia [MEI]]. (2018). *Vodič za korišćenje EU fondova u Srbiji; IPA II (2014–2020. god)* [Guide to the use of EU funds in Serbia; IPA II (2014–2020)].

First citing

(Ministarstvo za evropske integracije Republike Srbije [MEI], 2018)

Next citings

(MEI, 2018)

National Fire Protection Association. (2009). *Fundamentals of fire fighting skills* (2nd ed.). Jones and Bartlett.

First citing

(National Fire Protection Association [NFPA], 2009)

Next citings

(NFPA, 2009)

## Legal acts

### ***Constitution and laws, decisions of state bodies and institutions***

Author [Abbreviated form as needed]. (Year of adoption). *Name of the act*. (Name of the official gazette and number with numbers of amendments). Publisher (if the author and the publisher are the same, then this is omitted). URL

Narodna skupština Republike Srbije [Narodna skupština]. (2006). *Ustav Republike Srbije* [Constitution of the Republic of Serbia]. (Službeni glasnik Republike Srbije, br. 98/06).

[https://www.srbija.gov.rs/view\\_file.php?file\\_id=2391 &cache = sr](https://www.srbija.gov.rs/view_file.php?file_id=2391 &cache = sr)

First citing

(Narodna skupština Republike Srbije, 2006, Art. 33)

Next citings

(Narodna skupština, 2006, Art. 25)

Narodna skupština Republike Srbije. (2019). *Zakon o osnovama sistema obrazovanja i vaspitanja* [Law on the Fundamentals of the Education System]. (Službeni glasnik Republike Srbije, br. 88/2017, 27/2018 – dr. zakon, 10/2019 i 27/2018 – dr. zakon). Paragraf.

[https://www.paragraf.rs/propisi/zakon\\_o\\_osnovama\\_sistema\\_obrazovanja\\_i\\_vaspitanja.html](https://www.paragraf.rs/propisi/zakon_o_osnovama_sistema_obrazovanja_i_vaspitanja.html)

(Narodna skupština republike Srbije, 2019, Art. 17, para. 4)

(Narodna skupština, 2019, Art. 23)

National Institute of Mental Health. (1990 ). *Clinical training in serious mental illness* (DHHS Publication No. ADM 90–1679). US Government.

(National Institute of Mental Health, 1990)

Zaštitnik građana Republike Srbije [Zaštitnik građana]. (2012, October 22). Mišljenje br. 15–3314/12 [Opinion No. 15–3314/12].

[https://www.osobesainvaliditetom.rs/attachments/083\\_misljenje%20ZG%20DZ.pdf](https://www.osobesainvaliditetom.rs/attachments/083_misljenje%20ZG%20DZ.pdf)

(Zaštitnik građana Republike Srbije, 15–3314/12)

(Zaštitnik građana, 15–3314/12)

### ***Legislative acts of the European Union***

Legislation type and Number of Legislation. *Name of the act*. EU Body/Agency. Official Journal of the European Union. Series, Issue Number. URL.

Regulation (EU) No 182/2011. *Laying down the rules and general principles concerning mechanisms for control by Member states of the Commission's exercise of implementing powers*. The European Parliament & the Council of the European Union. Official Journal of the European Union, L 55.

<http://data.europa.eu/eli/reg/2011/182/oj>

(Regulation 182/2011, Art. 3)

### ***European Union treaties and founding agreements***

Name of the act [Acronym if necessary]. (Year). Official Journal of the European Union. Series, Issue Number. URL

Consolidated version of the Treaty on European Union [TEU]. (2012 ). Official Journal C 326, 26/10/2012 P. 0001 – 0390.

[http://data.europa.eu/eli/treaty/teu\\_2012/oj](http://data.europa.eu/eli/treaty/teu_2012/oj).

(TEU, 2012, Art. 3)

### ***International treaties of the United Nations***

Treaty Title [Acronym or abbreviated name]. (Date of signing or entering into force). Registration in the UN – UNTS number, registration number from the website *United Nations Treaty Collection*: <https://treaties.un.org>. URL

Marrakesh agreement establishing the World Trade Organization [Marrakesh Agreement]. (1994, April 15). UNTS 1867, I-31874.

<https://treaties.un.org/doc/Publication/UNTS/Volume%201867/volume-1867-A-31874-English.pdf>

(Marrakesh Agreement, 1994)

## ***Court practice***

### *Court practice in the Republic of Serbia*

Legislation type and name of the court [acronym of the court], case number and date. Name and number of the official gazette or other publication in which the judgment was published – if applicable. URL

Odluka Ustavnog suda Republike Srbije [USRS] [Decision of the Constitutional court of the Republic of Serbia], IUa-2/2009 od 13. juna 2009. Službeni glasnik RS, br. 68/2012.

(Odluka USRS, IUa-2/2009)

Rešenje Apelacionog suda u Novom Sadu [ASNS] [Decision of the Court of appeals in Novi Sad], Ržr-1/16 od 27. aprila 2016. godine.

(Rešenje ASNS, Ržr-1/16)

### *The case law of the International Court of Justice*

Types of decisions can be Order, Judgment, Jurisdiction Judgment, Merits Judgment, and Advisory Opinion.

*Name of the case (Parties, often abbreviated)*, type of hearing, type of decision (if applicable), I.C.J. Rep. Year of the reporter (volume, if applicable) (date of the decision), first page of the decision (if published), page and paragraph referenced (if applicable).

*Legality of use of force (Yugoslavia v. United Kingdom)*, Provisional Measures Order, I.C.J. Rep. 1999 (June 2), p. 826.

(Yugoslavia v. United Kingdom, 1999)

*Arrest warrant of 11 April 2000 (Democratic Republic of the Congo v. Belgium)*, Judgment, I.C.J. Rep. 2002 (I) (Feb. 14).

(Democratic Republic of the Congo v. Belgium, 2002)

*Legality of the use by a state of nuclear weapons in armed conflict*, advisory opinion, I.C.J. Rep. 1996 (July 8), p. 66.

(I.C.J. Rep. 1996)

*Jurisprudence: European Court of Justice (ECJ) & Court of First Instance (EFI)*

Cite cases introduced before January 1, 1989 by "Case", case number [number/year of filing], name of the parties (italicized and separated by "v"), year of decision (in square brackets), title of the reporter ("ECR"), volume (if necessary), and page and paragraph referenced:

Case 120/88. *Commission v Italy* [1991]. ECR I-621.

(Case 120/88)

Cite cases introduced after January 1, 1989 by "Case", followed by "T" (for the Court of First Instance) or "C" (for the European Court of Justice), case number [number/year of filing], name of the parties (italicized and separated by "v"), year of decision (in square brackets), title of the reporter ("ECR"), volume, and page and paragraph referenced:

Case T-224/95. *Tremblay and Others v Commission* [1997]. ECR , II-2215.

(Case T-224/95)

Case C-242/95. *GT-Link* [1997]. ECR , I-4449, para. 36.

(Case C-242/95)

*Jurisprudence: European Court of Human Rights (ECHR)*

Cite cases decided on or after November 1, 1998, by *name of parties* (italicized and separated by "v") [type of decision (note: a judgment on the merits has no designation), or, if decided by the Grand Chamber, [GC]], case number, section(s) referenced, date (optional), and abbreviated title of the reporter in which the case is published (ECHR), year, and volume:

*Brumarescu v. Romania* [GC], no. 28342/95, § § 52-53, ECHR 1999-VII.

(*Brumarescu v. Romania*, 1995/1999)

*Messina v. Italy* (dec.), no. 25498/94, ECHR 1999-V.

(*Messina v. Italy*, 1994/1999)

*Smith and Grady v. the United Kingdom* (just satisfaction), nos. 33985/96 and 33986/96, § 13, 25 July 2000, ECHR 2000-IX.

(*Smith and Grady v. the United Kingdom*, 1996/2000)

*Akman v. Turkey* (striking out), no. 37453/97, ECHR 2001-VI.

(*Akman v. Turkey*, 1997/2001)

*Jurisprudence of other international courts and tribunals*

Look at:

[https://www.law.nyu.edu/sites/default/files/upload\\_documents/Final\\_GFILC\\_pdf.pdf](https://www.law.nyu.edu/sites/default/files/upload_documents/Final_GFILC_pdf.pdf)

### **Video – Sharing website (e.g. You Tube, Vimeo)**

#### ***Video***

Author surname, initial(s) [Screen name]. (Year, month day). *Title of video* [Video]. Source. URL

University of Sheffield Library [uniSheffieldLib]. (2019, January 30). *Information and digital literacy workshops* [Video]. YouTube.

<https://www.youtube.com/watch?v=Lm7bLmbKOk0>

(University of Sheffield Library, 2019)

Radiohead (2009, April 22). Radiohead – No surprises [Video]. YouTube. <https://www.youtube.com/watch?v=u5CVsCnxyXg>

(Radiohead, 2009)

#### ***Video channel***

Author surname, initial(s) [Screen name]. (n.d.). Tab name [Source]. Retrieved date, from URL

University of Sheffield Library [uniSheffieldLib]. (n.d.). Home [YouTube channel]. Retrieved August 12, 2020, from

<https://www.youtube.com/user/uniSheffieldLib>

(University of Sheffield Library, n.d.)

### Website (Internet page)

Author Surname, Initials. or Name of organisation. (Date Year, Month day). *Title of webpage*. Site name (if not the same as the Name of organisation). URL

Binding, L. (2020, July 21). *River Thames has higher density of microplastics than other major European rivers*. Sky News. <https://news.sky.com/story/river-thames-has-higherdensity-of-microplastics-than-other-major-european-rivers-12033067>

(Binding, 2020)

World Health Organisation. (2018, May 18). *Assistive technology*. <https://www.who.int/news-room/fact-sheets/detail/assistive-technology>

(World Health Organisation, 2018)

(WHO, 2018)

### Tables and figures

Tables and figures are attached as an appendix at the end of the article, starting from a new page after the list of references. The title of a table/figure is written above it, and below the word Table/Figure with a number indicating the order in the text, with one space – spacing 1.15, space 6pt Before and After – alignment justify, without indenting the text, according to the following example:

#### **Table 2**

*Title*

#### **Figure 1**

*Title*

Below the table/figure, with one space – line spacing 1.15, space 6pt Before – a note is added. There are three types of notes - those describing the contents of a figure that cannot be understood from the figure

title, an image and/or legend alone (e.g., definitions of abbreviations or explanations of asterisks used to indicate certain values), and those attributing copyright. Examples:

*Note.* The map does not include data for Puerto Rico. Adapted from 2017 poverty rate in the United States, by U.S. Census Bureau, 2017 (<https://www.census.gov/library/visualizations/2018/comm/acs-poverty-map.html>). In the public domain.

*Note.* Number of studies = 120, number of effects = 782, total N = 52,578. CI = confidence interval; LL = lower limit; UL = upper limit.

*Note.* Lyamouri–Bajja et al. (2012, p. 57).

Tables and figures help authors present a large amount of information to readers in an easier and more understandable way. The tables show numerical values and/or textual information arranged in rows and columns. An image is an illustrative presentation of information using charts, diagrams, infographics, drawings, photographs, etc. In order for the tables and figures to help readers understand your work more easily, the data in them needs to be presented in a way that readers do not need to read the text to understand.

Use the tables feature of your word-processing program to create a table. Do not use the tab key or space bar to manually create the look of a table. The parameters being compared should not be displayed in the same column. Use the same font type in the tables as in the rest of the article. Do not use vertical borders to separate data. For the necessary clarity of the display, it is enough to use horizontal edges at the top and bottom of the table, below column headings, and if necessary, to separate a row containing totals or other summary information from other rows in the table. Use spacing between columns and rows and strict alignment to clarify relations among the elements in a table. If a table is longer than one page, use the tables feature of your word-processing program to make the headings row repeat on the second and any subsequent pages.

Make sure the axes shown are clearly visible and the images are sharp enough. The legend is entered inside the edges of the figure. Use

graphics software to create figures in APA Style papers – the built-in graphics features of your word-processing program (e.g., Microsoft Word or Excel) or special programs such as Photoshop or Inkscape.

## Special cases of citing references

### ***Citing the second and each subsequent edition***

Surname, Initial(s). (Year of publication). *Title* (edition note).  
Publisher.

Gaćinović, R. (2018). *Mlada Bosna* (drugo dopunjeno i izmenjeno izdanje) [Young Bosnia, (2nd edition)]. Evro Book.

### ***Multiple references by the same author***

1) *Same author, different years* – Sort by year of publication, starting from the earliest.

2) *Same author, same year* – Arrange in alphabetical order of the initial letter of the reference's name. In addition to the year of publication, put the initial letters of the alphabet, which are also used in bibliographic parentheses.

Gaćinović, R. (2018a). Vojna neutralnost i budućnost Srbije [Military neutrality and the future of Serbia]. *Politika nacionalne bezbednosti*, 14 (1), 23–38. <https://doi.org/10.22182/pnb.1412018.2>

Gaćinović, R. (2018b). *Mlada Bosna* (drugo dopunjeno i izmenjeno izdanje) [Young Bosnia (2nd edition)]. Evro Book.

(Gaćinović, 2018a, p. 25), (Gaćinović 2018b)

3) *The same author as an independent author and as a co-author* – First list the references in which he is an independent author, and then those in which he is a co-author.

4) *The same author as the first co-author in several different references* – Arrange in alphabetical order the surname of the second co-author.

Pollitt, C., Birchall, J., & Putman, K. (1998). *Decentralising public service management*. Macmillan Press.

Pollitt, C., Talbot, C., Caulfield, J., & Smullen., A. (2005). *Agencies: How governments do things through semi-autonomous organizations*. Palgrave Macmillan.

## Special cases of citing bibliographic parentheses

### ***Exceptions to citing bibliographic parentheses at the end of a sentence***

*Citing the author's surname within the sentence* – Put the year of publication in brackets after stating the surname, and the page number at the end of the sentence in brackets.

According to Bjelajac (2017), ... (30).

*Citing the author's surname within the sentence before the citation from the reference* – After citing the surname, state the year and page number in the bibliographic parenthesis, and then cite the citation.

As Bjelajac (2017, p. 45) states: " ... "

Fukuyama (1992, p. 57) explicitly states: " ... "

*Citing the same reference several times in one paragraph* – If the same page or range of pages is cited, enter the bibliographic parenthesis at the last citation or at the end of the paragraph before the punctuation mark. If different pages are cited, state the reference when quoting the specific page for the first time, and then, until the end of the paragraph, put out only different page numbers in parentheses. If the next citation refers to the same reference as the previous citation, do not enter the author's name in parentheses, but only the year and page.

(Bjelajac, 2017, p. 34)

.....

(2017, p. 46)

Do not use "the same", "*ibid*", or "*op. cit.*" for multiple citing of a reference.

***Citing the terms "see", "compare", etc.***

Enter these expressions in bibliographic parenthesis.

(see Bjelajac 2017, p. 153)

(Stepić, 2015; compare Knežević, 2014)

***Secondary referencing***

This is when you reference one author who is referring to the work of another, and the primary source is not available. *Secondary referencing should be avoided if possible.*

If you have only read the latter publication you are accepting someone else's opinion and interpretation of the author's original intention. You cannot have formed your own view or critically appraised whether the secondary author has adequately presented the original material.

You must make it clear to your reader which author you have read whilst giving details of the original.

Use 'as cited in' if the author has cited the work of another, e.g.

(Chomsky, 1999 as cited in Đurić & Stojadinović, 2018, p. 47)

If the author has directly quoted from an original piece of work then you would use 'as quoted in' e.g.

„Tom prilikom neoliberalizam se od strane najvećeg broja njegovih protagonista najčešće određuje kao politika slobodnog tržišta“ (Chomsky, 1999, p. 7, as quoted in Đurić & Stojadinović, 2018, p. 47).

In the references, list only the secondary reference.

Đurić, Ž., & Stojadinović, M. (2018). Država i neoliberalni modeli urušavanja nacionalnih političkih institucija [The state and neoliberal models of collapsing national political institutions]. *Srpska politička misao*, 62(4), 41–57. <https://doi.org/10.22182/spm.6242018.2>

***Same bibliographic parenthesis, multiple references***

*Different authors* – Separate references with semicolons.

(Stepić, 2015, p. 61; Knežević, 2014, p. 158)

*Same author, different years* – Give the author's last name, and then the year of publication of the various references in order from earliest to most recent, and separate them with a comma, i.e., a semicolon when stating the number of pages.

(Stepić 2012, 2015) or (Stepić 2012, p. 30; 2015, p. 69)

*Different authors, same last name* – Some authors have the same last name, and if this happens the author's name initial(s) should be added in all citations, even if the year of publication is different.

(Subotić, D., 2010, p. 97), (Subotić, M., 2010, p. 302)

(Williams, A., 2009), (Williams, J., 2010)

### **Application of spelling rules**

Align the papers with the spelling rules of the English language.

Please, pay special attention to the following:

- Some well-known foreign expressions should be written only in the original language in italics, e.g.: *de iure*, *de facto*, *a priori*, *a posteriori*, *sui generis*, etc.
- Do not start a sentence with an acronym, abbreviation or number.
- Always end the text in the footnotes with a full stop.
- URLs among the sources in the list of references should be linked to the hyperlink, without putting a full stop at the end of the link.
- Use quotation marks that are specific to the language (" ", « », etc.).
- Write a hyphen with space before and after or without space, never with space only before or only after. When enumerating, as well as between numbers, including page numbers, use a dash (–) instead of a hyphen (-). For dash use the keyboard command: Alt+150.
- Do not use bold or underline to emphasize certain words, but only italics or quotation marks or quotation marks (‘ □).
- Idem, ibidem, op. cit. – These are not used in APA style. Always use the Author (Year) and (Author, Year) formats.

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