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Environmental Guide Through Legal Regulations: Navigating Through the Complexity of Legal Regulations

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Environmental Guide Through Legal Regulations: Navigating Through the Complexity of Legal Regulations

Abstract

The issue of ecology and the activities that are important for it for several decades is an ever-current issue that is sometimes perceived lightly. This paper examines the impact of legal legislation and environmental awareness on the effective implementation of environmental protection measures in the Republic of Serbia. It is hypothesized that a deeper understanding of environmental legal regulations contributes to a better reaction of institutions to environmental challenges. The analysis highlights the importance of the legal regulation and institutional framework, including the Criminal Code and relevant sectoral laws, that define environmental crime. In this paper, he points out the inconsistency between different state authorities in the fight against environmental crime, through examples of ineffective communication and coordination. A specific incident illustrates the need for a systematic approach, improving education and harmonizing legal norms. The goal is to raise awareness of environmental issues, both on an individual and global level, thus contributing to a more sustainable relationship between man and nature. And finally, this work can be seen as a unique ecological guide through legal regulations.

Keywords: Environment, environmental awareness, legislation, environmental crime, crime, compliance of institutions, coordination, efficiency

Introduction

Strengthening environmental awareness and legal literacy through a structured approach to legislation contributes to a more efficient application of environmental protection measures.

In modern society, the issue of environmental protection is gaining more and more importance. People's awareness of the importance of protecting the environment that immediately surrounds us and in which we live is gradually growing. Of course, nature itself, in its own way, "tried" to draw our attention in several ways to the fact that we, as a civilization, have seriously failed the test of preserving the planet. Everyday floods, droughts, the complete extinction of certain species and the conversion of fertile areas into deserts are just some of the drastic changes that are happening around the world. States and the international community respond to these challenges through the adoption of numerous high-quality laws and international conventions. However, the key challenge, according to the author, lies in harmonizing the work of institutions, environmental challenges and current legal regulations. How the Republic of Serbia faced this problem and how we can further improve and coordinate efforts in environmental protection as a country, represents the basic idea of this work.

The hypothesis of this paper presents an analysis and understanding of the complexity of environmental legal regulations that enable effective navigation within the regulatory system. Understanding the basic laws, with a special emphasis on criminal law aspects, in the context of this complex regulation and numerous institutions participating in the fight against environmental crime, can provide key guidelines for concrete steps that would practically contribute to the implementation of

environmental policies. This claim rests on the assumption that better knowledge of legal instruments enables more efficient management of environmental challenges, thus encouraging a more sustainable relationship between man and nature.

The goal of this work is to raise awareness of this entire issue, while the indirect goal of this work is to actualize the importance of environmental issues not only on a personal level but also on a global level.

Environment and ecology: symbiosis of nature and science

Environmental protection is indispensable for the survival of the human species, given our natural origin and deep connection with nature. For centuries, as a civilization, we have been consuming natural resources without bothering to renew them. Consequently, the idea of environmental law as a special branch of law arose relatively recently, only in the seventies of the twentieth century (Viga, Gajinov, 2011:15). In the Republic of Serbia, the first systemic law regulating the field of environmental protection was adopted in 1991 (Law on Environmental Protection). From then on, legal theory recognized the necessity of legal regulation of this area of human life and environmental law became an independent branch of law that includes a wide range of principles and legal rules that regulate the relationship of man to the entire living and non-living environment, as well as their mutual interaction. (Viga, Gajinov, 2011:20).

Numerous professional works on the issue of the concept of environmental law sublimate the following: "Environmental law is a dynamic and complex legal discipline characterized by multidisciplinary, a special subject and method of study, as well as specific principles" (Drenovak-Ivanović, 2021:18).

The connection between environmental law, the environment, numerous regulations and institutions forms a complex network that regulates the relationship between man and nature. Within this network, environmental law plays a key role by setting the norms and principles that should guide environmental protection. Sanctioning of violations of measures from this area is in the domain of criminal law - substantive, procedural and enforceable criminal law, economic offenses (Viga, Gajinov, 2011:20). Numerous regulations often face the challenge of non-compliance, and institutional capacities are not always optimally used.

The focus of this paper is the criminal law protection of the environment, which represents the last line of defense in this area, because it is prevention that is of key importance. As a secondary goal of the law, it is raising preventive awareness about environmental protection. Precisely because of the aforementioned, it is necessary to pay attention to this issue by looking at the jurisdiction of the prosecution, criminal law regulations, pointing out the institutions responsible for the implementation of environmental protection, with reference to the basic laws and authorities that apply them in the Republic of Serbia.

Legislative and institutional frameworks in the fight against environmental crime

The Republic of Serbia has regulated environmental crime with a broad legislative framework. The scope of the Public Prosecutor's Offices in the Republic of Serbia (hereinafter referred to as the Public Prosecutor's Office) includes primarily dealing with criminal offenses from the Criminal Code, but this chapter will highlight the number of other laws and criminal offenses incriminated in them, which are of great importance for the fight against environmental crime, which we believe are rarely applied.

Undoubtedly, the first starting point of any normative analysis must be the Constitution of the Republic of Serbia, which guarantees that everyone has the right to a healthy environment and timely and complete information about its condition (Constitution of the Republic of Serbia).

The Criminal Code of the Republic of Serbia in chapter twenty-four, as a consequence of the aforementioned provisions of the Constitution, defines environmental protection as its protective object. The criminal acts included in this chapter of the Criminal Code are numerous, specifically there are 18 of them and they are:

Environmental pollution, Article 260, Failure to take measures to protect the environment, Article 261, Illegal construction and commissioning of facilities and installations that pollute the environment, Article 262, Damage to facilities and devices for environmental protection, Article 263, Damage to the environment, Article 264, Destruction, damage, export abroad and import into Serbia of protected natural goods, Article 265, Import of dangerous substances into Serbia and unauthorized processing, disposal and storage of dangerous substances, Article 266, Illegal construction of nuclear facilities, Article 267, Violation of the right to information on the state of the environment, Article 268, Killing and abuse of animals, Article 269, Transmission of infectious diseases in animals and plants, Article 270, Negligent provision of veterinary care, Article 271, Production of harmful means for treating animals, Article 272, Contamination of food and water for Feeding animals, Article 273, Deforestation, Article 274, Forest theft, Article 275, Illegal hunting, Article 276, Illegal fishing, Article 277.

Apart from the Criminal Code, quite a number of other laws also deal with the criminalization of criminal offenses in the field of environmental protection. So we have:

- Water Act: Unauthorized filling and use of reservoirs, art. 209 and Damages during the exploitation of river sediments, art. 210.
- Law on mining and geological research: Criminal acts incriminated in the provisions of articles 177, 178, 179.
- Law on Plant Health: Criminal act incriminated in the provisions of Article 9.
- Law on means of plant protection: Criminal act incriminated in the provisions of art. 78.
- Law on Veterinary Medicine: Criminal act incriminated in the provisions of Article 154.
- Law on maritime navigation: Pollution of the marine environment, art. 194.
- Law on Genetically Modified Organisms: Criminal act incriminated in the provisions of Article 154.

The aforementioned laws, together with the Criminal Code, form the main basis for the criminal law protection of the environment in the work of Public Prosecutor's Offices.

However, they are not all relevant regulations, nor are they unified in a way that would enable their consistent and effective application in the work of all institutions of the Republic of Serbia responsible for combating various forms of environmental crime.

It is very important to note that the majority of criminal law norms in this area are of a blanket nature. This means that for a proper understanding of the protective object of the criminal offense, the norm of other, basic laws that regulate this area must also be incorporated. The framework for environmental protection in Serbia is provided by the Law on Environmental Protection, together with its amendments, as well as the Law on Environmental Impact Assessment and the Law on Strategic Environmental Impact Assessment. The Law on Integrated Prevention and Control of Environmental Pollution is very important.

In addition to these basic regulations, the environmental legislation of Serbia also contains a number of sectoral laws dealing with the protection of water, air, soil, nature, noise, ionizing and non-ionizing radiation, as well as waste and hazardous materials management (Drenovak-Ivanović, 2018:15). In the aforementioned laws, in the penal provisions, misdemeanor liability and liability for economic offense are foreseen.

It should be noted that certain parts of the conventions, such as the Paris Agreement on climate change, etc. have been ratified and incorporated into our legal system, while also a large number of very important conventions are still "pending" to be implemented in the positive legislation of the Republic of Serbia.

Nothing is simpler when the fight against environmental crime is approached from the position of the institutions responsible for solving it. In this paper, the work of the court will not be analyzed, but the emphasis is on the three state services that are the first in the sequence of reactions when a criminal offense is committed.

Criminal offenses in the field of environmental crime are under the jurisdiction of the prosecutor's offices on the territory of the Republic of Serbia. There is no doubt that the creation of a special unit for combating environmental crime at the Ministry of Internal Affairs of the RS contributed to the work of the PPO on the prosecution of perpetrators of crimes in this sphere. The unit for combating environmental crime and environmental protection started its work on April 1, 2022. It is part of the Criminal Police Administration and has three departments: 1. Department for combating crime against biodiversity, 2. Department for combating crime in the field of waste and hazardous materials management, 3. Department for protection and combating crime against the environment from damage, pollution and other harmful effects. Specifically, at the Ministry of Internal Affairs of the Republic of Serbia, the Police Department of Subotica, there is the aforementioned unit, the so-called environmental unit, the Group for Suppression of Environmental Crime and Environmental Protection.

On the other hand, institutionally, apart from competent prosecutors, courts and police, a very serious scope of competence in the field of environmental protection is given to competent inspections. The umbrella law, the Law on State Administration (2018) states at the very beginning that state administration consists of ministries, administrative bodies within ministries and special organizations – state administration bodies.

Accordingly, in the Republic of Serbia, according to the Law on Ministries (2023), there is a Ministry of Agriculture, Forestry and Water Management, which includes:

1. Veterinary Administration: veterinary inspection and border veterinary inspection,
2. Forestry Administration: forestry and hunting inspection,
3. Agricultural Land Administration: agricultural inspection,
4. Plant Protection Administration: phytosanitary inspection and border phytosanitary inspection
5. Administration for Agrarian Payments,
6. Republic Directorate for Water: Water Inspection and
7. Directorate for National Reference Laboratories.

It is also necessary to point out the Environmental Protection Inspection at the Ministry of Environmental Protection. This inspection enabled access to very important sources of information in a very transparent and simple way by viewing their electronic website. First, it is the List of valid regulations in the field of environmental protection (2017), secondly, the Table of Competencies (2017) of this Inspection.

To specify. Although they belong to Ministries of different jurisdictions, the Law on Inspection Supervision (2018) applies to all inspections, where Article 1 regulates the content, types, forms and procedure of inspection supervision, powers and obligations of participants in inspection supervision and other issues of importance for inspection supervision. The work of all the aforementioned inspections is of essential importance for the efficient functioning of both the police and the prosecutor's office. Inspectors represent professionally trained staff, with specific knowledge and skills that are crucial for working in the field, whether it is about crimes or misdemeanors. They are often the first, or together with the police, to come into contact with environmental incidents, and the further course of investigation and action depends to a large extent on their skills and judgment, in accordance with legal provisions. However, their work is not adequately coordinated with prosecutors offices and the police, so the available resources are often not used, or it is not even known what resources are available to prosecutors, police and inspectors, due to the lack of a systematic approach to environmental incidents.

Green fraud, discovery of environmental crime

The Republic of According to the officially available information of the Supreme Public Prosecutor's Office of the Republic of Serbia - in the mentioned year, still under the name of the Republic Public Prosecutor's Office of the RS (2023), according to the Annual Report on the Work of Public Prosecutor's Offices for the year 2022, 1652 persons were reported for crimes against the environment, the previous year 1477 persons , which indicates a small increase in the number of registered persons.

But, when you look at the number of reported crimes and the number of people, comparing 2021 and 2022, the situation is not the best.

Out of 18 prescribed criminal acts, 12 were reported, and there is also a colorful picture. Thus, we have the largest number of reported persons for the criminal offense of Forest Theft, Article 275 of the CC, as many as 1,187 (in 2021, 938 persons), followed by the criminal offense of Animal Abuse and Torture from Article 269 of the CC, with 129 persons reported (in 2021, year 187 persons). Next in number are the criminal offense of Illegal hunting, Article 276 of the CC, with 96 persons reported (in 2021, 109 persons), and the criminal offense of Deforestation, under Article 274 of the CC, with 68 persons reported (in 2021, 36 persons). We have a relatively identical number of reported persons for the following crimes: Illegal fishing, Article 277 of the CC (2022-26 persons, 2021-27 persons), Environmental pollution, Article 260 of the CC (2022-20 persons, 2021-25 persons), Failure to take measures to protect the environment, Article 261 of the CC (2022-18 persons, 2021-17 persons), Contamination of food and water for consumption, i.e. animal feeding, Article 273 of the CC (2022-3 persons, 2021-2 faces). However, there are criminal acts where the number of reported persons has increased or decreased, if we compare the year 2021-2022. For the criminal offense of bringing dangerous substances into Serbia and illegal processing, disposal and storage of dangerous substances, article 266 CC (2022-67 persons, 2021-5 persons), Environmental damage article 264 CC (2022-20 persons, 2021 -6 persons), Destruction, damage, export abroad and introduction into Serbia of protected natural property, Article 265 CC (2022-16 persons, 2021-8 persons). But the most drastic picture of the number of persons reported in 2022 is for the criminal offense of Violation of the right to information on the state of the environment from Article 268 of the Criminal Code, where 96 persons were reported in 2021, and 2 persons in 2022.

We emphasize that the following criminal acts are completely outside the reporting zone: Illegal construction and commissioning of facilities and facilities that pollute the environment, Article 262 of the CC, Damage to facilities and devices for environmental protection, Article 263 of the CC, Unauthorized construction of nuclear facilities, Article 267 of the CC, Transmission of infectious diseases in animals and plants, Article 270 of the CC, Unconscionable provision of veterinary assistance, Article 271 of the CC and Production of harmful means for treating animals, Article 272 of the CC.

Coordination and efficiency: the key to the solution

The problem of multi-authority work on environmental crime can be defined as a lack of coordination, synchronization and effective cooperation between different authorities and institutions that are responsible for solving environmental crimes. This lack can lead to a number of problems, including overlapping jurisdictions, lack of information sharing, inconsistent strategies and lack of effective mechanisms for joint action. As a final result, there is an insufficient reaction to environmental crimes, a lack of legal responsibility for environmental damages. It is important to investigate and understand the causes of this problem in order to identify opportunities for improving cooperation between authorities and improving the effectiveness of the fight against environmental crime.

For the sake of better and more efficient work on the problem of environmental crime, it is necessary to change the ways of communication between the competent authorities, but above all to work on the techniques of quick and efficient action when the disputed event is observed, because the evidence, bearing in mind the really great specificity of this crime, is sometimes difficult to save e.g. what to do with a fish caught by a person in poaching, where to store a potentially poisoned bird until an expert examination is carried out, how to take a sample from the soil that is contaminated with poisonous liquids, bearing in mind the high absorption of the soil, etc.

One of the first steps should be making a list of basic steps. These lists of basic steps should be prepared for the competent inspection services in particular, and especially for the police and the prosecution. They would contain all the necessary steps when investigating potential acts that threaten the environment as a whole. It is also necessary to list the largest part of criminal acts in the field of environmental crime, and the biggest offenses from basic laws (besides the Criminal Code) that deal with environmental protection, on a separate document, and perhaps in the aforementioned List of Basic Steps. These lists of criminal acts and misdemeanors should only be a basic framework for the qualification of the actual act found on the ground, by no means the final list that includes all criminal acts or all misdemeanors.

Perhaps the most important thing that should be worked on in the future is to create a Database of all available technical resources, experts in relevant fields, expert laboratories, a directory with contact information of services working under all competent ministries involved in environmental protection, zoos or other institutions where animals that were the subject of a criminal offense could be kept, i.e. where soil, water and other evidence collected in the investigation would be adequately stored.

Then, it is necessary to continuously educate all participants in the process of fighting environmental crime. At the same time, we should by no means exclude the technologies that are also available, numerous applications that are used, for example. Great application that can provide

information on environmental parameters at any time, an overview of landfills, the latest news in the field of ecology, etc., or Aarhus centers that are an important source of information in environmental protection.

And finally, compile and maintain a database of punishments imposed for criminal offenses against the environment, which would include a brief statement of the criminal offense, which would be an excellent guide for uniform judicial practice in the field of environmental crime in the territory of the Republic of Serbia.

Conclusion

The Roman saying "Deeds, not words" is still very relevant today, especially when it comes to environmental protection. The existing legal and institutional frameworks in Serbia provide a basis for action, not just words on paper. However, one of the main challenges in the fight to preserve the environment is the human factor. In the legal system, environmental crimes are often ignored or minimized, and individuals who try to solve them are perceived as over-committed or unsuccessful in their efforts.

Nevertheless, awareness of the necessity of preserving nature is growing, and it is supported by numerous new technologies and platforms that provide quality information in the field of ecology. Although this process is slow, it exists, and we are witnessing numerous drastic natural events that remind us more and more often of the importance of preserving the environment.

Now is the key moment for institutions to strengthen mutual cooperation, modernize and systematize their activities in order to advance efforts in the protection of nature and the environment. In this way, we will lay the foundations for a future in which harmony between man and nature will be essential for survival.

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Ekološki vodič kroz pravne propise: Navigacija kroz kompleksnost zakonske regulative

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Sažetak

Pitanje ekologije i aktivnosti koje su od značaja za nju više decenija unazad predstavlja uvek aktuelno pitanje koje se nekada olako percipira. U ovom radu istražuje se uticaj pravne legislative i ekološke osvešćenosti na efikasnu primenu mera zaštite životne sredine u Republici Srbiji. Postavlja se hipoteza da dublje razumevanje ekoloških pravnih propisa doprinosi boljoj reakciji institucija na ekološke izazove. U analizi se naglašava važnost zakonske regulative i institucionalnog okvira, uključujući Krivični zakon i relevantne sektorske zakone, koji definišu ekološki kriminal. U ovom radu ukazuje na neusklađenost između različitih državnih organa u borbi protiv ekološkog kriminala, kroz primere neefikasne komunikacije i koordinacije. Kroz konkretan incident ilustruje se potreba za sistematskim pristupom, unapređenjem edukacije i usklađivanjem zakonskih normi. Cilj je podizanje svesti o ekološkim pitanjima, kako na individualnom, tako i na globalnom nivou, čime se doprinosi održivijem odnosu između čoveka i prirode. I na kraju, ovaj rad se može sagledavati i kao jedinstveni ekološki vodič kroz pravne propise.

Ključne reči: Životna sredina, ekološka osvešćenost, zakonska regulativa, ekološki kriminal, krivično delo, usklađenost rada institucija, koordinacija, efikasnost

Legal Minority in the European Union: Opportunities, Challenges and Abuses

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Legal Minority in the European Union: Opportunities, Challenges and Abuses

Abstract

The rights of national minorities within the EU member states represent an important and current issue that attracts the attention of many researchers. The EU strives to support national minorities through its conventions and projects, aiming to provide them with economic security, social justice, and, above all, living conditions that enable them to function normally. The subject of this study is the analysis of the conventions through which the EU seeks to improve the status of national minorities, as well as an analysis of models that recommend specific activities and efforts needed to ensure that national minorities have regular access to employment, healthcare, economic prosperity, family formation, parental support, and all other aspects that would enhance tolerance and respect for national minorities in multicultural environments. The study also examines how artificial intelligence, and statistical models could detect hate speech directed at national minorities, and how the level of such hate speech can be reduced and negative consequences prevented. Finally, the study provides predictions about what the EU can expect in the future to ensure that national minorities in all countries achieve equality with the rest of the population, offering numerous useful legal, social, and economic implications.

Keywords: National minorities, European Union, social justice, hate speech, abuses

Introduction

Today, it can be confidently stated that the position and protection of national minorities have moved beyond the realm of exclusive internal jurisdiction of states and have become the subject of both international legal and political obligations of states, as well as the jurisdiction of international, primarily European, organizations (Aha et al., 2024; Samarsky, 2023). In fact, this development is the result of significant efforts within the international community to remove the area of human rights—of which the position and rights of national minorities are an integral part—from the exclusive internal jurisdiction of states and place it under the supervision of specific international institutions (Gilby & Koivusalo, 2024). In this regard, there are no serious objections from the members of the international community, as the chosen course is entirely in line with the Charter and goals of the United Nations (Galbreath & McEvoy, 2012; Johns, 2003).

Belonging to a minority can be assessed based on subjective elements, i.e., the individual's statement about belonging to a particular minority, or based on objective elements, i.e., the existence of certain facts that objectively determine an individual's membership in a specific minority group, such as, for example, belonging to a particular religious organization. A minority refers to groups of individuals, citizens of a given country, who differ from the numerically dominant group of citizens in terms of their ethnic origin, language, national, or religious affiliation (Tesser, 2003; Voiculescu, 2011).

Literature review

Minority rights in the European Union (EU) are regulated by a series of laws, policies, and treaties that protect various ethnic, linguistic, religious, and other minority groups. The European Union advocates for equality and non-discrimination, providing mechanisms for the protection of minorities, but it also faces challenges in implementing these rights in practice (Di Marco, 2023; Ivic, 2024; Mezza et al., 2024; Saeed et al., 2023).

The EU has defined by law the fundamental documents regulating the rights of national minorities, which should provide them with a certain level of protection, social justice, and tolerance from the majority population in member states (Galbreath & McEvoy, 2012; Johns, 2003; Saeed et al., 2023):

Laws and Documents Protecting Minority Rights:

The Charter of Fundamental Rights of the European Union (2000) is the primary document providing legal protection for minority groups. It guarantees equality and prohibits discrimination based on various grounds, including race, ethnicity, religion, language, gender, and others. This Charter of Fundamental Rights is based on a draft previously drawn up by a convention of 16 representatives of the Heads of State or Government of the Member States and of the President of the European Commission, 16 Members of the European Parliament, and 30 members of national parliaments (two from each of the then Member States) under the chairmanship of Professor Roman Herzog, and was solemnly proclaimed to be the 'European Union's Charter of Fundamental Rights' by the Presidents of the European Parliament, the Council and the European Commission on 7 December 2000. During the negotiations on a European constitution, this Charter of Fundamental Rights was revised and made an integral part of the Treaty establishing a Constitution for Europe of 29 October 2004. Following the failure of the Treaty, the Charter of Fundamental Rights was again solemnly proclaimed as the 'European Union's Charter of Fundamental Rights', this time as a separate instrument, by the Presidents of the European Parliament, the Council and the European Commission on 12 December 2007 in Strasbourg. The EU Treaty refers to this version of the charter in binding form. This makes the Charter of Fundamental Rights legally binding and also establishes the applicability of fundamental rights in Union law. (Borhart, 2013)

The European Convention on Human Rights (ECHR) from 1950 establishes standards for the protection of human rights, including the rights of minorities. The ECHR was adopted under the auspices of the Council of Europe, which was founded as a political institution on 5 May 1949. The ECHR value laid down not only in enabling a minimum standard for the protection of human rights, but also in establishing a system of legal protection which enables the bodies established in Strasbourg under it (the European Commission on Human Rights and the European Court of Human Rights) to condemn violations of human rights in the member countries. The mission of Council of Europe is to promote democracy, human rights and the rule of law across Europe and beyond.

Now days, the organization has 46 member states that covers 700 million of citizens. Concerning minority rights the most important instrument adopted under the auspices of the Council of Europe is *Framework Convention for the Protection of National Minorities from 1994*. The Framework convention contains norms of program character (Explanatory Report, 1995). According to general consideration the Framework Convention is the first legally binding multilateral instrument devoted to the protection of

national minorities in general. Its aim is to specify the legal principles which States undertake to respect in order to ensure the protection of national minorities.

The Conference on European Security and Cooperation (OSCE) was the first organization in Europe that launched an initiative for the protection of minorities. The need for minorities' protection was underlined on Conference in Helsinki (1975), as well as on Conference in Copenhagen (1990), where members recognized the need for states to take special measures for the protection of minorities in relation to their own language, religion, culture.

To further support national minorities, the EU has defined a legal and institutional support framework, as well as numerous **directives, projects, conventions, and initiatives** aimed at improving the status of national minorities, thereby enabling them to exercise regular rights like all other residents (Di Marco, 2023; Ivic, 2024; Mezza et al., 2024):

Legal and Institutional Framework of the EU for Minority Rights Protection

1. Charter of Fundamental Rights of the European Union

Article 21: Prohibits discrimination based on ethnic origin, language, religion, and other characteristics.

Article 22: Highlights the EU's obligation to respect cultural, religious, and linguistic diversity.

2. Treaty on European Union (Lisbon Treaty)

Article 2: Emphasizes the values of human dignity, freedom, democracy, equality, the rule of law, and respect for minority rights.

3. Equal Treatment Directive (Racial Equality Directive - 2000/43/EC)

Prohibits discrimination based on racial or ethnic origin in employment, education, social protection, and access to goods and services.

Concerning the above mentioned legal framework the Court of Justice of European Union is the highest and at the same time the sole judicial authority in matters of Union law. In general terms, its task is to 'ensure that in the interpretation of [the] Treaty the law is observed'. This general description of responsibilities encompasses three main areas: a) monitoring the application of Union law, both by the EU institutions; b) when implementing the Treaties, and by the Member States and individuals in relation to their obligations under Union law; c) interpretation of Union law and d) further shaping of Union law. (Borhart, 2013).

However, speaking about the Council of Europe instruments there are separate mechanism of protection embodied in ECHR.

During adoption of Framework Convention for the Protection of National Minorities from 1994 there were discussions on the need for creating the special body for protection of minority rights. The Committee of Ministers of Council of Europe creates an ad hoc Advisory Committee in order to monitor compliance with the principles of the Framework Convention for each member state.

EU Projects and Initiatives

1. Rights, Equality and Citizenship Program

Funds projects promoting equality, combating discrimination, and strengthening minority rights.

2. Europe for Citizens Program

Supports local projects promoting minority inclusion and civic engagement.

3. EQUAL Initiative

Focuses on combating discrimination and promoting equal opportunities in the labor market, including for minorities.

4. Erasmus+ and European Social Fund (ESF)

Promote educational and training programs that involve marginalized groups, including national minorities.

Conventions and Cooperation with International Bodies

1. Framework Convention for the Protection of National Minorities (FCNM)

– Although not directly linked to the EU, all EU member states are signatories to this key convention for minority rights protection.

2. Conferences and Forums

– EU Roma Summit: Regular conferences gathering policymakers, civil society organizations, and Roma community leaders.

– EU Human Rights Forum: Focuses on promoting equality and minority rights.

– Cooperation with NGOs and Monitoring

– The EU collaborates with organizations such as:

– Fundamental Rights Agency (FRA): Monitors the state of human and minority rights.

– European Network Against Racism (ENAR): A network combating discrimination and promoting minority rights.

Examples of Minority Rights in the EU:

Roma: In many EU countries, Roma are exposed to social exclusion, discrimination, and poverty. The EU has introduced several initiatives to improve their situation, such as the Roma Inclusion Strategy, which focuses on education, employment, healthcare, and housing. *LGBT+ Community:* The EU has legal acts protecting LGBT+ rights, such as the prohibition of discrimination in the workplace, the right to marriage and adoption, as well as protection from violence. In some EU member states, such as Sweden, the Netherlands, and Spain, LGBT+ rights are fully recognized and protected. *National Minorities:* For

example, Hungarians and Poles in Slovakia, Serbs in Croatia, and Hungarians in Romania have legal rights to cultural autonomy, the use of their language, and access to education in their language (Francisco & Linner, 2023; Johns, 2003; Zuk & Zuk, 2023).

In line with the primary subject and research objectives related to the analysis of the status of national minorities within EU member states, the main **opportunities and challenges** are highlighted, with particular attention given to the **abuses** faced by members of national minorities.

Opportunities for Minorities in the EU:

Education and Integration: The EU provides opportunities for minority groups to integrate through educational programs that promote multiculturalism and tolerance, as well as access to educational institutions in their own language. *Support through EU Funds:* Minority communities can receive funding from various EU programs, such as the European Social Fund, which helps overcome social exclusion and poverty. *Political Participation:* The EU enables minority groups to engage politically, participate in decision-making, and be represented in political institutions (Sanchez-Sanchez et al., 2023; Perera et al., 2023).

Challenges in Achieving Minority Rights:

Discrimination and Prejudice: Although there are laws and policies in place, discrimination against minorities remains prevalent in many EU countries, particularly towards Roma, migrants, and LGBT+ individuals. *Xenophobia and Populism:* In some EU member states, the rise of populist parties presents challenges for minority groups, as these parties often use rhetoric that demonizes migrants and other minority communities. *Unequal Application of Laws:* Despite the EU having clear legislation, the unequal application of these laws across different member states remains an issue, which can lead to minority rights not always being adequately protected (Castano-Pulgarín et al., 2021; Sanchez-Sanchez et al., 2023; Perera et al., 2023).

Abuses of minority rights

National minorities are exposed to various abuses, with particular emphasis on hate speech directed at them through the internet, particularly on social media.

Politicization of Minority Rights: In some cases, politicians use minority groups as a "weapon" in their political confrontations, often exaggerating or marginalizing minority rights in order to gain political points. *Violations of Minority Rights:* Although the EU provides protection, violations of minority rights frequently occur in practice, such as police brutality against migrants or violence against LGBT+ individuals. Additionally, in some countries, minorities face limited access to justice and protection of their rights. Hate speech against minorities (Roma, members of the LGBT+ community, and migrants) on the internet and social media represents a serious societal issue with numerous negative consequences, including increased discrimination, harm to the mental health of victims, and the undermining of fundamental values such as tolerance and inclusion (Pagallo et al., 2022; Rezvi & Hossain, 2023).

The following section of the paper will outline forms of hate speech directed at national minorities, as well as proposals and strategies primarily aimed at identifying and reducing such hate speech. Here are the key aspects and potential solutions for this situation and hate speech (Alam et al., 2016;

Arayankalam et al., 2024; Bendiek & Römer, 2019; Margono et al., 2024; Okky Ibrohim & Budi, 2023; Pavlidis, 2023; Simović et al., 2024):

Characteristics and Consequences of Hate Speech:

User Anonymity: Many users feel protected by anonymity on the internet, which encourages them to express extreme views.

Rapid Dissemination: Social media algorithms often amplify content that provokes controversy and strong emotions, including hate speech.

Normalization of Intolerance: Frequent exposure to hate speech can diminish empathy and increase tolerance for discriminatory attitudes.

How to Prevent Hate Speech ****

Education and Awareness

- Promoting media and digital literacy among youth and adults.
- Anti-discrimination campaigns emphasizing the importance of tolerance.
- Training on recognizing and reporting hate speech.

Legal Measures

- Strengthening legislation to sanction online hate speech.
- Consistent enforcement of laws and prosecution of hate speech perpetrators.

Social Media Platform Activity

- Improving algorithms to detect and remove hate speech content.
- Continuous moderation and collaboration with independent content reviewers.

Community Engagement

- Encouraging users to report hate speech.
- Amplifying positive narratives and stories that promote diversity.

The authors Yuan, L. & Rizoiu, M.A. (2025) propose the use of artificial intelligence, statistical models, and algorithms to determine the level of hate speech on the internet and social media, in order to identify and neutralize such hate speech.

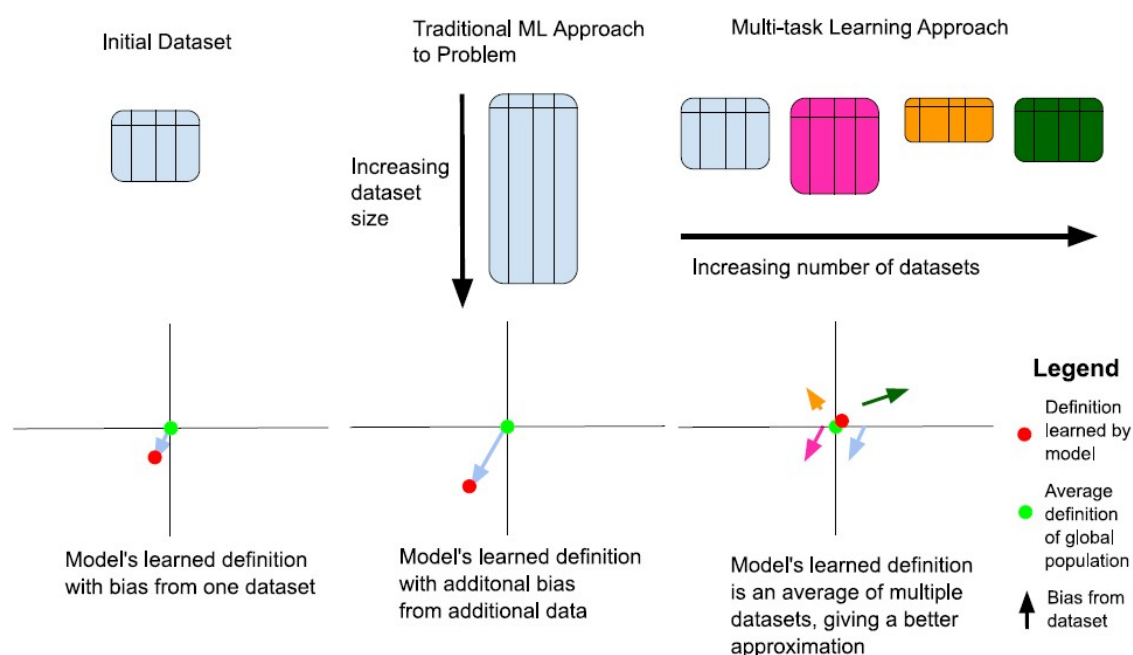
1. Detection of Hate Speech Using Artificial Intelligence

AI models, including Machine Learning (ML) and Deep Learning (DL) algorithms, can analyze large volumes of textual data and identify patterns indicative of hate speech.

Natural Language Processing (NLP) algorithms enable the analysis of text semantics and context to detect offensive, racist, sexist, or homophobic statements.

Sentiment analysis assists in distinguishing negative speech from constructive criticism.

Figure 1. The use of artificial intelligence and statistical models for identifying hate speech on social media



(Yuan & Rizoiu, 2025)

2. Techniques and Models Used

Naive Bayes Classifiers: Utilized for basic text classification tasks, categorizing content as "hate speech" or "neutral speech."

Support Vector Machines (SVMs): Effective for more complex classification tasks where subtle textual distinctions must be identified.

Recurrent Neural Networks (RNNs) and Transformer Models (BERT): Capable of processing contextual information and detecting complex hate speech patterns.

Generative Models (GPT and similar): Used for both natural language understanding and generation.

3. Applications on the Internet

Social Media Moderation: Platforms such as Facebook, X (formerly Twitter), YouTube, and TikTok employ AI systems to automatically detect and remove hate speech.

Comment Moderation on News Websites: Statistical models are used in real-time to block offensive comments.

Chatbots: AI models in customer service identify and respond to offensive remarks.

4. Strategies for Reducing Hate Speech

Proactive Moderation: AI systems can automatically remove content or warn users prior to publication.

Content Labeling: Content that violates guidelines can be restricted or flagged for human review.

User Education: Platforms provide AI-generated feedback to users on why specific content is problematic.

Context Awareness: Advanced models account for the context of conversations to avoid misclassifying jokes or sarcasm as hate speech.

5. Challenges in Implementing AI Models

False Positives/Negatives: AI models sometimes mistakenly remove non-harmful content.

Language and Cultural Differences: Hate speech varies across languages and cultures, complicating the universal application of models.

Language Manipulation: Users deliberately employ word substitutions, hidden messages, and codes to evade detection.

6. The Future of AI in Combating Hate Speech

Personalized Models for Different Languages and Cultures: Enhancing NLP models to recognize language-specific patterns.

Increased Transparency: AI tools will become more transparent to help users understand content moderation decisions.

Hybrid Approach: Combining AI and human moderation remains essential for balancing efficiency and accuracy.

The integration of AI and statistical models, along with human oversight, is becoming a powerful tool for maintaining safe digital spaces for all users.

How to mitigate negative consequences

There are certain ways to reduce the negative consequences of hate speech experienced by members of national minorities, such as psychological support, providing national minorities with opportunities to freely express their opinions, and support from public figures (actors, musicians, athletes) in efforts to reduce hate speech against national minorities on the internet (Gracia-Calandín & Suárez-Montoya, 2023; Keipi et al., 2018):

Psychological Support: Provide access to counseling services for victims of hate speech.

Creating Safe Spaces: Support online communities where minorities can freely express their opinions.

Public Condemnation: Leaders, influencers, and public figures should take a clear stand against hate speech.

There are many ways in which society, states, and humanitarian organizations can support national minorities to ensure they lead free, dignified, and quality lives. Here are the key aspects (Gracia-Calandín

& Suárez-Montoya, 2023; Keipi et al., 2018; Pagallo et al., 2022; Rezvi & Hossain, 2023; Sequeira et al., 2024; Simón-Moreno & Kenna, 2019):

1. Legal and Institutional Empowerment

Anti-Discrimination Laws: Enactment and strict enforcement of laws protecting minorities from discrimination based on ethnicity.

Access to Justice: Provision of free legal assistance to minority groups in cases of discrimination or human rights violations.

Political Participation: Enabling minority groups to have representatives in parliaments, local governments, and other institutions.

2. Education and Cultural Preservation

Educational Policies: Introduction of educational programs in minority languages and scholarships for children and youth from minority groups.

Culture and Language: Support for preserving cultural identity through media, arts, and educational initiatives.

Sensitization of the Majority Population: Educational campaigns emphasizing the importance of intercultural understanding.

3. Economy and Employment

Encouraging Entrepreneurship: Providing grants and favorable loans for minority groups to start businesses.

Training Programs: Professional training and retraining programs that enhance competitiveness in the labor market.

Employment Quotas: Creating affirmative action programs for the employment of minorities.

4. Social Support

Healthcare: Ensuring access to free or affordable healthcare services.

Housing Programs: Subsidized housing and addressing issues related to informal settlements.

Social Security: Direct assistance and empowerment programs for marginalized families.

5. Support for Families and Communities

Family Policy: Support through subsidies for daycare, school supplies, and free school meals.

Integration: Support for inclusive communities where minorities live alongside the majority population.

Safety: Reducing discrimination and violence through police and security service training.

6. Role of Humanitarian Organizations

Advocating for Rights: Raising awareness about minority issues and applying public pressure on institutions.

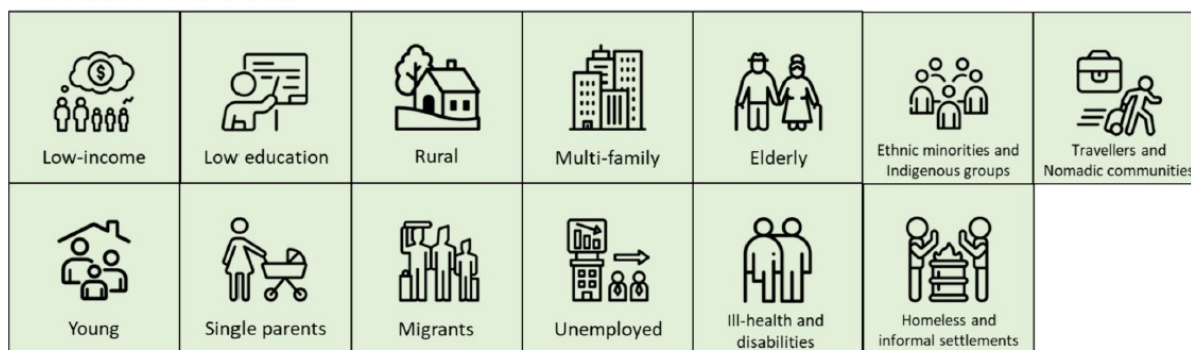
Direct Assistance: Distribution of food, clothing, medical aid, and educational materials.

Mentorship Programs: Providing support to youth from minority groups through education and career guidance.

The authors Sequeira et al. 2024 present a model that utilizes an integrative and holistic approach to identify all important life issues of national minorities and to ensure conditions for a better life and the achievement of social justice in multicultural environments.

Figure 2. A holistic approach to addressing the existential issues of national minorities.

Vulnerable households:



(Sequeira, Gouveia & de Melo, 2024)

EU initiatives supporting minority rights and social inclusion

Through numerous initiatives, projects, and support programs, the EU provides national minorities with access to education, medical care, and opportunities for international travel, family formation, and a stable economic situation, ensuring all the conditions necessary for a regular and stable life(Hossain, 2023; Sequeira et al., 2024; Simón-Moreno & Kenna, 2019):

1. Increasing Income and Employment

- European Social Fund+ (ESF+)
- Provides funding for training, requalification, and employment support for marginalized groups, including minorities and migrants.
- Supports social entrepreneurship programs.

EURES Employment Network

Connects employers and job seekers across the EU, including minority and migrant communities.

2. *Education and Vocational Training*

- Erasmus+ Programme
- Offers minority and marginalized groups opportunities to participate in educational exchanges, vocational training, and inclusive education programs.
- Digital Europe Programme
- Promotes digital literacy and IT training for young people, including minorities.
- Roma Education Fund (REF)
- Focuses on the education of the Roma community through scholarships and local project support.

3. *Housing and Infrastructure*

- European Regional Development Fund (ERDF)
- Finances social housing projects and infrastructure for marginalized communities.
- URBACT Programme
- Encourages the exchange of best practices among cities in housing and minority inclusion.

4. *Family Issues and Support for Single Parents*

- Fund for European Aid to the Most Deprived (FEAD)
- Provides assistance to families at risk of poverty, including food and essential supplies.
- Child Guarantee Initiative
- Ensures access to free education, healthcare, and social services for children, including those from minority families.

5. *Travel and Mobility*

- Schengen Area and Free Movement Rights
- Allows EU citizens, including minorities, to travel freely within member states.
- Erasmus+ Mobility
- Supports study visits and vocational training abroad.

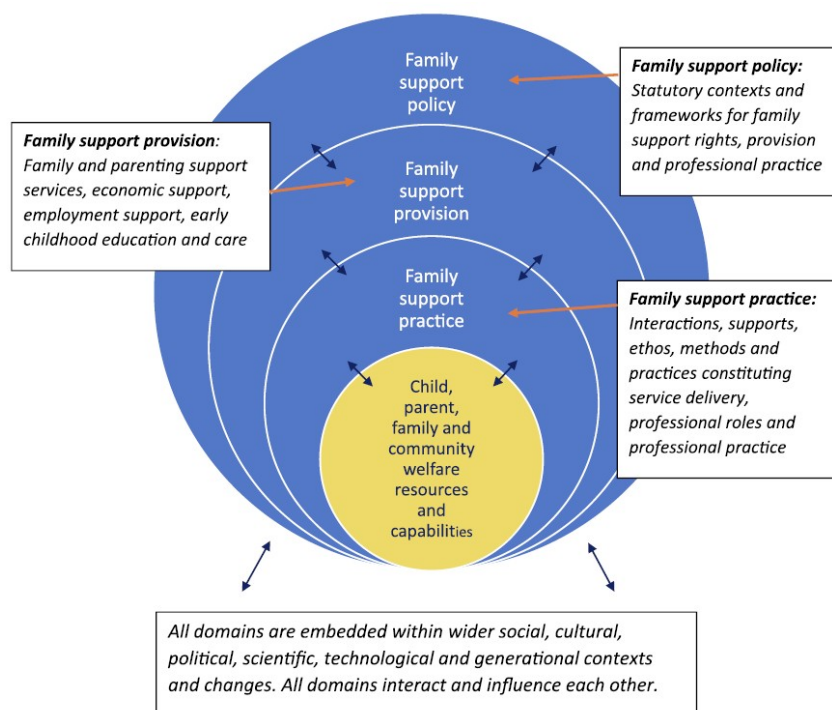
6. *Support for Migrants and Refugees*

- Asylum, Migration, and Integration Fund (AMIF)
- Funds programs for the integration of migrants and asylum seekers through training, language courses, and employment.

- Eurocities Integrating Cities Program
- Helps local authorities develop policies for migrant integration.

The European Union is committed to improving the well-being of children of national minority and providing support to parenting through various programs, policies, and financial mechanisms. The focus is on reducing child poverty, ensuring access to education, healthcare, and strengthening social support for families (Churchill et al. 2024).

Figure 3. Support programs for families, youth, and children.



(Churchill, Devaney, Abela, 2024)

Initiatives for improving the position of children

The EU provides the greatest support through its programs to children from national minorities, ensuring they have opportunities for education, personal growth, and the development of successful careers that will enable them to achieve economic and social security (Churchill et al. 2024; Sequeira et al., 2024; Simón-Moreno & Kenna, 2019):

Child Guarantee

The goal is to ensure that every child in Europe, especially those from vulnerable families, has access to essential services, including:

- Free education, including school supplies and extracurricular activities;
- Free healthcare services;

- Adequate housing;
- Healthy nutrition;
- EU Strategy on the Rights of the Child.

This strategy focuses on combating violence against children, promoting children's rights in the digital environment, and enabling their active participation in policymaking.

Parenting Support Programs

- Fund for European Aid to the Most Deprived (FEAD);
- Provides support to families with children through the distribution of food, essential goods, and material assistance;
- Childcare Initiative (Support for Early Childhood Education and Care) ;
- The EU finances projects to improve the availability and quality of preschool education and childcare;
- European Social Fund Plus (ESF+);
- Supports programs aimed at balancing work and family life through flexible working hours, workplace support for parents, and training for single parents;
- Parental Leave Directive;
- Sets minimum standards for paid parental leave in member states, allowing parents to spend more time with their children;
- EU4 Health Program;
- Includes projects that support the mental and physical health of parents and children.

3. Specific Measures for Children and Families at Risk

- REACT-EU Program
- Helps member states support socially vulnerable families, including those affected by the COVID-19 pandemic.
- Platform for Combating Poverty and Social Exclusion
- The EU promotes measures to reduce child poverty, providing financial and logistical support to families.

Conclusion

The position of national minorities and migrants in the European Union in the coming years will depend on several key factors, including political, social, and economic changes, as well as shifts in migration flows and EU policies. Based on the analysis, the authors of this study present their predictions

and opinions on how the European Union will strive for equal treatment of national minorities within a multicultural environment in the future. In this context, there are several key trends and forecasts that will shape the future of minority communities in the EU:

1. Increased Integration and Inclusion of Minorities

Integration Policies: The EU will continue to focus on developing policies that enable greater inclusion of national minorities and migrants. Support for programs in education, employment, healthcare, and housing, as well as strengthening anti-discrimination mechanisms, is expected to continue.

"EU Integration Agenda" Project: The EU is anticipated to continue strengthening integration mechanisms for migrants and minorities, including training, language courses, and access to the labor market. Programs such as the Asylum, Migration, and Integration Fund (AMIF) will play a key role in this process.

Support for Families and Children: Minority communities, especially children and migrant families, will receive increased support in the areas of education and social protection, thanks to initiatives like the Child Guarantee and Youth Guarantee, which ensure access to education and reduce the risk of social exclusion.

2. Expanded Role of Digitalization in the Lives of Minorities

Digital Inclusion: Digital literacy is expected to become an even more crucial factor for the integration of minority communities and migrants. Programs such as Digital Europe and Erasmus+ provide access to education and employment in the digital sphere, opening up new labor markets for minority communities.

Right to Internet Access: A continuing trend is ensuring better internet access for migrants and minority communities, which will enable better education and economic opportunities.

3. Need for Greater Political Advocacy and Minority Rights

Improvement of Minority Rights: In the coming years, the EU is likely to place more focus on protecting the rights of minorities and combating hate speech, discrimination, and hate crimes. Greater legal protection for minority groups in member states is expected, along with continued political and legislative pressure on countries that do not respect human rights norms. *Rights of Migrants and Asylum Seekers:* Despite challenges, the EU may expand the rights of migrants and refugees through more clearly defined asylum and migration policies, although migration is likely to remain a politically sensitive issue in member states.

4. Economic Challenges and Opportunities for Minorities

Employment and Economic Integration: Forecasts suggest that minority communities and migrants will have better job prospects in the EU, thanks to increased investments in training and re-skilling. However, challenges in employment, such as discrimination in the labor market and cultural barriers, will persist.

Social and Economic Mobility: The EU may allocate additional resources to support economic opportunities for migrants, with expected growth in employment in IT and digital industries, where minority communities could benefit from increased demand for workers in these sectors.

5. New Migrations and Population Movement

Migration and Geopolitical Factors: Migration to the EU is expected to remain high, particularly due to global political and economic factors. The EU may direct more resources toward addressing refugee challenges, including migrants from war-torn areas such as Ukraine, the Middle East, and North Africa.

Potential Overseas Migrations: Due to climate change and geopolitical shifts, the EU may become a destination for migrants from the Southern and Eastern Balkans, Africa, and Latin America.

Regional and International Cooperation: The EU may deepen cooperation with non-EU countries in terms of protecting the rights of minorities and migrants, as well as better integrating migration into host countries.

Increased Cooperation with Humanitarian Organizations: In the coming years, the EU is likely to continue collaborating with international organizations, such as UNHCR and Amnesty International, to ensure the safety and basic human rights of migrants.

Inclusion and Social Cohesion: Efforts to integrate minority communities into society are expected to intensify in the EU in the coming years. Although challenges remain, the EU is committed to combating discrimination and creating equal opportunities for all citizens, regardless of origin or status.

Political and Social Dynamics: Attitudes toward migrants and minorities may differ across member states, but there is a common framework for political and social engagement aimed at improving their rights and position.

In short, the outlook for national minorities and migrants in the EU in the coming years will largely be shaped by integration policies, equality, and human rights. Despite the challenges, the EU has strong mechanisms to support and protect these communities.

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Pravna manjina u Evropskoj uniji: Mogućnosti, izazovi i zloupotrebe

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Sažetak

Prava nacionalnih manjina unutar zemalja članica EU predstavljaju značajno i aktuelno pitanje koje privlači pažnju mnogih istraživača. EU nastoji da podrži nacionalne manjine putem svojih konvencija i projekata, s ciljem da im obezbedi ekonomsku sigurnost, socijalnu pravdu i, pre svega, životne uslove koji im omogućavaju normalno funkcionisanje. Predmet ovog istraživanja je analiza konvencija kroz koje EU nastoji da unapredi status nacionalnih manjina, kao i analiza modela koji preporučuju specifične aktivnosti i napore neophodne za osiguravanje regularnog pristupa nacionalnih manjina zapošljavanju, zdravstvenoj zaštiti, ekonomskom prosperitetu, formiranju porodice, roditeljskoj podršci i svim ostalim aspektima koji bi unapredili toleranciju i poštovanje prema nacionalnim manjinama u multikulturalnim sredinama. Studija takođe ispituje kako veštačka inteligencija i statistički modeli mogu da detektuju govor mržnje usmeren prema nacionalnim manjinama, kao i na koji način se nivo takvog govora mržnje može smanjiti i sprečiti negativne posledice. Na kraju, istraživanje pruža predviđanja o tome šta EU može očekivati u budućnosti kako bi nacionalne manjine u svim zemljama postigle ravnopravnost sa ostatkom populacije, nudeći brojne korisne pravne, socijalne i ekonomske implikacije.

Ključne reči: nacionalne manjine, Evropska unija, socijalna pravda, govor mržnje, multikulturalizam.

Victim Profiling

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Victim Profiling

Abstract

This paper analyzes victims in the process of criminal profiling, with a particular focus on the role of their characteristics in the offender's selection process. The aim of the research is to identify key elements of victimological profiles and assess how social, psychological, and behavioral factors influence the likelihood of becoming a victim. The research questions include: What factors contribute to the selection of a specific victim? How do lifestyle and routine affect the risk of victimization? In what ways can victim analysis contribute to identifying perpetrators and preventing future crimes? The central hypothesis of this study is that there is a clear connection between a victim's characteristics, lifestyle, and the risk of victimization. It is assumed that criminals deliberately select victims based on their vulnerabilities, routines, and social traits, and that analyzing these factors can lead to more effective crime resolution and improved prevention strategies. The research relies on both deductive and inductive analysis of available studies, legal documents, and statistical crime data. Methods used include victimological analysis, case analysis, and comparative evaluation of existing victim profiling models.

Keywords: victim profiling, victimology, criminal profiling, victim interaction, approach method, attack method, risk assessment.

Introduction

Perhaps no element in the criminal profiling process has been more overlooked than the victim. For this reason, the Behavioral Science Unit of the Federal Bureau of Investigation (FBI) actively collects data on the social and behavioral characteristics and reputations of victims. One of the most obvious elements in victim profiling is the physical description. In addition, it is crucial to gather as much information as possible about the victim's marital status, daily activities, and personality traits. Understanding the victim's occupation and level of education expands the network of relationships. Likewise, the victim's place of residence can play a significant role in the victimization process. The benefits of knowing the victim's medical history include information about infectious diseases and body identification. When developing any psychological profile of a victim, special attention should be given to their sexual history, personality, legal history, and activities before the crime (Holmes, 1989). Victim profiles refer to either the distinctive demographic characteristics of crime victims (e.g., age, race, and sex) or individual traits (e.g., self-control and genetic factors) that correspond to having a greater probability of victimization. Victim profiles assume that victimization is not a random event. In fact, data show that many factors are linked with victimization risk (Schreck & Posick, 2014). The technique of victim profiling is used similarly to offender profiling, but its primary goal is to analyze the traits that make individuals more susceptible to certain types of crimes. Through this method, it is possible to identify vulnerable groups and better understand the factors that put them at risk, enabling the prediction of offender behavior patterns and the improvement of preventive strategies.

There is a general consensus among many criminal profilers that the victim plays an important (or even key) role in shaping the circumstances that precede a crime. Why do criminals choose a specific victim? Is the victim in the wrong place at the wrong time? (MacGavin, 2019). "In two classic criminological

studies—one conducted by Hans von Hentig and another by Stephen Schafer—the crucial role of the victim in the criminal process was first identified. These authors were among the first to suggest that the victim's behavior is often a key factor in a crime and that their actions may actually initiate the crime. Both believe that studying crime is incomplete unless the role of the victim is considered" (Siegel, 2004: 14). In many cases, the interaction between the offender and the victim plays a crucial role in shaping the course and outcome of the criminal act. Studying the victim's behavior provides deeper insight into the circumstances of the crime, helps identify the offender's motives, and reveals potential risks. This approach is not aimed at shifting responsibility onto the victim but at considering all relevant factors to make investigations more thorough, ensure justice is more effectively served, and enhance preventive measures.

What is Victimology? "Victimology is the detailed study and analysis of victim characteristics. The traits of victims targeted by a specific offender can provide insights into the offender's motives, modus operandi, and recognizable behavioral patterns. A part of victimology includes risk assessment. A profiler does not focus solely on the level of risk the victim's lifestyle routinely exposed them to but also on the risk they faced at the moment of the attack, as well as the level of risk the offender was willing to take to reach them. In the deductive method of criminal profiling, almost as much time is devoted to profiling each individual victim as to analyzing the characteristics of the offender responsible for the crime" (Turvey, 1999: 29). This approach not only facilitates the faster identification of offenders but also helps develop more effective preventive measures that could protect potential victims from similar attacks in the future.

Victim analysis from the perspective of a criminal profiler

What should an investigator consider when reconstructing the victim's lifestyle and activities before their demise? An investigator should consider the following aspects from the list, which is by no means exhaustive (MacGavin, 2019):

- **Physical Characteristics:** Does this victim share similarities with other recent murder victims? Does their appearance fit the typology of a serial killer's preference? Why was this victim chosen? Was it due to a specific body type, hair color, height, or weight?
- **Personal Lifestyle:** Did the victim lead a sedentary lifestyle, or did they have an active and open lifestyle that made them more visible to a potential stalker or killer? What were their daily routines? Could a pattern be established through observation? Did the victim use drugs or alcohol? Were they in a romantic relationship? Were they married or engaged?
- **Occupation:** Did their occupation put them at risk? Did they work in jobs that increased their exposure to danger, such as night-shift nurses or bartenders? Did their job involve public visibility?
- **Timeline of Last Known Activities:** Where was the victim before their death? Who was with them? Who was the last person or people to have contact with the victim?
- **Friends and Enemies:** Did the victim have friends who could provide investigators with insights into potential motives? Did the victim have enemies who might have had a reason to harm them? Had they recently angered someone? Had they been involved in any conflicts recently?
- **Criminal History:** Did the victim have a criminal record? If so, what were the reasons for their arrests or incarcerations? What was their current involvement in criminal activities?

- **Medical History:** Was the victim in good health? Were they typically lucid and aware of their surroundings? Were they taking any medications that could impair judgment or alter their consciousness?
- **Family Background:** Did they come from a stable family, or were there circumstances that alienated them from their biological relatives? Did they have close relationships with family members? How frequently did they communicate—daily? Weekly? When was the last time they contacted a family member?
- **Education:** What educational qualifications did the victim have? Did they work in educational institutions, such as colleges or public schools, as teachers? Were they well-liked by students, or was it the opposite? Did any students resent them? Were they romantically involved with a student? Were they engaged in pornography? Did they have close relationships with any of their students or faculty members? (Osterburg & Ward, 2007; MacGavin, 2019).

Individuals involved in the intervention, investigation, or prosecution of child pornography and sex trafficking cases must recognize that offenders often develop a bond with their victims. Many victims willingly exchange sex for attention, affection, and other benefits. Operators of pedophilic networks are, by definition, skilled at gaining long-term cooperation and control over their victims through well-planned seduction. They are experts in identifying and temporarily satisfying the emotional and physical needs of children. They know how to listen to children—an ability that many parents lack. They are willing to spend as much time as necessary to groom a child (MacGavin, 2019). This seemingly positive relationship between the offender and the victim should not be misinterpreted as consent, complicity, or guilt. In one case, a prosecutor told television reporters *that the victims were just as guilty—if not more—than the offenders*. Law enforcement investigators, in particular, must be aware of this issue (Bennett & Hess, 2004: 294). Databases offer an abundance of information about everyday individuals. The average citizen can be found in medical records, birth statistics, tax records, and voter registries, and nearly every interaction with any public or private service leaves behind certain information. Creating a victimological profile requires a complete depiction of the victim's life history up until the moment of their death. This information may provide investigators with clues leading to the crime scene. Did the victim purchase something before their death? Did they use a credit card? Where and at what time did this transaction occur? This provides a timestamp for the victim's last known activities (MacGavin, 2019). Investigators must determine who, what, where, when, why, and how? Who was the victim? Why were they chosen? Where were they going? When did the crime occur, and why did they have to die? How did they die? Background checks often yield useful information unless the victim was off the grid. They may have used cash exclusively and never used a credit card. They may have operated under a false identity to remain unnoticed. Was there a motive for this person's murder? Could records provide useful information about possible reasons for their death? Victims are often eliminated because they pose an obstacle to the offender's perceived lifestyle or ambitions. Perhaps the victim stood in the way of an inheritance. Perhaps the offender was in a romantic relationship, and the victim refused to grant them a divorce. Records and interviews can clarify these possible reasons behind the victim's death. Or was the victim killed randomly? Perhaps the victim was targeted as part of a gang initiation? Records will only indicate the modus operandi in such cases. In situations where the offender and victim are connected through a broader

criminal network or organization bound by a code of silence, the crime may never be solved (MacGavin, 2019). Solving such cases requires a detailed analysis not only of the crime itself but also of the broader social environment in which it occurred. Investigators must consider: the offender's motives, possible connections to criminal groups and behavioral patterns leading up to the crime. Without a thorough investigation and the use of various sources of evidence—such as insider testimony, forensic findings, or digital traces—the risk remains that the offender will go unidentified, and justice will remain out of reach.

A variety of databases are available for examining victims and can provide critical information. In many developed countries, both government and private sources contain detailed records on most citizens, including personal, professional, and social aspects of their lives. Law enforcement agencies have extensive access to these records, not only on a national level but also through international sources, enabling them to retrieve almost any relevant data at any time. To effectively utilize available information, a detailed and systematic investigative summary must be created. This summary should include standardized questions, carefully designed based on insights from similar cases, to ensure consistency and accuracy in data collection. The process should begin with basic personal information, such as name, age, and occupation, and then focus on a more detailed analysis. This analysis should include: the victim's role in the crime, events leading up to the crime, a risk assessment of potential threats the victim faced. The goal is not only to understand the immediate circumstances of the crime but also to identify broader factors that contributed to it, including social, psychological, and economic influences (Bjelajac, 2025, pp. 225-227). Such an approach allows for a comprehensive insight into the situation, facilitates further investigation, and helps develop preventive strategies to reduce the likelihood of similar crimes in the future.

Interaction with the victim

This statement highlights the controversial idea that the way an offender interacts with their victim reflects their motive and psychological characteristics. We tend to view crime as an event that impacts the victim without their contribution or cooperation. The truth is that many crimes occur with little or no involvement from the victim. One can be injured, killed, robbed, or deceived, and their behavior may not influence or alter the final harmful outcome. In other cases, the relationship between the offender and the victim is superficial and general, based on common circumstances of life. Possessing money is undoubtedly related to robbery, just as beauty or youth are factors contributing to sexual assaults. In such cases, there is a certain mutual interaction between the perpetrator and the victim; however, this connection is not specific and, therefore, does not represent a relationship that can be changed or prevented (Hentig, 1940/41). The interconnection between the perpetrator and the victim, the murdered and the murderer, the deceived and the deceiver often goes unnoticed, despite being one of the most intriguing aspects of criminal behavior. Sociopathology has largely ignored this mutual dynamic, even though it reveals deep layers of human relationships. When temporary or permanent groupings form, the collision of these elements inevitably leads to the creation of new and often destructive combinations, which may provoke conflicts with severe consequences (Bjelajac, 2025, p. 152). This interaction can shape how crimes unfold, influencing victim selection, the method of execution, and the motives behind the act. Understanding these relationships not only contributes to better analysis of individual cases but also enables the development of more effective preventive measures in combating crime.

There is likely a corresponding relationship between predatory animals and their prey in the animal kingdom. The difference lies in the fact that the predator's traits are adapted to the weaknesses of its prey, whereas in many cases, the human victim actively tempts the perpetrator. A predator is—through various means—led to attack its prey. If there are born criminals, it is evident that there are also born victims, who harm and destroy themselves under the influence of an external intrusive factor (Hentig, 1940/41). This assertion sheds light on the controversial idea that the way an offender interacts with their victim reflects their motive and psychological traits. Caution is essential in analyzing this interaction, because while certain behavioral patterns may increase an individual's vulnerability, the responsibility for the crime remains solely on the offender. Shifting the burden of blame onto the victim can distort the understanding of crime and ignore societal factors and free will. However, the idea that certain individuals, consciously or unconsciously, attract crime through their behavior opens up a deeper analysis of the dynamics between criminals and victims, emphasizing the complexity of criminal behavior (Bjelajac, 2025, pp. 153-154). This perspective does not seek to shift responsibility onto victims but rather points to the need for a better understanding of risk factors and circumstances that may increase the likelihood of victimization.

The connection between the offender's and victim's behavior is evident in many crimes. Many pickpocketing techniques, for example, can only be applied to people with certain psychological responses (Hentig, 1940/41). Although criminals deliberately exploit their victims' vulnerabilities—demonstrating their skill and ability to manipulate situations—it is essential to recognize that: a lack of security awareness, an unsafe environment (Bjelajac, 2015), certain personality traits, carelessness, or an individual's behavior may increase the likelihood of becoming a target for theft, sexual assault, or fraud. This suggests that crime is not exclusively a one-sided act but a dynamic interaction between the offender and the victim, where the responsibility for the criminal act unequivocally remains on the offender.

In this context, victimologists provide several recommendations on optimal behavior in extreme situations. The status of a potential victim, their lifestyle, and specific behaviors in relation to victimological situations and conditions of interaction with a potential offender may encourage the emergence of criminal intent and antisocial thoughts in an individual's mind, as well as influence the offender's choice of crime execution method. At the same time, a potential victim's behavior may sometimes restrict the criminal's reaction, provoking empathy, fear, or hesitation. Furthermore, in each individual case, this depends on: the conditions, location, time, and other circumstances shaping the relationship between the offender and the victim. The personal characteristics of the potential victim, which have a significant impact on the nature of individual actions and behavior as a whole (Dzhuzha, 2017).

When describing the circumstances that contribute to the occurrence and development of a criminal act, it is important to consider the fact that the nature of the relationship between the victim, the offender, and other individuals connected to them at the time of the crime plays a significant role in the genesis of the offense. Such relationships can have either a positive or negative impact on the behavior of a potential victim. As a consequence, this can lead to the commission of a crime, but also to its prevention. Therefore, the analysis of such interactions should be utilized in determining victimological prevention measures, while simultaneously taking into account that the victim's behavior and everything leading up to the crime is inextricably linked to their personal characteristics, including personality, gender,

Figure 1. Classification Research for the Type of Relationship Between the Victim and the Offender

Classification Model for the Type of Relationship Between the Victim and the Offender

It can be observed that gender and age of the victim were variables associated with the type of relationship between the victim and the offender. Considering the initial probabilities, the following was determined: the probability that they were acquaintances was 35%, that they were family members 19%, that they had some other type of relationship 6%, that they had no prior relationship 10%, and that they were in a romantic relationship, either in the past or present, 30%. These variables are considered to be linked to the type of relationship between the offender and the victim (except for the categories "other relationship" and "unknown person," which due to low frequency did not reach the minimum of 20 cases in the classification model). Specifically, when the victim is male and a minor, the probability that the offender is a family member increases from 19% to 71%, as opposed to the situation where the victim is a male over 18 years old, where the probability is higher (57%) that the offender is an acquaintance of the victim. On the other hand, when the victim is a woman aged between 18 and 64 years, the probability that the offender is her romantic partner or ex-partner increases from 30% to 69%.

(Pecino-Latorre et al., 2019)

age, profession, social, professional, and family status, etc. (Dzhuzha, 2017). For example, low self-control is a reason why offenders are at high risk of becoming crime victims (Schreck, 1999).

A positive individual impact should be directed at both participants in the criminal situation—toward the offender, to reduce the likelihood of recidivism, and toward the victim, to help them develop greater capacity for recognizing and avoiding risky situations. Resocialization and rehabilitation should not be viewed solely as post-offense measures but as key factors in preventing future criminal acts. An approach that equally analyzes both the offender and the victim enables a better understanding of criminal behavior and its causes, thereby contributing to more effective preventive measures. A criminal situation does not arise from isolated factors but is the result of the mutual interaction between individuals and the environment in which the crime takes place.

Methods of approach and attack

The method of approach refers to the tactic used by the offender to initiate contact with the victim and create an opportunity to commit the crime. Analyzing this aspect provides valuable information about their abilities, including communication style, physical agility, and manipulation skills. The most common approach strategies include deception, where the offender gains the victim's trust through trickery, surprise, which involves an unexpected attack, and a blitz attack, in which violence occurs quickly and aggressively without prior interaction. These methods can be used independently or in combination, increasing the effectiveness of the attack and reducing the victim's chances of resistance.

Deception describes an offender who tricks the victim into believing a fabricated situation to lure them into a favorable position for the offender or to lower their guard, making the attack easier. One possible example of this type of behavior is an offender posing as a delivery worker or service technician to gain access to a home or another residential space. The character Buffalo Bill from *The Silence of the Lambs* used this method by pretending to have a broken arm, asking for help carrying furniture, and luring the victim into his van, where he overpowered her using physical force. Although this behavior was fictional in the movie, it was actually used by the serial killer Ted Bundy. Through psychology studies, Bundy learned that people are more likely to help someone with a physical disability, so he began wearing a fake arm cast to more easily lure victims (Petherick, n.d.).

The surprise method involves the offender stalking their victim from a hidden position and attacking quickly and unexpectedly. This approach often involves the attacker waiting for an opportune moment, such as when a car passes by or when the victim falls asleep before making their move. In some cases, the offender does not care about the presence of witnesses, which indicates their boldness or speed of execution. This method is often combined with a blitz attack, where everything happens within a very short period. For example, imagine a situation where an attacker hides in the bushes near a parking lot, waiting for a woman to approach her vehicle alone. As she stands next to her car, searching for her keys in her bag, the attacker silently approaches from behind, grabs her, and overpowers her before she even realizes what is happening (Bjelajac, 2025, p. 228). This method proves effective because the offender uses the element of surprise to prevent the victim from reacting in time, reducing their chances of escape or resistance.

The blitz attack method refers to a situation in which the offender uses sudden and intense force to quickly overpower the victim and take control of the situation. This approach relies on the element of surprise and rapid action, but it is problematic because it requires a significant use of physical force. For this reason, a blitz attack is often viewed more as an assault than as a method of approaching the victim. In many cases, a blitz attack follows the surprise method, where the offender ambushes the victim and then acts quickly and aggressively. For example, imagine an attacker waiting in a dark alley as a passerby approaches. As the victim walks past, the offender suddenly lunges forward, knocks them to the ground, and uses force to gain control. This style of attack focuses on speed and physical dominance to eliminate the victim's chances of resistance or escape. It is not always clear from the crime scene alone how the offender approached the victim, but witnesses or the victim, if they survived, can provide valuable information. An offender who successfully deceives a cautious person likely possesses good social skills, while one who overpowers a physically strong person is likely physically capable. On the other hand, a direct attack without verbal interaction may indicate poor social and communication skills (Bjelajac, 2025, p. 229). These insights enable profilers to analyze the offender's traits, define their profile, and narrow the pool of possible suspects.

The attack method defines the way the offender overpowers the victim after establishing contact. It may involve varying degrees of violence, ranging from verbal threats and psychological manipulation to severe physical assault or the use of weapons. It is important to note that approach and attack methods are not always directly connected—for example, if the offender encounters unexpected circumstances or if the victim resists in an unanticipated way. For this reason, it is necessary to analyze these two methods separately while also examining their relationship in order to gain a detailed insight into the dynamics of the crime and identify key behavioral patterns of the offender.

A crime committed by Jeffrey Dahmer provides a clear illustration of both the approach and attack methods. On May 20, 1991, Jeffrey Dahmer met Raymond Smith at Tavern 219. Dahmer approached him and offered him \$50 to return to his apartment for sex. This represents the approach method and is most accurately described as deception. Dahmer used a trick to lower the potential victim's defenses and persuade him to go with him to his apartment. When they arrived at around 3 AM, Smith stated that he would not stay long for just \$50, to which Dahmer asked him to stay overnight. Smith responded that it would cost much more, and Dahmer assured him that he would receive the rest of the money in the morning. Dahmer then went to the kitchen and prepared a drink laced with alcohol and sleeping pills. Within half an hour, Smith was unconscious, at which point Dahmer strangled him on the floor. Although the victim was unconscious, this act still constitutes an attack and, in this case, is best described as a blitz attack (Petherick, n.d.).

The attack method is crucial for understanding the capabilities and behavior of offenders in a given environment and with a specific victim, which has significant implications for the safety of future victims. For example, an analysis of approach and attack methods may reveal that some offenders hesitate to use force and are concerned about their victims' well-being, suggesting that future victims may not be in serious danger. On the other hand, another offender's progressive escalation of force and risk, including the use of weapons, may indicate an increased danger for future victims (Bjelajac, 2025, p. 231). Analyzing these patterns allows for better recognition of the methods offenders use, which can significantly contribute to identifying and narrowing down the pool of suspects. Understanding their behavior is not only crucial for solving specific cases but also for developing strategies that can reduce the likelihood of similar crimes recurring. Based on these insights, preventive measures, such as enhanced security in high-risk areas or educating potential victims, can be more effective in preventing future attacks.

Risk assessment

Questions are often asked: Did the victims consciously or unconsciously take a risk that put them in danger? For example, were they traveling alone, especially late at night, when there was a lower chance of witnesses being present? Were they frequenting entertainment venues and consuming large amounts of alcohol, which could have made them more vulnerable to an attack? Or did they perhaps display behavioral patterns that made them targets, such as routine walks or activities in isolated places? The routines and habits of the victim often play a key role in how the offender identifies, tracks, and ultimately attacks them. The places they regularly visited and the ways they moved through their daily lives can indicate how they came into contact with their attacker. Crime scene reconstruction provides crucial insights into what happened and helps investigators identify the offender's motive as well as narrow down the pool of suspects. The victim's reaction to the attack can also provide important information. Were they surprised and passive, or did they attempt to resist? Could there be signs of a struggle indicating that the victim and attacker knew each other? These questions open the space for a thorough analysis, and every detail can contribute to piecing together the broader picture of the crime (Bjelajac, 2025, pp. 231-233). By combining precise investigative techniques and systematic evidence collection, it is possible to determine the key facts that led to the tragic events. A thorough analysis of all available information enables the reconstruction of the sequence of events and the identification of factors that contributed to the crime, increasing the likelihood of its resolution.

Risk assessment involves determining the probability that a particular person will become a victim of a crime. Occasionally, we hear reports of violent crimes where the offender went to great lengths to find a victim. In other cases, we hear that the offender took advantage of an opportunity victim. In this latter case, something the victim did or was involved in may have increased their risk of becoming a victim of that crime. This does not mean that the individual is in any way responsible for becoming a victim, but rather that certain factors, such as lifestyle or circumstances, increased their chances of victimization. This can include activities such as prostitution, excessive drinking, drug use, or traveling alone late at night in areas known for crime. Risk assessment may also include an analysis of the risk the offender was willing to take to reach the victim, known as offender risk assessment (Petherick, n.d.). The assessment of the risks taken by the offender involves analyzing their actions in relation to the dangers they were willing to accept, such as the choice of time and place of the crime, the presence of potential

witnesses, and strategies for concealing evidence. For example, a crime committed in a busy area or under surveillance cameras indicates a different level of boldness and impulsivity compared to an act carried out in an isolated location. This assessment allows for a better understanding of the degree of planning, motivation, and psychological profile of the offender, which are key elements for criminal profiling and the effective direction of an investigation.

Figure 2. Illustrative Example of the Simulated Case of Marija B.

Victim Profiling – The Case of Marija B.	
Basic Information about the Victim	<p>Name and Age: Marija B., 25 years old</p> <p>Occupation: Sales manager at a local trading company</p> <p>Marital Status: In a relationship, no children</p> <p>Place of Residence: Apartment in a high-traffic urban area</p> <p>Social Life: Active on social media, posts explicit content, frequently visits local cafés, and participates in recreational activities</p>
Victim’s Routines and Habits	<p>Marija is known for her consistent daily schedule. Every morning, she leaves for work at the same time, taking the same route through the city center. After work, she often goes for drinks with friends or to the gym. On weekends, she enjoys hiking or cycling near the city. On social media, she regularly posts provocative photos, her locations, and activities, which may have allowed a potential attacker to track her habits.</p>
Risk Assessment	<p>Time of the Attack: The attack occurred in the evening hours, while Marija was walking home after visiting a local café.</p> <p>Exposure to Risk: Her decision to walk home alone through poorly lit streets increased her vulnerability. Additionally, posting her location on social media may have allowed the attacker to predict her movements.</p>
Psychological Profile of the Victim	<p>Marija is described as a social and communicative person. She prefers short and tight dresses. Her openness and habit of sharing details about her life make her an easy target for manipulation or stalking. Furthermore, due to her optimistic outlook on life, she may not have noticed potential warning signs before the attack.</p>
Incident Analysis	<p>The attack occurred near her home, in an area known for low police presence and poor lighting. The investigation revealed that the attacker was likely familiar with Marija’s routines, suggesting that the crime was premeditated. Traces of a struggle were found at the crime scene, indicating that she attempted to resist.</p>
Commentary	<p>The victim’s profile indicates that her habits and routines played a key role in her selection as a target. Posting explicit and provocative content on social media, along with choosing unsafe routes, increased her risk. This case highlights the importance of awareness regarding personal safety, especially for individuals with a public presence on social media and predictable routines.</p>
Prevention Recommendations	<ul style="list-style-type: none"> • Avoid posting revealing photos, personal details, and real-time locations. • Use well-lit and busy routes, especially in the evening. • Consider carrying a personal alarm or another self-defense tool. • Educate yourself on recognizing potential risks and improve awareness of personal safety.

(Bjelajac, 2025, p. 234)

The risk level of a victim can be divided into three primary categories: low risk, medium risk, and high risk. These levels refer to the degree of likelihood that an individual will suffer harm due to their personal, professional, and social life. For example, a person at high risk of victimization could be a prostitute, as she is often exposed to a large number of strangers, may travel alone late at night, is frequently in contact with drugs or drug users, may be a lower priority for law enforcement if attacked or murdered, and is less likely to be noticed after an incident due to social marginalization. A low-risk victim, on the other hand, might be someone with a stable job, a strong social network, rarely travels alone, and does not have a predictable travel schedule. There are many factors that contribute to an individual's risk, and the examples provided are just a few of them (Petherick, n.d.). As indicated, in addition to individual characteristics, environmental factors such as place of residence, frequency of visits to high-risk areas, and the presence of community support also play a crucial role in determining a victim's level of exposure to potential crimes.

Accordingly, the data support the hypothesis that general deviance and violent criminal behavior can be considered a type of lifestyle that increases the risk of victimization and that the structural constraint of residential proximity to crime affects victimization independently of lifestyle and individual-level demographic factors (Sampson & Lauritsen, 1990). The victim's lifestyle risk refers to the overall exposure of an individual to criminal activities, depending on their personal traits, life habits, and social environment. This risk is significantly influenced by how a person makes decisions, responds to stressful situations, and adapts to potentially dangerous circumstances. There are certain factors that can increase this risk, including:

- **Aggressiveness** – Individuals who frequently exhibit aggressive behavior may find themselves in risky situations as they provoke conflicts and become targets for retaliation.
- **Anger** – Uncontrolled outbursts of anger can lead to impulsive decisions and situations that increase the victim's vulnerability, especially in social and professional environments.
- **Emotional outbursts** – Sudden and intense displays of emotion can attract the attention of manipulators and individuals with criminal intent.
- **Hyperactivity** – Individuals with hyperactive behavior may be prone to reckless decisions and neglecting potential dangers.
- **Impulsivity** – Making sudden decisions without assessing the consequences can lead to exposure to dangerous situations, whether through risky relationships or reckless actions.
- **Anxiety** – People who are frequently anxious may struggle to make rational decisions in crisis situations, increasing the likelihood of becoming victims of manipulation.
- **Passivity** – A lack of self-confidence and a tendency to withdraw from conflicts can make a person an easy target for abuse or exploitation.
- **Low self-esteem** – Individuals with a poor self-image often enter toxic relationships and fail to recognize the risky situations they are in.
- **Emotional withdrawal** – People who avoid social interactions or do not express their emotions may have difficulty communicating in situations where seeking help is necessary.
- **Unpredictable behavior** – Sudden and frequent shifts between different emotional states can create confusion for others and make it harder to identify problems in time.

- **Tendency toward risky situations** – Individuals who frequently enter unfamiliar or dangerous environments, whether out of curiosity or excitement, increase their chances of becoming victims of criminal activities.

Discussion and concluding considerations

In modern society, threats to human security are becoming increasingly complex and subtle, making every individual a potential victim (Bjelajac, 2017; Wambugu, Kavivya, & Handa, 2024). From the heightened vulnerability of women and children experiencing domestic violence (Youngson, et al., 2021; Bjelajac & Merdović, 2019a), the widespread use of narcotic drugs (Bjelajac, Matijašević & Počuča, 2012), and abuses on the internet (Bjelajac & Jovanović, 2013; Bjelajac & Filipović, 2020; Bjelajac & Merdović, 2019b) to the manipulative activities of religious movements (Zirojević & Bjelajac, 2013), risk factors continuously evolve and adapt to new circumstances. Anyone can fall victim to crime, whether it be an armed robbery, home burglary, theft of personal belongings, carjacking, sexual assault, or, in the worst case, murder. Cybercrime and grand corruption (including state capture) are other realities of the modern age, but in the end, no one is immune to crime (Geldenhuys, 2022). Human rights, which should serve as the foundation for individual protection, are often violated precisely where security should be guaranteed – in families, schools, and digital spaces. The key to countering these threats lies in preventive action, raising awareness, and strengthening institutional protection mechanisms, as only a society that actively recognizes and responds to these challenges can ensure the safety of its most vulnerable members.

The analysis of victims in the process of criminal profiling is often overlooked in comparison to the focus on offenders. However, comprehensive victim profiling provides crucial insights into crime dynamics, attacker motives, and patterns of victimization. This approach not only enables more effective case resolution but also enhances preventive strategies that can reduce the risk of future incidents. One of the main conclusions of the research is that criminals often deliberately choose their victims based on their characteristics, routines, and social context. This means that analyzing the victim's lifestyle, professional environment, personal habits, and previous interactions can significantly contribute to investigations. For example, recurring behavioral patterns, such as established movement routes or presence in certain high-risk environments, can help predict and prevent future attacks.

Additionally, victimological profiles enable investigators to examine the psychological and emotional factors that influence potential victims. Individuals who exhibit low self-confidence, anxiety, or impulsivity are often more susceptible to manipulation and attacks, as offenders perceive them as easier targets. These aspects are particularly important in cases of serial crimes, where offenders tend to carefully select victims who fit their specific needs and motives. In this context, risk assessment plays a crucial role in analyzing victimization. By categorizing individuals into low, medium, and high-risk groups, it becomes possible to identify those who are particularly vulnerable and implement targeted protective measures. For example, individuals who work at night, frequently travel alone, or have a strong presence on social media may be more susceptible to criminal attacks, necessitating specialized preventive strategies.

The interaction between the offender and the victim also plays a decisive role in understanding criminal acts. In many cases, the victim is not merely a passive participant but part of a complex dynamic that precedes the crime. While this does not in any way imply victim-blaming, understanding how an

offender establishes contact, manipulates, or prepares a victim can help identify patterns that lead to criminal acts.

The significance of victim profiling is also reflected in judicial proceedings, where precise analysis can contribute to a more accurate reconstruction of events and the determination of the offender's responsibility. For example, by analyzing previous interactions between the victim and the suspect, as well as their social and professional relationships, it is possible to establish motives and the method of committing the crime.

Introducing a systematic approach to victim profiling not only improves investigations but also has broad implications for the prevention and protection of at-risk individuals. The integration of modern data analysis methods, digital tracking, and psychological models can aid in the early identification of risks and the prevention of serious crimes. In this regard, a multidisciplinary approach involving criminologists, psychologists, sociologists, and data analysts is a key tool in the fight against crime and the protection of potential victims.

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Profilisanje žrtava

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Sažetak

Ovaj rad se bavi analizom žrtava u procesu kriminalističkog profilisanja, s posebnim osvrtom na ulogu njihovih karakteristika u odabiru od strane počinitelja. Cilj istraživanja je da se identifikuju ključni elementi viktimoških profila i proceni kako socijalni, psihološki i bihevioralni faktori utiču na verovatnoću postajanja žrtvom. Istraživačka pitanja uključuju: Koji faktori doprinose izboru određene žrtve? Kako način života i rutina utiču na rizik viktimizacije? Na koji način analiza žrtve može doprineti otkrivanju počinioca i sprečavanju budućih zločina? Osnovna hipoteza rada je da postoji jasna veza između osobina žrtve, načina njenog života i rizika od viktimizacije. Pretpostavlja se da kriminalci ciljano biraju žrtve na osnovu njihovih ranjivosti, rutina i društvenih karakteristika, te da analiza ovih faktora može doprineti efikasnijem rešavanju zločina i boljoj prevenciji. Istraživanje se oslanja na deduktivnu i induktivnu analizu podataka iz dostupnih studija, pravnih dokumenata i statističkih podataka o kriminalnim delima. Koriste se metode viktimoške analize, analiza slučajeva i komparativna analiza postojećih modela profilisanja žrtava.

Ključne reči: profilisanje žrtava, viktimologija, kriminalističko profilisanje, interakcija sa žrtvom, metoda pristupa, metoda napada, procena rizika.

The Socio-Ecological Model of Risk and Protective Factors in Violence Against Children

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The Socio-Ecological Model of Risk and Protective Factors in Violence Against Children

Abstract

Protecting children from abuse and neglect is one of the fundamental principles of every society. Any form of violence against children leads to numerous consequences that affect all aspects of their lives and influence their functioning in later developmental stages. The aim of this paper is to provide a literature review explaining the risk and protective factors of violence against children, with a particular focus on the socio-ecological model. This model offers a multidimensional framework for understanding child abuse by analyzing how individual, family, community, and structural factors contribute to the risk of maltreatment. It emphasizes that violence against children is not merely the result of individual characteristics of parents or children but rather the outcome of interactions between multiple systems in which the child grows up. The model particularly highlights the importance of examining community and societal factors in shaping a child's environment. Through document analysis, comparative methods, induction and deduction, historical analysis, and synthesis, this paper presents research findings demonstrating the significance and interconnection of these factors. The results indicate that risk and protective factors at the community and societal levels play a crucial role in developing effective measures for the prevention of violence against children.

Keywords: violence against children, abuse and neglect, risk and protective factors, socio-ecological model

Introduction

Violence against children is a serious problem in every society, causing significant consequences for the body, mind, and future of each child. In addition to personal consequences, there are also significant effects on society and the family. For many years, the issue of violence against children was considered a family matter in which society and individuals should not interfere. Historically, child abuse was viewed as a matter of legal definition. Through the lens of twenty-first-century sensitivity, actions that would today be considered outrageous examples of child abuse were, at various times, legally sanctioned and culturally accepted (Hilarski, 2012). However, despite the prevalence of child abuse throughout history, it has long been recognized as unacceptable behavior. The Code of Hammurabi, around 1750 BCE, attempted to stop the practice of exposing children to violence or selling them into slavery. During the Christian era, Constantine prohibited the exposure of infants, and Justinian's laws banned the sale or enslavement of children and their abandonment, making these acts punishable by death (Wienclaw, 2023). Contemporary perspectives have nevertheless shifted the view on this significant health, social, criminological, and criminal law issue. At the international level, significant steps have been taken to prevent violence against children, improve legal regulations, and mitigate the consequences of violence on children's health.

The study of violence against children is an extremely complex issue as it is a multi-causal problem that must be examined from the perspective of various scientific disciplines. One of the primary difficulties in researching this topic is terminological confusion. What is considered abuse, neglect, or mistreatment of children? What falls under physical, psychological, or sexual abuse, and what are the forms of

manifestation and consequences? Is it possible to separate different types of abuse, or are they interwoven?

With the advancement of technology, digital violence has become increasingly prevalent, making children particularly vulnerable to cyberbullying, online exploitation, and psychological manipulation (Bjelajac & Filipović, 2020). In addition to individual perpetrators, terrorist groups can also engage in the abuse and exploitation of children, using them for recruitment, radicalization, and criminal activities (Zirojević & Bjelajac, 2013). Furthermore, the availability and easy access to drugs represent another serious form of violence against children, as it not only exposes them to the abuse of psychoactive substances but also makes them easier targets for exploitation, human trafficking, and organized crime networks (Bjelajac, Matijašević & Počuča, 2012). Given these widespread threats, it is essential to approach child protection systematically by integrating knowledge from criminology, psychology, sociology, law, and digital forensics. Only through a multidisciplinary approach is it possible to develop effective prevention and intervention measures that will reduce risks and protect the most vulnerable.

Numerous studies have shown the prevalence of this phenomenon in the general population. What should be noted immediately is that there is no research in our country that indicates the scale and severity of this problem. There are studies that have shown the prevalence of certain forms of child abuse and neglect, but no comprehensive studies or meta-analyses exist. Many international studies have attempted to gather data on the prevalence of violence against children in the general population, but due to certain methodological shortcomings, they have not been fully accepted. The results vary significantly and are often contradictory. While some studies suggest that violence is almost nonexistent (Sibert et al., 2002), others indicate that 90 percent of the surveyed population has experienced some form of violence (Meston et al., 1999).

According to research conducted in the United States, approximately 3 million children are recorded as victims of abuse or neglect each year, with 1,200 children losing their lives at the hands of one of their parents. Neglect of the youngest children is the most common form of child abuse, accounting for 62.8%. Physical abuse occurs in 16.6% of documented cases, sexual abuse in 9.3%, and emotional and psychological abuse in 7.1%. A study from 2005 and 2006 showed that in the United States, there were 30.6 cases of neglect and 11.3 cases of abuse per 1,000 children (Child Welfare, 2019). According to the World Health Organization, around one billion children have experienced some form of sexual abuse, while the Council of Europe reported that in 2022, one in five children in Europe was a victim of abuse, with one in four girls and one in thirteen boys experiencing some form of violence.

Most research relies on data collected from relevant state institutions, such as courts, prosecutors' offices, the Ministry of Internal Affairs, and social welfare centers, where children appear as victims or witnesses of certain criminal offenses, including domestic violence, violent behavior, and crimes against life and bodily integrity. Prevalence studies on pedophilia in the general population indicate its presence at 2.13% (Bjelajac, Merdović & Banović, 2020). Data from research on violence against women show that in 76.5% of cases, children were present when violence was committed against their mothers. Additionally, 45.9% of children were directly exposed to violence by their fathers (Ignjatović, 2015). One of the most significant studies in the field of child abuse and neglect is the Balkan Epidemiological Study on Child Abuse and Neglect (BECAN), conducted in nine Balkan countries (Albania, Bosnia and Herzegovina, Bulgaria, Croatia, Greece, North Macedonia, Romania, Serbia, and Turkey) on a sample of children aged

11, 13, and 16 years. The study results show that nearly 70% of children experienced at least one form of psychological or physical violence during their upbringing. More than a quarter of respondents believe they were neglected at least once, while over 8% of children experienced sexual abuse. Furthermore, 38% of children witnessed violence between adult household members (Hanak et al., 2013).

What is evident is that there is no single isolated factor that causes or prevents abuse. Instead, a combination of factors increases the likelihood that a particular child will become a victim of maltreatment (McCoy & Keen, 2013). According to Bronfenbrenner, any attempt to understand and explain human behavior must consider multiple levels of influence, and we cannot look solely at the child or even just the family if we truly want to understand the problem (Bronfenbrenner, 1979). In this context, the goal of this paper is to highlight the factors that contribute to the occurrence of various forms of child abuse and neglect, as well as the factors that protect children from becoming victims. By researching risk and protective factors of violence against children in both domestic and international literature, we have concluded that one of the most comprehensive models for explaining child abuse is the socio-ecological model, which will be the subject of this study and will be further presented in the following sections.

Terminological uncertainties and definitions

Terminological confusion and imprecision in the field of child violence are common obstacles to conducting adequate research in this area and, consequently, to creating meaningful policies aimed at protecting children. In the literature, various terms are encountered, such as violence against children, abuse, neglect, maltreatment, and child harm. Each of these terms has definitions that often overlap with the definition of another term. The reason for this inconsistency lies in different scientific approaches, cultural characteristics, social circumstances, and legal qualifications. The same applies to the definitions of specific forms of abuse, meaning that what one author considers sexual abuse may differ entirely from another's interpretation of the same term. The World Health Organization has provided a definition of violence that is operational in most countries and accepted by many theorists and practitioners. It defines violence as the intentional use of physical force or power, whether threatened or actual, against oneself, another person, or a group or community, that either results in or has a high likelihood of resulting in injury, death, developmental deficiency, or deprivation (WHO). From this definition, other definitions of violence have emerged, including those related to violence against children. Violence against children, as well as abuse and maltreatment, represents a specific form of interpersonal violence (Merdović & Vujović, 2022). When discussing violence against children, it encompasses all forms of violence, including sexual, physical, and psychological abuse, as well as maltreatment and neglect.

The most commonly encountered terms in the literature are abuse and neglect. Newer paradigms emphasize the term maltreatment as encompassing both abuse and neglect. Abuse refers to inappropriate actions by parents or guardians, such as physical, sexual, or verbal violence, while neglect involves the failure to meet a child's basic needs. Although the terms "abuse" and "maltreatment" are often used synonymously, neglect does not include abuse (McCoy & Keen, 2013). Child abuse and neglect (or child maltreatment) consist of any act of commission or omission by a parent, guardian, or another adult that results in harm, potential harm, or the threat of harm to a child (0-18 years), even if the harm was unintentional (Gilbert et al., 2009). The first association with abuse is often physical harm to the child, as it is considered the most easily identifiable form of violence due to the visibility of injuries on the victim's

body. When discussing violence against children, the focus is usually on physical and sexual violence as the most extreme forms. However, other forms of violence also exist, such as psychological and economic violence, whose consequences may not be immediately visible but are nonetheless severe. The common characteristic of all these forms is the intent to establish power and control over the victim, often through the exploitation of the child's trust. Child neglect is a heterogeneous construct that covers various negative experiences, such as poor supervision quality, inadequate or insufficient food availability, failure to attend school, and lack of necessary medical care. Generally speaking, neglect refers to the omission of caregiving behaviors necessary for a child's healthy development, while other forms of abuse typically involve harmful actions committed against the child (Mennen et al., 2010). The literature describes different types of neglect, including physical, emotional, medical, educational, and mental health neglect, cognitive neglect, psychological neglect, environmental neglect, lack of supervision, and the denial of professional care and treatment (Mulder et al., 2018). Physical neglect is most commonly associated with the term "neglect." This type of neglect is defined as the failure to meet a child's minimal physical needs, such as food, shelter, clothing, and protection from harm or danger (McCoy & Keen, 2013, p.92). Child neglect has a relatively high prevalence rate compared to other forms of child maltreatment, such as physical and sexual abuse (Stoltenborgh et al., 2015), and its impact on children's health and development is among the least negative (Norman et al., 2012).

Definitions of physical abuse vary, but the general understanding of this form of maltreatment is that any act by a caregiver that results in a non-accidental physical injury to a child is classified as physical abuse (Healey, 2018). This definition emphasizes intent, meaning the non-accidental harm of a child. Physical abuse is not always the result of an intention to harm the child, but it can sometimes be justified as a form of discipline. However, when it is based on fear and involves unpredictability or outbursts of anger, it constitutes physical abuse. Physical abuse is the type of abuse most likely to be accompanied by another form, particularly emotional abuse or neglect. Adults who physically abuse children may have unrealistic expectations of their child, failing to understand the child's needs or how to interact with them. This can be influenced by their own health, relationships, histories of child abuse, or emotional and behavioral challenges, including anger management issues (Miller-Perrin & Perrin, 2013). In domestic literature, there is also no unified definition, as authors provide their own perspectives on this form of violence against children. Milosavljević defines physical violence against children as acts, relationships, and behaviors of parents who, through the use of physical force, with or without objects, cause various injuries, wounds, and endanger the child's health or life, with injuries that can have tragic outcomes, including the child's death (Milosavljević, 1998). Žegarac states that "physical abuse includes acts such as hitting, shaking, throwing, strangling, suffocating, poisoning, burning, or scalding, which cause or may cause physical injuries or death to the child" (Žegarac, 2004, p.29). Behaviors and actions considered physical abuse include beating, hitting, pushing, shaking, throwing, pulling hair, biting, burning with a cigarette or other suitable object, choking, strangling, and inflicting severe physical injuries (Bjelajac & Merdović, 2019, p.195).

Psychological, emotional, or mental abuse is a distinct form of violence against children that usually does not occur in isolation but is linked to physical and sexual abuse. The World Health Organization defines emotional abuse as the failure to provide a developmentally appropriate, supportive environment, including the availability of a primary attachment figure so that the child can fully develop

stable emotional and social competencies in accordance with their personal potential within the societal context in which they grow up (WHO, 1999). Psychological abuse includes any attitude or behavior, as well as the omission of attitudes and behaviors by a caregiver, that disrupts a child's behavioral, cognitive, emotional, or mental well-being. These attitudes and behaviors include verbal abuse, mental abuse, and psychological abuse (McClennen, 2016, p. 26). Psychological and emotional abuse of children cannot be criminalized as a specific offense in criminal law, unlike physical and sexual violence, due to its invisibility and the difficulty of identification and proof. Psychological or emotional maltreatment includes both psychological neglect and psychological abuse. In cases of psychological neglect, parents fail to meet their children's emotional needs. Parents who ignore their children or fail to establish emotional contact with them may be guilty of psychological neglect, while in cases of psychological abuse, parents engage in behaviors that actively harm the child's mental health (McCoy & Keen, 2013, p. 123). Emotional abuse most commonly manifests through various forms of parental behavior. Among them, the following stand out (Garbarino, 1989):

- **Rejection** – The child feels worthless and unaccepted.
- **Degradation and devaluation** – Continuous criticism, stigmatization, humiliation, and denial of dignity, creating a sense of inferiority in the child.
- **Terrorizing** – Verbal intimidation, slander, frightening, and discouraging the child.
- **Isolation** – Depriving the child of normal social experiences, leading to feelings of loneliness.
- **Encouraging delinquent behavior** – Leading the child toward antisocial and destructive behavior.
- **Exploitation** - Instrumentalizing the child to satisfy the needs of the parent or guardian.
- **Deprivation of emotional support and stimulation** – Lack of love, sensitive care, and support, negatively affecting the child's emotional and intellectual development.
- **Unreliable and inconsistent parenting** – Contradictory and ambivalent demands, unstable parental support, and disruption of the sense of family security.

A caregiver may use one or more of these behaviors either briefly or over a prolonged period. Exposure to psychological abuse occurs if the caregiver's behavior causes harm or places the child at risk of injury. Examples of emotional abuse and neglect include a child engaging in maladaptive behavior or feeling unloved, unwanted, or worthless, serving merely as a means to fulfill the caregiver's needs, desires, and goals (Kimber & MacMillan, 2017).

Child sexual abuse refers to sexual activities between a child and an adult or an older child. This is criminalized in almost all countries worldwide, with very strict criminal sanctions prescribed for such offenses. It includes physical contacts such as unwanted touching, fondling, masturbation, oral-genital contact, penetration, and vaginal and anal intercourse (Merdović & Vujović, 2022, p. 66).

Child sexual abuse involves engaging children in sexual activities that are inappropriate for their age and developmental stage and for which they are neither emotionally nor physically prepared (Chiesa & Goldson, 2017). Such abuse primarily serves to satisfy the sexual needs of an adult while neglecting the child's needs, developmental maturity, and cultural norms. Sexual abuse can include both physical and psychological violence, leaving severe and long-term consequences on a child's psychosocial development. In professional contexts, it is divided into contact and non-contact forms. Non-contact sexual abuse includes exposing a child to inappropriate sexual content, such as pornography and exhibitionism.

Contact abuse can be non-penetrative, involving inappropriate touching, fondling, or forced masturbation, as well as penetrative, which includes vaginal, anal, or oral penetration. According to the definition provided by Conte (1994), child sexual abuse refers to prohibited sexual contact between an adult and a sexually immature child to satisfy the sexual needs of the adult or to gain financial profit through child prostitution or pornography. Sexual abuse is an act that always and inevitably destroys and permanently damages the victim's sense of dignity, self-esteem, and trust in others, invariably causing feelings of sadness, helplessness, and disgust toward oneself and others (Milosavljević & Tankosić, 2018). According to the definition of the Council of Europe, sexual violence against children includes:

- Sexual intercourse with a child who has not reached the legal age for sexual activity.
- Sexual relations achieved through coercion, threats, abuse of trust, authority, or influence, particularly involving children in vulnerable situations (e.g., those with mental or physical disabilities).
- Child prostitution and pornography, including the involvement of a child in prostitution, exploitation for financial gain, production, distribution, and access to child pornography.

Child sexual abuse is criminalized in all legal systems through the prescription of specific criminal offenses or qualified forms of fundamental offenses against sexual freedom where children are the victims. Organized sexual abuse refers to various circumstances in which multiple children are subjected to sexual abuse by multiple perpetrators. In these situations, children are exposed to severe harm, which may include child prostitution, the production of child pornography, and bizarre and sadistic sexual practices, including ritual abuse and torture (Salter, 2012). The consequences of sexual abuse are not only immediate but also long-term, leaving deep trauma on the victim that persists throughout life and manifests in health, emotional, social, psychological, and other problems related to daily communication (Merdović, 2020). One of the most severe forms of child sexual abuse is incest.

Peer violence refers to any form of abuse and neglect among children of approximately the same age, most commonly occurring in schools. It is characterized by the presence of deliberate, repeated, and unjustified aggressive behavior by one child or a group of children toward another with the intent to inflict physical or emotional harm on the victim (Juárez-Olguín, 2018). In developed countries, prevalence is extremely high. Physical abuse is more common among boys and young men, while discrimination and psychological abuse are more frequent among girls. The consequences for the victim may include injuries of varying severity, changes in physical and emotional development, psychological harm, and even death (Martin & Harrod, 2015). According to Olweus (2013), one of the leading researchers on school violence, a student is considered a victim when exposed to negative behavior by an individual or a group. Negative behavior includes intentional actions aimed at causing physical or psychological harm to another person. Roland defines bullying as prolonged physical or mental violence by an individual or group directed at a person who is unable to defend themselves in the given situation (Roland, 1989, p.143). The World Health Organization defines violence as the intentional, threatened, or actual use of physical force or power against oneself or another person, or against a group or community, which results in, or has a high likelihood of resulting in, injury, death, psychological harm, underdevelopment, or deprivation (Krug, 2002). There are numerous and varied typologies of violence, including peer violence. Among them, there is no clear boundary or division due to the diversity of manifestations. In the literature, peer violence is most commonly categorized as direct and indirect violence (Merdović, 2019).

With advancements in science and technology, another form of violence against children has emerged with significant consequences for all aspects of child development—cyberbullying. The effects of this form of violence can be extremely detrimental to a child's psycho-physical development, with the most severe consequence being when a child, due to continuous abuse and harassment, decides to take their own life (Merdović, 2019a). Cyber violence is a specific form of harassment that occurs through information and communication technologies, particularly mobile phones and personal computers (Bamford, 2004). One study on cyberbullying identified seven types of online bullying: text message bullying, mobile phone call harassment, image/video bullying (recorded via mobile phone camera), email bullying, chatroom bullying (instant messaging harassment), and website-based harassment (Smith et al., 2008).

In addition to these forms of violence, other classifications and distinctions exist depending on the dominant criteria used. The literature also references forms of violence against children in society, which include child trafficking, exploitation, violence in public spaces, structural violence, medical violence, cultural violence, spiritual violence, verbal abuse, financial violence, and others.

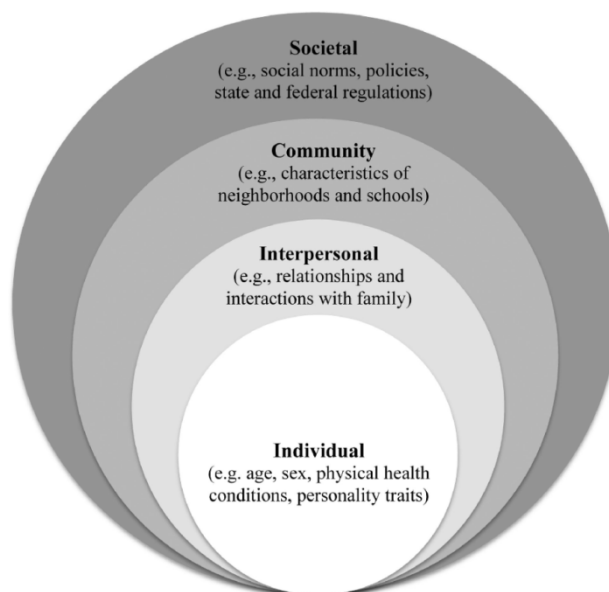
The Socio-Ecological Model of Risk and Protective Factors

Given the scale and severe consequences of child abuse, interdisciplinary, evidence-based approaches to primary prevention are essential. Effective prevention requires a comprehensive understanding of risk factors and protective factors. Risk factors refer to experiences, traits, behaviors, and circumstances that increase the likelihood of a child being subjected to abuse, while protective factors reduce this likelihood. It is important to emphasize that protective factors are not merely the absence of risk but also additional positive elements in a child's environment that diminish the possibility of abuse.

The causes of child maltreatment, which generally encompass both abuse and neglect, are numerous and interwoven, making it impossible to discuss them in isolation. Identifying risk and protective factors is crucial for developing effective prevention programs and ensuring child protection. The literature presents various explanations of violence against children, highlighting the influence of specific factors and their dominance over others. Consequently, numerous theoretical paradigms have emerged, similar to those explaining all forms of antisocial behavior, in an attempt to elucidate violence against children. However, scientific research has demonstrated that child abuse is a multi-causal phenomenon requiring a multidisciplinary approach. Without delving into specific theoretical explanations from classical schools of criminology and antisocial behavior, we will present the socio-ecological model, which, in our view, represents one of the most comprehensive frameworks for understanding the etiology of violence against children.

In Figure 1, four concentric circles represent the four levels of risk and protective factors: individual, interpersonal, community, and societal levels. The socio-ecological model consists of a set of interconnected and overlapping environments that constitute the proximal and distal contexts determining health and development. Each level is embedded within the next to illustrate that an individual's immediate environment (i.e., the individual and interpersonal levels) is influenced by broader surrounding conditions (i.e., the community and societal levels) (Austin, Lesak & Shanahan, 2020).

Figure 1. The Socio-Ecological Model of Risk and Protective Factors



(Austin, Lesak & Shanahan, 2020).

Risk factors according to the socio-ecological model

As seen in the central circle of the graphical representation of the socio-ecological model, individual factors include biological determinants, age, personality traits, health status, character, temperament, and other attributes that may contribute to a child becoming a victim of abuse and neglect. According to some studies, children younger than one year are at a higher risk of abuse compared to older children (Wildeman et al., 2014). Similarly, children with health problems (Jaudes & Mackey-Bilaver, 2008), intellectual disabilities, or psychological impairments (Hibbard & Desch, 2007) are at greater risk.

The second level examines close interpersonal relationships that may contribute to the risk of experiencing violence, either as a victim or a perpetrator. An individual's closest social circle—peers, partners, and family members—affects their behavior and shapes their experiences. Risk factors at the interpersonal level, particularly within the family and among peers, are considered crucial for child maltreatment. Research has shown that maltreatment often occurs within families, where mothers are more likely to engage in physical abuse and neglect, while fathers are primarily responsible for sexually abusing daughters (Ljubojev, 2004). Parents with issues such as depression, low self-esteem, substance abuse, or poor impulse control are more prone to maltreatment, especially if they were victims of abuse themselves (McCoy & Keen, 2013). Although most parents do not abuse their children, some succumb to violent behavior due to personal and familial factors. Research findings indicate that demographic and social risk factors include non-biological parents, single parents, young parental age, lower levels of education, large numbers of children, unemployment, social isolation, and a history of parental victimization (i.e., whether parents experienced any form of abuse). Cognitive and affective risk factors for child abuse and neglect encompass traits such as weak ego strength, low self-esteem, negative perceptions of child behavior, and inadequate parental expectations. Affective factors include emotional instability, depression, frustration, and anger, with parental anger recognized as a significant predictor of physical child abuse

(Stith et al., 2009). While most parents who abuse their children do not have diagnosed mental disorders, certain personality disorders (borderline, narcissistic, bipolar) and antisocial disorders increase the risk of child abuse (Lee, Taylor & Bellamy, 2012). Maternal depression, particularly in the early stages of a child's development, is associated with reduced emotional availability, stricter punitive methods, and a lack of positive interactions (Zuravin et al., 2005). Studies indicate that approximately 30% of individuals who were victims of abuse in childhood replicate this pattern in parenting, with key factors including the adoption of violent behavioral patterns, difficulties in forming emotional bonds, and substance abuse (Dixon et al., 2005). Family risk factors for child abuse include economic hardships, unfavorable living conditions, family conflicts, and social isolation (Bjelajac & Merdović, 2019). Research shows that alcohol and drug abuse (Kepple, 2017) significantly increase the risk of neglect and physical violence against children. Parents who use psychoactive substances often have a diminished capacity to care for their children, leading to unsafe living conditions, poverty, and a lack of resources.

The connection between parental addiction and child neglect is particularly pronounced, with children in such families often experiencing emotional detachment, a lack of attention, and inadequate basic care. In addition to direct abuse, children can be indirect victims of domestic violence, witnessing conflicts and aggression (Cafferky et al., 2018). Studies confirm that partner alcoholism (Marčeta-Mladenović, 2013) contributes to domestic violence, exposing children to additional stress and traumatic experiences. Psychoactive substances lower inhibitions, increase impulsivity, and lead to loss of control, heightening the risk of violent parental reactions. Moreover, addiction often prioritizes substance use over a child's needs, further endangering their health and development. Violence against children within the family represents a severe form of interpersonal violence, disrupting their fundamental need for security and emotional support. Children raised in such environments may be direct victims of physical, emotional, or psychological abuse, as well as witnesses to violence between parents, which can have long-term negative consequences on their development (Merdović & Vujović, 2022). Research suggests that even if a child is not physically harmed, exposure to domestic violence can increase the risk of anxiety, depression, low self-esteem, aggressive behavior, and academic difficulties. Dysfunctional families are characterized by impaired communication patterns, emotional detachment, and disorganized family dynamics, where chronic conflicts become a common mode of functioning. Risk factors include parental separation, inadequate parenting skills, and weak parental control (Merdović, Počuča & Dragojlović, 2024). The presence of intimate partner violence increases the likelihood of child abuse. Verbal abuse is more commonly transmitted than physical neglect, and women who were sexually abused in childhood are more likely to engage in physical abuse of their children. Poverty is a key risk factor, as children from low socioeconomic backgrounds are five times more likely to experience abuse (Sedlak et al., 2010). Financial instability, unemployment, and stress reduce parental capacity, while impoverished families often live in unsafe environments, further increasing the risk.

When discussing factors at the level of the immediate community where children live, spend their free time with peers, and engage in extracurricular activities, it is essential to highlight two highly significant risk factors that have shown a strong correlation with child abuse and neglect in research. These are, above all, a criminal environment (Thurston et al., 2017) and a higher number of adverse circumstances, such as poverty, unemployment, and lack of housing (Daley et al., 2016).

Social factors, economic trends, and norms are increasingly recognized as key risk factors for child maltreatment. Research indicates that certain economic policies, such as regressive taxation during economic crises, can increase the risk of maltreatment. Additionally, social norms related to gender equality influence the shaping of an environment that may contribute to higher rates of violence. The connection between economic insecurity, declining household income, and the rise in child abuse has been confirmed in numerous studies (Austin, Lesak & Shanahan, 2020). Media, culture, and the internet play a crucial role in shaping attitudes toward violence, parenting methods, and socially acceptable behavior. Societies that tolerate or glorify violence in media, music, and films often have higher rates of violence.

Protective factors against child violence

Socio-ecological models indicate that protective factors are distributed across the same spheres as risk factors for child violence. Preventing child abuse requires an understanding of protective factors that enhance resilience. No child is to blame for the violence they have experienced nor are they responsible for preventing maltreatment.

Individual characteristics, such as self-regulation skills, social competence, adaptive functioning, and self-esteem, can mitigate the negative consequences of violence (Yoon et al., 2021). Children with well-developed social skills are more likely to achieve academic success and avoid risky behaviors. One of the most important factors in preventing child violence at the individual level is the attachment children form with their parents.

Interpersonal relationships play a crucial role in protecting children from violence by fostering a safe and supportive environment. A stable and warm relationship with parents or guardians provides a child with emotional security and reduces the likelihood of exposure to negative experiences. In addition to family attachment, strong relationships with peers and support from extended family strengthen a child's resilience and enable the development of healthy coping mechanisms for stress. Social inclusion through school and extracurricular activities further enhances social skills, while significant adults, such as teachers and coaches, can provide additional protection and support. Beyond its impact on children, strong social support for parents is a vital factor in preventing violence. Stable partnerships positively influence parenting roles and reduce the risk of intergenerational transmission of violence (Schofield et al., 2017). Support from family and close friends strengthens parents' sense of security, helping them better cope with parenting challenges. Parents with well-developed social connections are less likely to use violent disciplinary methods and tend to be less authoritarian and rigid, contributing to a reduced risk of child abuse. Strengthening interpersonal relationships and developing social support are key steps in preventing violence and creating a safe environment for children.

Protective factors at the community level play a significant role in preventing child abuse, as they contribute to creating a safe and supportive environment that reduces the risk of violence and promotes positive parenting. One of the most critical aspects of these factors is access to healthcare, social, and educational services, which can significantly reduce the prevalence of child abuse by providing adequate support to at-risk families (Freisthler & Maguire-Jack, 2015). In addition to institutional support, the physical and social environment of a community has a significant impact on the well-being of children and parents. Investments in public spaces, such as playgrounds and parks, contribute to the development of a safe environment where children can play freely while parents build social connections and share experiences.

Such spaces not only provide opportunities for children to engage in play and socialization but also strengthen the sense of community and social cohesion among adults. The connection between socioeconomic status and community-level protective factors is also crucial. Economically stable communities often have better infrastructural and institutional resources, ensuring greater access to services and increased social support for families. Conversely, communities with lower socioeconomic status face numerous challenges, including a lack of resources, poorer access to services, and a higher risk of social isolation, which can increase the likelihood of child abuse. Strengthening social cohesion, improving infrastructure, and increasing the availability of various community services are key strategies in preventing child violence. By creating an environment where families receive support and have access to resources, it is possible to reduce risk factors and provide children with a safe and nurturing upbringing.

Protective factors at the societal level are crucial for preventing child violence, particularly through policies and programs aimed at supporting families. Contemporary research increasingly highlights that social and economic measures that improve family stability can significantly reduce the risk of child abuse and neglect. Providing financial support to parents through instruments such as employment opportunities, paid parental leave, tax incentives, minimum wage increases, and adequate social benefits can create a more secure family environment and reduce stress factors that contribute to violent behavioral patterns. Empirical data (Klevens, 2016) suggest that even the slightest improvement in economic security can positively impact reducing cases of child maltreatment. These findings emphasize the importance of well-designed social policies that enable parents to raise children in more stable conditions, contributing to the long-term prevention of violence and ensuring a healthier development of children within their families and the broader society. The state, through appropriate legal frameworks and the proper functioning of governmental institutions responsible for child protection, can create an atmosphere in which both parents and children feel more comfortable and secure.

Child abuse often remains hidden as it usually occurs in the privacy of the home, with both parents and children motivated to keep it a secret. While parents fear the consequences, children may remain silent due to threats, shame, or a lack of awareness that their experience differs from what is considered normal. Therefore, it is crucial to develop strategies for recognizing abuse and providing support to children who suffer from it. Through the socio-ecological model of explaining prevention, protection, and risk factors for child violence, we see a broad spectrum of indicators that can signal potential abuse or reveal the consequences of already manifested violence. At each of these levels, attention must be given primarily to prevent violence from occurring and, if it has already manifested, to minimize its impact on the child as much as possible.

Conclusion

Child maltreatment, encompassing all forms of abuse and neglect, is a complex phenomenon with multiple causes and unpredictable consequences. The socio-ecological model of abuse, which is the most widely accepted, examines the interaction between risk and protective factors, including stressful situations in children, interpersonal relationships, parental predispositions, situational challenges, and societal conditions. Abuse often arises or is perpetuated through social norms that tolerate violence, while children remain victims in environments burdened by financial and emotional difficulties. Understanding the impact of abuse on children has evolved over time, shifting from the view that maltreated children are

destined to develop psychopathological issues to recognizing that abuse, like other significant childhood stressors, can provoke various adaptive responses, ranging from psychological resilience to severe psychiatric disorders. Research has shown that certain children, despite extreme stress, develop resilience. In this context, studies are increasingly focusing on internal factors, such as coping strategies, and external factors, such as social support, which can act as protection against negative consequences.

Understanding and identifying the factors that contribute to child abuse is essential for the creators of preventive programs and social policies, as it allows for the timely recognition and prevention of potential stressful and violent situations. While treatment for abused children and their caregivers remains crucial, preventing abuse has become a priority. Understanding the protective factors that shield families from violent behavior has led to the development of preventive programs that encourage the development of skills, resources, and coping strategies, thereby reducing the risk of future abuse cases. Child abuse is often linked to other serious social issues, such as poverty, lack of access to adequate healthcare, poor childcare, and unequal educational resources. These issues, along with abuse, can be effectively prevented and eliminated through appropriate preventive interventions.

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Socio-ekološki model rizičnih i zaštitnih faktora u nasilju nad decom

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Sažetak

Zaštita dece od zlostavljanja i zanemarivanja jedan je od osnovnih principa svakog društva. Svaki oblik nasilja nad decom dovodi do brojnih posledica koje utiču na sve aspekte njihovog života i određuju njihovo funkcionisanje u kasnijim fazama razvoja. Cilj ovog rada je da pruži pregled literature koja objašnjava rizične i zaštitne faktore nasilja nad decom, sa posebnim fokusom na socio-ekološki model. Ovaj model nudi multidimenzionalni okvir za razumevanje zlostavljanja dece, analizirajući kako individualni, porodični, zajednički i strukturalni faktori doprinose riziku od maltretiranja. Naglašava se da nasilje nad decom nije isključivo rezultat individualnih karakteristika roditelja ili dece, već posledica međusobne interakcije različitih sistema u kojima dete odrasta. Model posebno ističe značaj ispitivanja faktora zajednice i društva u oblikovanju detetovog okruženja. Kroz analizu dokumenata, komparativne metode, indukciju i dedukciju, istorijsku analizu i sintezu, rad prikazuje rezultate istraživanja koji demonstriraju značaj i međusobnu povezanost ovih faktora. Rezultati ukazuju na to da rizični i zaštitni faktori na nivou zajednice i društva igraju ključnu ulogu u razvoju efikasnih mera za prevenciju nasilja nad decom.

Ključne reči: nasilje nad decom, zlostavljanje i zanemarivanje, rizični i zaštitni faktori, socio-ekološki model

Political Ludology – The Aporias of Ontological Discrepancy Between Game and Politics

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Political Ludology - The Aporias of Ontological Discrepancy Between Game and Politics

Abstract

The paper explores the concept of political ludology by analyzing the aporias of the ontological discrepancy between games and politics in the context of video games. Although video games belong to the corpus of fiction and simulation, they simultaneously generate significant political implications, shaping perceptions of power, identity, and responsibility. The paper problematizes the way video games function as spaces for political narratives, moral dilemmas, and existential questions, questioning the boundaries between games as free, autonomous spaces and politics as an organized order of power and obligations. The opening chapter analyzes what is political in political video games and how political elements in video games seemingly converge with the eternally given and unchanging ludological concepts of games. By exploring moral dilemmas and responsibilities, the author questions how political video games place players in moral choices and how these choices impact subjective responsibility. The focus is on the ethics of decision-making, the boundaries of free will, and the ways in which the player, through interactive experience, becomes a political subject. The author also examines the paradox of freedom in video games, contrasting "freedom from" the video game with "freedom for" the player, arguing that the latter is merely a permission, an illusion offered by the creators. It analyzes how the concept of political freedom is translated into the ludological system of rules and mechanics, and to what extent the player can transcend these boundaries. The concluding chapter raises the question of the ontological status of the video game in relation to reality. It discusses whether the political dimension of a game remains confined to the realm of fiction or has the ability to transform the player's perception of the real political order. The paper addresses the boundary between simulation and reality, as well as the potential of video games to redefine political discourse beyond their virtual sphere.

Keywords: video games, ludology, politics, ethics, freedom

Introduction

Contemporary society is shaped by complex power relations that manifest through various political and cultural practices. In this context, game and politics seem to operate as two seemingly separate spheres of human activity. Game, in its essence, implies an autonomous space of freedom, fiction, and experimentation, while politics is defined by hierarchical structures, rules, and the struggle for power. However, the boundary between game and politics is not as clearly defined as it seems at first glance. It is precisely this confrontation that opens up a space for analyzing the ontological discrepancy between these concepts, which is the main subject of this paper.

Game, in its classical definition, involves an activity that takes place within clearly defined rules, in a symbolic space that is separated from everyday life. Johan Huizinga (1992) highlights the game as a fundamental activity that precedes culture, emphasizing its autonomy and ritualistic dimension. In contrast, politics, in the classical tradition from Aristotle to contemporary political theorists, is defined as an activity directed at organizing communal life and managing power. However, contemporary forms of

political action often adopt the aesthetic and performative aspects of games, further complicating the boundary between these two spheres.

Political ludology, as an interdisciplinary perspective, explores how game structures are reflected in political processes, but also how political dynamics influence the shaping of games. This analysis requires a re-examination of the foundations of both game and politics, posing crucial questions: Is politics a form of game? Can a game be a form of political practice? How does the ontological discrepancy between game and politics manifest in contemporary social structures? These questions are not merely theoretical but have concrete consequences for how we understand contemporary political phenomena such as populism, media manipulation, and digital politics.

One of the elements that connects game and politics is the concept of rules. In a game, mandatory rules create a framework within which symbolic struggles unfold, while in politics, rules that are not consistently mandatory regulate institutional order and shape the boundaries of political action. However, while the rules of a game are necessarily known to all participants and remain unchanged during the game, political rules are subject to interpretation, change, and abuse. This flexibility of political rules allows players within the political field to manipulate the system for their own benefit, making politics take on characteristics of a high-stakes strategic game.

The aim of this paper is to explain the aporias that arise at the intersection of game and politics, with an emphasis on the contradictions of their different ontological statuses. Through the analysis of theoretical sources, examples from popular culture, and political practice, the paper will offer a deeper understanding of the complex relationship between game and politics, opening space for a new interpretation of political reality through a ludological lens. We will especially focus on how digitalization and media spectacularization transform political games, erasing the boundaries between fiction and reality.

In the following chapters, we will first define the concepts of game and politics, examining their philosophical and sociological foundations. We will then explore how elements of the game appear in political processes, from rituals and symbolism to strategy and tactical manipulation. Special attention will be given to the phenomenon of the gamification of politics, in which political actors use game mechanisms for mobilization, propaganda, and shaping public opinion. Finally, we will examine the consequences of the ontological discrepancy between game and politics, with a particular focus on contemporary forms of political games in the digital age, where political reality increasingly overlaps with virtual spaces and simulations.

Through this analysis, the paper will demonstrate that the game is not just a metaphor for politics but, under certain conditions, can be an integral part of it, pointing out that political power is not manifested exclusively through laws and institutions, but also through symbolic, performative, and ludological forms of interaction. Accordingly, understanding politics through the lens of the game opens up new possibilities for the critical analysis of contemporary political phenomena, emphasizing the role of fiction, narratives, and performance in shaping political reality.

What is political in political video games?

What is political in political video games, and when, otherwise apolitical per se, does a video game become political, and why does it become political? Is a political video game political per se, as an ordinary game is not, or should the politics of a political video game be proven? And what is, ontologically

speaking, the source of the political in political video games? The answer to all these questions should be unified: the source of the political in political video games, and the reason why a video game becomes political, should be – politics in the video game. We define politics in the broadest sense as an activity through which people create, preserve, enforce, or change the rules by which they live. As such, politics primarily refers to a social activity that is, on the one hand, essentially linked to the existence of diversity and conflict, and, on the other hand, to the willingness to compromise and reach consensus.

Given the classical definition of video games (Huizinga, 1992, p. 31), the question arises whether politics has a place in video games, or in games in general? This is due to the kind of nonsense or ontological and dialectical opposition between the concepts of game and politics. Kant, in his discussion of games, primarily noted “freedom from goals, needs, and the struggle for survival.” According to Kant, a game is “free from responsibility and consequences” (Kant, 1975, p. 109), i.e., everything that constitutes the essence of politics and the state, without which no known civilization is possible. The *raison d'être* of every politics is interest, while the *conditio sine qua non* of every game is the absolute absence of interest, except the interest of the player to play, or to have the game played with the help of the player (Gadamer, 1978).

Ludic puritans and theorists of the purity of the game (see Sicart, 2014) believe that politics has no place in the worlds of games, but the thousands of popular political games that exist and are played every day, in flagrante, say – yes. Politics may not have a place in games, but there are no mechanisms to prevent politics from using games to achieve its goals. The creators of political video games believe that politics, with its issues of power, authority, social relations, and conflicts, is an essential part of the human experience. Throughout history, societies have been shaped through political decisions, wars, revolutions, and economic systems. Games that explore these aspects, such as simulations, strategy games, and narrative games, can provide understanding and reflection on the world. However, it is not certain how this small war between ludic puritans and political utilitarians will ultimately end.

Recently, Statista, a reputable global statistics platform, published the results of its research on players' willingness to play political video games. In the article by Florian Zandt, titled "Should Video Games Be Political?" from January 2024, it is stated that “today, independent games produced by marginalized creators increasingly contain subtle and not-so-subtle messages related to political causes. But are people really interested in having games be part of political discourse? Statista Consumer Insights shows that the majority of the online survey population in six countries does not think of political messages as part of the video game experience. An exception is India, where thirty percent of respondents said that games should play a role in addressing social issues. In other top gaming markets like the US, Germany, the UK, Mexico, and Brazil, only between 12 and 16 percent of gamers think video games should comment on social and political topics” (Zandt, 2024).

This discussion becomes somewhat philosophical, and some might even say scholastic, because if art exists in the artwork (see Heidegger, 2000), then politics exists in political acts, meaning in every individual political action performed by humans. If we want to determine or define the political in political video games, then we must look for the political within each individual game, primarily in the actions and messages of the player's avatars that inhabit political video games beyond the screen, or in the quantum of political messages in all video games. If, to paraphrase Heidegger (2000), the artist is necessarily the source of the artwork, and together they form art, then the politician is necessarily the source of the political

act, and together they form politics, and, in the context of this paper, a political video game. There is no political video game untainted by politics. One might think that this wordplay is unimportant and meaningless, but that is not the case. If the politician is the source of the political act as the politics we have described – an activity performed by people – then we should look at who these people are in the narratives of political video games, the bearers of political messages and decisions beyond the screen, or the sources of the political in the video game. These people are the political avatars that, through gameplay, the players of political video games become. The moral and, generally, character traits of these avatars are defined by the narrative of the video game beyond the screen, but also by the traits of the players on this side of the screen, as these traits can influence the political choices that gameplay allows in the games.

How are the character traits of avatars, as inhabitants of the video game world, created, and who creates them? Who has the greatest influence on them? The commissioners of video game production, whether they are publishers, investors, or other organizations that fund or commission the creation of the game, have the greatest influence on the creation of the moral profile of avatars, and thereby on the morality of the political within video games. In the video game industry, commissioners often set strict goals and guidelines that shape the moral characteristics of characters and player decisions. Commissioners frequently set goals in line with commercial interests, attempting to make the game as appealing as possible to a broad audience. In some cases, this leads to the creation of avatars that align with popular moral and political norms to make the game attractive to various groups of players. Commissioners, especially in the case of large publishers or international distribution platforms, have specific requirements regarding censorship and game content. Some commissioners, particularly those associated with political or ideological movements, demand that the moral characters of avatars in the game reflect their views. This influence is greater in games with a specific political or ideological message, such as games that explore themes of totalitarianism, the fight for human rights, economic injustice, or political revolutions. The commissioners' requirements can also be tied to social responsibility when games are developed with the intention of raising awareness about certain ethical and political challenges, such as human rights, social justice, or environmental issues. In this case, the moral characters are designed to show how political decisions affect people and society, and players may be confronted with situations where they must make difficult moral decisions. The commissioners of video games, like film producers, have a decisive influence on the moral traits of characters in political video games, especially when it comes to commercial interests, cultural norms, regulatory requirements, and ideological goals (see: Filipović, 2013a). Commercial, political, and social factors often shape what The source of the political in political video games can be the author's intent to explore or present political ideas, reflections of the real world through themes and events, the systemic rules of the game that simulate political processes, or the interpretation of the player and the broader societal context. The political in games does not have to be explicit; it can result from the interaction between design, narrative, and the freedom players have to shape their own experience within the game. Philosophers like Hannah Arendt (1956) and Carl Schmitt (1932) emphasize that the political is inherent in human action and relationships. Games, as a medium that simulates social and human interactions, often inevitably reflect political dimensions.

Political video games carry with them a unique ability to interrogate, represent, and model political ideas, processes, and ideologies. However, if we make an analogy to Heidegger's question (Heidegger,

2000), who asks, "What is art in the artwork?" and ask, "What is political in political video games?", it requires a philosophical examination that goes beyond a superficial analysis of the themes and other aspects of political video games and delves into the essence of interactivity, the representation of power, ideology, and ethics. This question touches on the ontological nature of games, their epistemological role in understanding politics, and their ethical dimension in shaping social discourse. The ontological dimension of the political in video games raises the question: what, in the experience of the player beginning to play the game, makes it political? Is it their theme, the mechanics that simulate political processes, or the way players engage in shaping political narratives? The answer often lies in the interaction of these three elements. Political video games are not merely political stories or stories about politics; they are politics themselves, as they are designed to model relations of power, governance, and social dynamics, using mechanisms offered by the appeal of video games to ensure the widest acceptance of political messages.

Political video games often carry explicitly political themes. These are simulations of state power, resource management, elections, and international relations. Games like *Democracy* place the player in the role of a leader balancing various interests to maintain political stability. Here, the political is present in its traditional form: decision-making, relations with voters, managing conflicts. The political in games is often found in their mechanics. Simulations like *Civilization* or *SimCity* allow players to engage in political processes, from making laws to managing infrastructure. These games not only offer a story about politics but also an experience of politics through play. Management mechanics, compromise, and conflict represent political processes as complex systems where decisions are always linked to indirect and direct consequences. Philosophically, the political in games arises through player participation. Video games are not passive media; they require players to take a stance, make decisions, and take responsibility for the consequences. This act of interactivity places the player in the position of a political subject who shapes, examines, and questions political norms.

Epistemologically, political games are not just representations of the real world but tools for exploring and understanding political ideas. They provide a framework for simulating "what if" scenarios (Sicart, 2011), where players can experiment with different ideological approaches, social structures, and political strategies. Games place players in moral dilemmas of bureaucratic systems, allowing deep reflection on ethics, justice, and power. Games are, by nature, models of reality. Political games model ideologies and policies in a way that allows players to understand them through practice. In *Tropico*, the player can experiment with different forms of government, from democratic governance to authoritarianism. Such simulations educate players about political systems and encourage their critical thinking. Games can serve as mediums of propaganda, but also as tools for deconstructing political narratives. Games that glorify military conflicts often support certain political agendas, while games like *This War of Mine* highlight the human cost of conflict and question the ideological foundations of warfare. Games allow players to learn about complex political processes through simulation. *Democracy* or *Balance of Power* are not just games but interactive guides to political philosophy, as players must understand the implications of their decisions in the context of economy, diplomacy, and social policy.

Ethical aporias of the political in video games

The political in video games also has an ethical dimension, as it concerns how games shape moral and social norms. We dare to raise a consideration here regarding the essence of the ethical in video games, specifically about the likely transition of basic ethical principles of "regular" video games into a different ethics of political video games. The game, per se, has been based on a deontological ethical principle from the very beginning. Innocent and naive, as it once was—and to some extent still is—a video game was free of any goals and consequences (Kant, 1975, p. 109), basing its ethicality on duty as the basic reference in making appropriate decisions and consistently adhering to rules when performing a specific player task. Those who were good, were good; the rest were either evil or NPCs. Political video games are based on entirely different ethical strategies, and in order to succeed in their task, they had to adopt the teleological version of liberal capitalism's ethics, which assumes that ethically correct decisions are those that lead to the best consequences and provide the greatest benefit, even if they may be unethical and harmful to the "rest" of society. In line with this ethical stance, the benefit of an activity, including playing a video game, becomes the crucial criterion for assessing the morality of all aspects of the player's activities.

The change in the fundamental ethical principle has not made political games less good or less playable than regular video games, but it has introduced dilemmas that could lead to certain consequences in the future. In other words, involving players in political processes through games opens up a range of ethical questions about power, responsibility, and manipulation. The dilemmas do not offer "correct" answers; rather, they force players to confront the complexity of political and ethical issues. Games are often influenced by the ideological backgrounds of their creators. The political in games can be implicitly manipulative, introducing players to narratives that support certain political or ideological views. This manipulation can be subtle, like the economic system in the game *Capitalism*, or explicit, as in propaganda games promoting a specific agenda. The philosophical question of responsibility is at the heart of political games. Are designers responsible for the consequences their narratives and mechanics may have on players? Do players take responsibility for the moral and political decisions they make in a game, even when those decisions have no real-world consequences? Although one might think so, this is not merely a rhetorical question. Moral panic surrounding video games sometimes leads to bizarre demands and cases, such as the International Committee of the Red Cross (ICRC) once requesting punishment for virtual war crimes in video games (Šojer, 2013). What the ICRC advocates is cooperation with video game producers to somehow punish players who virtually torture, attack, or kill civilians, medical staff, and otherwise violate the provisions of the Geneva Conventions. The punishment would, of course, also be virtual, but the ICRC believes that this would prevent the trivialization of war crimes in games. The ICRC is focused on games that simulate real war situations, such as *Battlefield 4* or *Call of Duty: Ghosts*. This issue, although its applicability and feasibility are questionable, transcends the mere question of punishing virtual crimes and touches on other concerns related to the protection of vulnerable categories, such as children, from virtual violence, as well as other elements harmful to developing generations (see Bjelajac & Filipović, 2020a; Bjelajac, Matijašević & Počuča, 2012). Here we primarily discuss the perspectives of protecting vulnerable categories from already designed ethical objects, but as these designed ethical objects, in addition to their primary content, often contain the possibility of interaction with other people

that open new possibilities, we also speak about the undesirable aspects of these interpersonal online interactions (see Filipović, 2013b; Bjelajac, Filipović & Stošić, 2022; Bjelajac & Filipović, 2020b).

There is an interesting aspect in political ludology that offers a slightly different view on theorists who oppose the political in video games and want to keep politics away from video games. This is essentially an inconsistent stance, which, in one article (Huang and Kim, 2024), on the presence of politics in video games, is marked as “I don’t want in video games (only these, author’s note) the politics with which I disagree.” Soraya Murray (2017) argues that such “things tend to upset people because they are being suggested that politics now exists where it didn’t before.” When considering the call to keep politics away from video games, it becomes evident that the discussion extends beyond excluding certain political views from video games. The question arises about the “entangled relationship between games and the spectrum of political biases within the industry. In the end, developers should embrace political messages in their art. However, responsibility shifts in both directions: consumers also need to approach politically tinted games in good faith, rather than resorting to online boycotts and harassment, which can become discouraging and financially burdensome for developers,” and, the authors claim (Huang & Kim, 2024), “politics is everywhere in games; it is simply invisible unless it is part of politics with which someone disagrees.” Video games are an inevitable reflection of the political reality of the time in which they were created. Games like *Call of Duty* have come under criticism for their heavy reliance on Arabia, depicting the Middle Eastern society as a place where people are either traumatized victims of endless war or terrorists, with little difference between the two (see Zirojević & Bjelajac, 2013). This trend, which arose from the political climate after 9/11, government surveillance, racism, and the willingness to resort to militaristic violence, reflects the ongoing conflicts in the region that have intensified since the beginning of the U.S. global war on terrorism, nearly 23 years ago. Many increasingly argue that this distorted portrayal of Middle Eastern peoples has contributed to apathy and ignorance toward the ongoing conflicts in Gaza” (Huang & Kim, 2024).

The question of how much ethics there is in politics sparks deep and complex debates, as politics and ethics, although interconnected, have different goals, values, and norms. Politics primarily deals with power, decision-making, and achieving objectives, while ethics is focused on moral principles, which may or may not align with political practices. Kant wrote that “on earth, the laws of nature or the laws of freedom operate. The science of nature is called physics, the science of freedom is called ethics. Physics is called the science of nature, and ethics is the science of morality” (Kant, 2008b). In the real world, politics is rarely considered ethical, as it involves managing conflicts, achieving goals, and balancing needs and interests, often with limited resources. While politicians invoke ethical principles such as justice, equality, and freedom, they often face situations that require pragmatic decisions that are not fully in line with ideal ethical norms. In everyday political practice, ethics is often questioned due to compromises, opportunism, and corruption. Although politicians refer to ethical principles, their actual decisions are driven by the need to gain power, maintain their positions, or fulfill the interests of various groups. Class, ethnic, and other interests often influence political decisions, which can lead to ethical problems. Political decisions and ethical principles are not always aligned. Politics, especially in its practical sense, often requires compromises and making unpleasant, pragmatic decisions that are not fully in accordance with ethical norms. Ethics in politics can differ depending on political theory or context, but in any case, it raises fundamental questions about how political leaders and citizens should act in accordance with moral values.

While ethics in politics is not always clearly present, its question remains central to understanding how politics functions, how social power relations are shaped, and how justice and the rule of law are managed in society.

The ethics of the political in political video games opens up a range of questions about the moral implications, responsibilities of their creators, and their impact on players. Political games represent a space for reflection on power, justice, political ideologies, and the consequences of decisions. Games can become politically biased, consciously or unconsciously promoting certain ideologies. Is such bias justified, or does it undermine the freedom of players to independently form opinions? On the other hand, manipulation of players is another ethical challenge. Games can force players to choose between bad options, creating an illusion of choice. The way games represent different cultures and political ideologies is of great ethical significance. Moral choices and their consequences are a central aspect of ethics in political games. Games often reward or punish certain decisions, shaping how players think about politics and ethics.

Ethical mistakes in political video games manifest in various ways, from moral dilemmas that players must solve to the ways political ideologies, cultures, and social systems are portrayed. Through these mistakes, games can contribute to misinformation, the proliferation of stereotypes, or manipulation of players. One of the most common ethical mistakes in political games is giving players the illusion of choice, while the actually available options are limited. Players may face moral dilemmas, but their decisions often have no real consequences or are only superficial. This can create a sense that players are not given real freedom to shape the game according to their values, raising the question: is this manipulation justified in the context of the game? In games like *Mass Effect*, players make political and moral decisions, but many of those decisions have no long-term impact on the outcomes of the game, or only reflect superficial changes, which may be perceived as an ethical mistake.

When political games adopt specific ideologies or positions, they can create ethical mistakes if those ideologies are oversimplified, stereotyped, or inaccurately represented. Games that depict authoritarian regimes or democracies may present these systems in an exaggerated black-and-white perspective, which can lead to misunderstanding the complexity of political ideas and systems. Political games that use military themes or violence as a main element may promote militarism, war, and violence as legitimate political options. Ethics becomes controversial in games that do not sufficiently explore the moral aspects of war and militarism or that even glamorize them. When games like *Call of Duty* do not allow players to engage in deep reflection on the consequences of war but instead engage them in fast actions and excitement, an ethical problem arises in shaping players' attitudes toward violence. In political games that include historical events or fictional political systems, there is a risk of historical inaccuracy or superficial representation of complex political situations. Games that use history as a basis for political narratives may misinterpret facts, which could have long-term consequences on the understanding of the real world. Games like *Civilization* offer players the chance to solve historical challenges, but often ignore the real political, social, and economic challenges faced by people in different periods, simplifying complex events into entertainment and strategy. Political games can be created with the goal of promoting a specific political ideology or propaganda. Games like *America's Army* or *Defcon* are openly used to shape players' attitudes and behaviors, or even to recruit new soldiers into armies. These games, though possibly well-designed and entertaining, can raise questions about the ethical responsibility of creators regarding the

influence on political views and behaviors of players. In some cases, games can promote political narratives based on ethical issues, such as the laws of war, human rights, and the rule of law. If games insufficiently explore the complexity of political decisions or favor one political direction, they can become instruments for spreading propaganda.

Some political games may ignore or minimize the importance of human rights and social justice, which creates a serious ethical issue. If a game does not allow space to consider issues of economic inequality, discrimination, or human rights, one could question whether it is truly ethically acceptable to design a game that deals with politics without a deeper social responsibility. Political games have the power to shape attitudes but also pose serious ethical dilemmas. Through manipulation of choices, glorification of violence, inadequate representation of history and ideologies, games can easily become ethically problematic. Game creators have a responsibility to ensure that their games not only entertain but also encourage reflection on important social and political issues, respecting moral principles and responsibility toward players.

The political in political video games is not just content, it is a process through which players, designers, and society at large interact with politics and ideology. Games are not just representations of political ideas but also tools for examining, shaping, and deconstructing them. They become a space where players can engage in political discourse, examining power, ethics, and ideology through interactive experience. Through political games, the political becomes a dynamic process, not a static concept. Players transform from passive observers to active participants, while games become a medium for exploration, learning, and critical reflection. In this sense, the political in political video games is not just a reflection of the real world but a place where reality can be imagined differently, where politics can be redefined through play.

The player of political video games as a political subject – The ontology of the political subject in video games

At its core, the ontology of the political subject addresses the question of what it means to be a political subject, how the identity of a political actor is shaped, how it influences the circumstances surrounding it, and how the possibility of political action is implemented in games. Political games often place players in positions that allow them to make decisions, manipulate resources, shape power relations, and sometimes even control entire countries or civilizations. Classic examples include games such as *Civilization*, *Democracy*, and *Tropico*, which enable players to become leaders, rulers, or political strategists, providing them with mechanisms to shape social, economic, and political structures.

In contemporary video games that simulate political systems, the player appears as a specific form of political subject. The ontology of the political subject in video games raises the question of how the player's identity and agency¹ are constructed within the game's political framework.

Is the player truly a political subject within the game, or is their role determined by pre-established mechanics and narrative constraints? This dilemma raises key questions about the relationship between

¹ Agency, in the broadest sense, means the ability of a person to act within a given environment. Human agency is a concept that implies that each individual, within their own culture, has the ability to determine and decide how they will behave, what they will believe, and what actions they will undertake.

virtual and real political identity, as well as how games shape the understanding of politics and social structures. The political subject in a video game can be viewed as a hybrid entity – a fusion of the player as a real person and the avatar within the game. This ambiguity arises from the interactive nature of games, where the player assumes the role of a specific political actor (president, dictator, bureaucrat) and, through that role, participates in decision-making that shapes the virtual world. However, the agency of the player in these situations is often constrained by algorithmic structures and predefined game rules. In this way, the player becomes a political subject whose freedom of action is conditioned by procedural systems that regulate their decisions. Performativity² of players in political video games lean on theories of Judith Butlers on subjectivity as a product of actions (Butler, 1999). Through the series of decisions made in the game, the player performs a political identity – whether as a liberal democrat, an authoritarian leader, or a dissident bureaucrat. These decisions are not just mechanical but carry symbolic weight that reflects or challenges real ideological structures. In games like *Democracy 4*, the player manages a state through a complex system of policies, where every choice is linked to specific ideological assumptions. Although the game offers the illusion of absolute control, the choices are already rooted in a liberal-democratic framework, thus simulating but also reproducing political reality. On the other hand, games like *Papers, Please* provide a different perspective on the political subject. The player assumes the role of a border official whose tasks include checking documents and deciding on the entry of migrants into a totalitarian state. This bureaucratic agency is limited, but the game allows space for ethical resistance – the player can choose to help refugees, even though doing so risks sanctions. In this sense, the political subject in such games oscillates between obedience to the system and the possibility of subversion.

The ontological status of the political subject in video games can also be viewed through the lens of biopolitics and algorithmic power. In games that simulate population management, like *Tropico*, the player is placed in the position of a sovereign who not only controls economic and political processes but also governs the lives of citizens in a manner that reflects Foucault's concept of biopower. Biopower represents the ultimate development of sovereign state power as a mechanism of coercion, through which state apparatuses forcefully manage human biological processes such as reproduction, birth, mortality, health, life expectancy, etc. What characterizes the transformation of politics into biopolitics is the reorientation from governing death to managing everyday life. The ultimate state control over every human body and surveillance of the population announce the "era of biopower" (see Foucault, 1975). This type of control raises the question of whether the player, as a political subject, is truly free, or simply another agent in an algorithmic management regime.

An interesting question also arises regarding emergent politics in video games – how is the political subject shaped through unforeseen interactions and player behaviors? In multiplayer worlds and sandbox games, players often create their own political structures that are not part of the designer's intent. For example, in the game *EVE Online*, complex economic-political systems form based on the relationships and conflicts between players. These emergent politics suggest that, in certain situations, the player can

² Performativity is a concept that language can function as a form of social action and have an effect of change. The concept has multiple applications in various fields such as anthropology, social and cultural geography, economics, gender studies (social construction of gender), law, linguistics, performance studies, history, management studies, and philosophy. The concept was first described by the philosopher of language John L. Austin, who pointed out a specific capacity: the ability of speech and communication to act or complete an action. Austin distinguished this from constative language, which he defined as descriptive language that can be "evaluated as true or false."

transcend the boundaries imposed by game mechanics, thus becoming an active political subject in the fullest sense.

The ontology of the political subject in video games points to the dynamic relationship between the player's identity, algorithmic systems, and performative acts. The player is simultaneously constrained by procedural rules and empowered by the possibility of making decisions that may have political significance, both within the game and in a broader societal context. This ambiguity opens up space for further analysis of how video games shape our understanding of politics, power, and subjectivity in the digital age.

The player as a political subject in these games is not just a passive observer but an active creator of the virtual world. Ontologically speaking, the player becomes the central actor in the process of decision-making and shaping political structures. This shift from passive user to active creator raises questions about the meaning of power and responsibility in the context of virtual worlds. Is the player truly a political subject, or is their role limited to simulating power without real consequences? The answer to this question depends on how the relationship between the real and virtual worlds is perceived.

Political video games are not just media that showcase political ideas, processes, and ideologies; they are interactive spaces where players become active participants in political narratives. In this context, the player in political video games becomes a political subject – an entity that not only passively consumes political content but also actively shapes and participates in simulated political processes. Considering this topic opens up philosophical, ethical, and sociological questions about the nature of the political subject in digital space, the role of games in political education and reflection, as well as the boundaries between real and virtual political engagement.

The political subject in video games is not predefined but is constructed through the game. Unlike the real political subject, whose actions are constrained by laws, social norms, and political structures, the player in political video games operates within simulated systems that allow experimentation with different political roles and ideologies. The ontological dimension of political video games is experienced through the simulation of political action and identity construction. Political video games provide players with the opportunity to construct their own political identity through their decisions. Whether the player becomes an authoritarian leader or a democratic reformer depends on their values, beliefs, and goals within the game.

Ethics of a political subject: Moral dilemmas and responsibility

Playing political video games presents moral dilemmas that test the player's ethical values. The political subject in the game must balance personal beliefs, pragmatic decisions, and the expectations within the game. In games like *Papers, Please*, the player takes on the role of a border guard in an authoritarian regime, facing ethical questions such as loyalty to the system versus empathy for individuals. Such games challenge the player to reflect on their own responsibility in making political decisions. Although games provide the illusion of freedom of choice, this freedom is often just an illusion, as games frequently set limitations that confront the player with the complexity of political systems. For example, attempting to govern a state in *Democracy* can lead to unexpected consequences, such as economic crises or social unrest, even when decisions are motivated by the best of intentions.

Political video games have significant potential to educate players about political processes and dynamics of power. Players not only learn how political systems function, but also how their decisions impact various aspects of society. Games like *Democracy* or *SimCity* simulate complex systems, offering insights into the interconnected elements of politics, economy, and society. The player becomes a political subject who must understand the consequences of their decisions in the context of these complex systems. Games also offer the deconstruction of ideologies by providing space to explore various ideological approaches. In *Tropico*, for example, the player can experiment with capitalist or socialist policies, exploring how different ideologies affect society and the economy.

However, the political subject in video games must operate within the boundaries defined by the game's rules, story, and mechanics. These limitations shape the player's experience and their understanding of political processes. Although games provide the illusion of freedom, they are constrained by design decisions. *Frostpunk* sets the player in extreme conditions where morality often takes a back seat to the survival of the community. Political narratives in games affect how players perceive their roles. Games with dystopian themes often encourage players to reconsider authority and systemic repression, while games that glorify conquest promote a different kind of political subject.

One of the key philosophical questions is the extent to which political video games influence the adoption of targeted political messages and actual political thought and action. As political subjects within the game, players may recognize parallels between virtual and real political systems. It also raises the question of what influences the eventual transition of players from the game to real-world engagement shaped by the political messages in the game. Political games can inspire players to think about real political involvement, and this may well be the primary goal of political video games. Games that simulate social injustice, such as *This War of Mine*, can awaken awareness of humanitarian issues.

Political theory speculates on the existence of numerous limitations of simulation. One such limitation is the view that political games are, to some extent, simplified simulations of reality. As such, they may create a distorted image of the complexity of political action, limiting the player's understanding of real political challenges.

The political subject in political video games can be understood through several philosophical concepts. The first concept could be interactivity as political action, where the player actively participates in the creation of "something political," often without knowing exactly what that is or how it will impact the course or outcome of the game. According to Heidegger's concept of *poiesis* (creation) (Heidegger, 1999), the player creates political realities through their actions and decisions. In a philosophical context, Heidegger uses this term to describe the way truth is revealed through human action, especially in art, technology, and poetry. Heidegger's concept of *poiesis* transcends traditional understandings of creation as a technical or craft-based process. He sees it as an ontological act of revealing truth and opening up the world. *Poiesis* is central to human existence because it allows for a deeper understanding of the world and our place in it.

Another concept relates to the philosophical aspect of subjectivity and power, to which Foucault's analysis of power can be applied. This understanding of power and subjectivity provides fertile ground for analyzing political video games that explore the relationships between authority and individual resistance, especially in the context of political or dystopian narratives. Through Foucault's analysis of power, video games can be seen as media that allow the exploration of the relationships between authority, individual

subjectivity, and resistance (Foucault, 1975). Games provide space to simulate political and social conflicts, allowing players to explore how power is exercised and how it can be resisted. Games that explore such themes entertain and engage players as political subjects, shedding light on the complexity of power dynamics in the real world.

Sartre's existentialism could serve as a framework for considering the role of free will (more in: Sartre, 1943; Sartre, 1946) in political video games. The role of free will in players is a less-explored aspect, mainly because that will is substantially limited by the rules of the game defined by the gameplay. Regarding free will, Sartre also examines the concept of "bad faith" (*mauvaise foi*), which refers to the tension between individual existence and social structures (see Sartre, 1943). The concept of "bad faith" can be linked to political video games that offer the player the opportunity to choose between desired and possible actions or blind adherence to the rules of the game. By choosing to follow the rules of the game, the player denies their freedom, submitting to predefined roles. This aspect, however, provides a philosophical basis for analyzing interactive experiences in political video games in which players are constantly called upon to make authentic, and at times, difficult decisions that reflect their free will and responsibility.

Thus, video games become a space in which fundamental existential questions, such as freedom, responsibility, meaning, and authenticity, are explored. Through this lens, players become more than passive consumers; they become active subjects, participants in creating meaning within virtual worlds. The player of political video games, as a political subject, does not merely exist as a participant in the game but also as an active creator of political meanings. Through decision-making, narrative interpretation, and confronting moral dilemmas, the player examines political systems and questions their own values, beliefs, and responsibilities. Political video games, therefore, become a space not only for entertainment but also for reflection, education, and potentially political empowerment.

Political video games and freedom

In our understanding and interpretation of the freedom of video games, we are primarily and fundamentally referring to that type of freedom as the first in the primary hierarchy of human life values. And not just any freedom, but the most elemental freedom of the human being, the freedom of the soul, which our player and their avatar, like Prometheus from Zeus, wrest from the stagnating financial, technocratic, bureaucratic, educational, religious, and other modern gods and rulers, in order to, like Prometheus of old, save humanity and its soul through their own suffering. The freedom we speak of, the freedom of the being of the video game and the unprecedented shifting of the boundaries of existence within the game and playing a video game "from the other side of the monitor," echoes the emanation of Promethean freedom, a kind of hubris, the principle of a normatively forbidden, though not impossible, crossing of ontologically established boundaries set by the highest power. This concept of freedom, the video game did not acquire without struggle, nor has that struggle ended, and especially, it has not been irreversibly resolved. The dialectical conflict between freedom and the good, as outlined by Saint Augustine, is one of the crucial determinants of the being and the world of video games, from which it follows that the player cannot simultaneously be free and good, because freedom implies a free choice, which can also be a choice of evil as the path through which the player leads the game, for which the player cannot be sanctioned because that would then lead to the negation and deprivation of free choice and freedom as

a crucial determinant of both the being of the game and the player's being. By choosing between two concepts, the concept of freedom and the concept of good as the absence of evil, the creators of video games have clearly recognized the essence of the free being of man, as seen by Fromm (more in: Fromm, 1984), and, in a Machiavellian and diabolical manner, gave precedence to freedom, leaving goodness for other forms of creation. However, when the dualism of freedom and good is viewed from the standpoint of good, the relationship between good and freedom can be different. This is at least what John Milton wrote, saying that "only a good man can love freedom with all his heart. Others do not seek freedom, but permission, and it is this permission that tyrants most mercifully grant. Therefore, rarely do bad people attack tyrants, nor do they ever doubt them, being naturally slaves; rather, it is those in whom virtue and true values reside" (Milton, 1990).

Thus, we have inadvertently arrived at the dual concept of freedom in video games, as the freedom "from" and the freedom "for," namely the primal freedom of the being of the video game, unrestrained and independent of anyone, on one hand, and the freedom of the player of the video game, who, yes, within the predefined possibilities offered to them by the gameplay, makes free choices on the other side of the monitor during gameplay. The freedom of the game, which we call freedom "from," is the true freedom that the game "once and somewhere" received from its mysterious and mystical creator, a freedom that man, as the only being on Earth capable of play (Petrović, 2011), found and embraced as something that is an integral and inseparable part of the human being. This freedom of the game is, in fact, as Dewey argued, the liberation of the game from having any specific purpose (Beatty, 2017). The other freedom, freedom "for," we would rather, in the spirit of this work and Milton's spirit, call permission, because it truly is permission, granted to the player to lead their avatar in the way they wish within the world of the video game.

If we consider the game as an ontological concept, we come to the conclusion that a game, as a system, must be completely free in order to functionally exist. This freedom does not pertain to the experience of the player, but to the very essence of the game, its autonomy within its own ontological framework. Ontological freedom of the game can be understood as its ability to exist as a closed system of rules, relationships, and potentials. For the game to be "a game" in the ontological sense, it must be independent of external constraints in its self-defining space. The game is free because it creates a space within itself where all its elements operate autonomously, according to the rules it establishes.

In the Kantian sense (Kant, 2008a), the game as a noumenon represents the thing-in-itself, independent of the player's experience or perception of the external world (Gadamer, 1978). While players experience only the phenomenological dimension of the game, through its mechanics, narrative, and rules, the game itself exists as a complete entity. This ontological freedom is crucial for its existence. The autonomy to generate a meta-reality is part of its ontological freedom. Although players can never fully experience this freedom, it is essential for the game to function as a system. While the freedom of the player is always defined by permission, limited by the rules and mechanics, the freedom of the game itself is absolute within its own system. Without this ontological autonomy, the game would become a chaotic collection of elements without coherence. This consistency of rules is not the result of external intervention but the game's internal freedom to define and apply its own rules. The game, as an ontological entity, requires freedom to create and enforce its own internal laws. Without this freedom, the game would neither be playable nor meaningful. Ontological freedom of the game allows it to exist as a complete system in which the rules of the game and its mechanisms must be self-sufficient in order to create a meaningful

framework for action. The game as a system must be able to produce a consistent experience for players, regardless of their choice of actions, and adapt to changes. Games with dynamic elements, such as procedural generation, rely on ontological freedom to redefine their elements in real-time. Games can be seen as virtual universes with their own laws and ontological status. This universe is an autonomous field that defines its own rules of existence. In the game *The Sims*, the game world operates according to its own laws, independent of the external world. The player can manipulate its elements, but can never fully disrupt its internal ontological consistency. The ontological freedom of the game is the foundation of its existence as a coherent system. While the freedom of the player is limited by the rules and frameworks set by the creators, the freedom of the game lies in its ability to autonomously define, maintain, and adjust its own laws. This freedom is not visible in the player's experience but is crucial for the functioning of the game as a philosophical and ontological concept. In this way, games offer a space for interaction and serve as examples of autonomous systems that reflect the complexity of the concept of freedom within virtual frameworks.

The concept of freedom in video games is a dominant theme that relies on understanding the boundaries between actual ontological freedom and freedom as permission within a given system. Video games, as an interactive medium, provide players with the opportunity to explore, act, and make decisions. However, the question arises: is this freedom in games real freedom, or is it an illusion of freedom that is strictly controlled by game designers? In video games, the freedom of the player is inherently limited by the rules, mechanics, and narrative framework that have been predefined by the game creators. The player has the freedom to choose their actions, but these actions are always limited by the available options created within the game's system. In open-world games like *The Witcher 3* or *The Legend of Zelda: Breath of the Wild*, the player can freely explore the world, decide which quests to accept, and how to approach challenges. However, all of these decisions are already anticipated and shaped within a specific set of rules and design choices. This structure represents "freedom with permission." Players are free to act, but only to the extent that the game allows. For example, even in games marketed as "completely free," like *Minecraft*, players cannot act outside the technical and procedural limitations of the game world. Their creativity is always directed and shaped by the system's rules.

One element of freedom in video games is the illusion of choice. Games like *Mass Effect* or *Detroit: Become Human* offer players the opportunity to make moral decisions that affect the story. However, even these decisions are limited to a few predefined paths. The player may feel that they are influencing the game world, but that influence is strictly controlled by the code and narrative structure. This illusion of freedom is a tool used by game designers to give players a sense of autonomy. In this way, players emotionally connect with the game and feel that their choices matter, even though all possible outcomes are already defined. In *Red Dead Redemption 2*, the player can choose how to behave towards NPC characters, but these decisions always remain within the boundaries of the game world created by the designers.

Ontological freedom refers to the absolute freedom of action, existence, and creation without any limitations. In the real world, ontological freedom is a philosophical ideal that is rarely achievable due to various social, physical, and structural constraints. In video games, this ideal is even less achievable³

³ Here we talk about the freedom within a video game, „the freedom for“, defined as a permission given or restricted to players by video game developers. Freedom of the being of the video game is something different, and can be explained as „the freedom from“.

since video games, by their nature, are limited by technology, narrative and mechanics. The game *No Man's Sky* provides players with vast, procedurally generated worlds to explore without clear objectives. However, even in such "open" games, every aspect of the game is part of a pre-programmed system. Players are not truly free to create new laws of physics, change the fundamental structure of the game, or go beyond the boundaries set by its coding. Even in so-called sandbox games, where players have more control over their experience, freedom remains limited by the choices of the designers. Every tool, every option, and every possibility within the game is conceived and controlled by the people who developed the game. Perhaps the most accurate description of freedom in video games is the term "designed freedom." This means that game creators intentionally design systems that give players the feeling of freedom, but in reality, they direct their decisions and actions toward certain outcomes. This concept is not necessarily negative; on the contrary, it can be an extremely powerful tool for creating an engaging and satisfying experience for players. Designed freedom allows the game to balance between structure and chaos. In games like *The Elder Scrolls V: Skyrim*, players are free to explore, but the main narrative and the world's rules ensure that their experience remains meaningful and coherent.

Freedom in video games is a specific and complex concept that combines illusion, limitations, and creativity. While true ontological freedom remains beyond the reach of games, freedom as designed permission provides players with a rich and varied experience. This balance between freedom and limitations is at the core of what makes games an interesting medium, allowing players to explore worlds, make decisions, and feel like active participants in the narrative, all while staying within the boundaries set by their creators. Freedom in video games is best described as designed freedom, or "freedom within limitations." It does not function as true ontological freedom but as a framework of possibilities that game creators set up to give the player a sense of control and decision-making.

Freedom in video games is one of the crucial features that define the medium and differentiate it from other forms of art and entertainment. As a *sine qua non*, freedom allows the player to actively participate in shaping the experience, moving beyond passive content consumption. The freedom to decide is the first aspect of a video game player's freedom and is constituted either as narrative freedom—the player's ability to influence the story through choices like moral dilemmas or alternate endings—or tactical freedom, which is the freedom to make decisions about strategies, approaches, and problem-solving within the game. The second aspect is the freedom of movement, which, if it exists, allows players to explore the world without strict linear progression. This type of freedom contributes to a sense of control and authenticity in the experience. The third aspect of freedom is expressive freedom through character and avatar creation, or the ability to customize the appearance, traits, and skills of one's avatar, and the freedom to interact with the world in a way that allows the player to change or influence the game world, thus becoming a "creator within the game."

Although freedom defines video games, it is always limited within the framework set by the game designer. Too much freedom can confuse players, while too many limitations can feel frustrating. Successful games often find a balance between providing the illusion of freedom and setting clear goals. Therefore, freedom is not only a technical feature but also a philosophical foundation of video games. It allows players to experience stories, adventures, and emotions in their own way, which sets video games apart as a medium with incomparable potential for interactivity and immersion.

However, it may be at this point that we need to reflect on a higher aspect of cognitive freedom, one that allows the player to completely disengage from the real world and simply play within the game, without concrete objectives. This is the freedom of the mind and the instinctual freedom to play and engage in play. It is a situation where there is no intermediary between the player and the play itself, especially not an intermediary with political demands or suggestions that are often *déjà vu* and, by rule, fall outside the domain of ethically acceptable demands. This freedom of mind and the freedom of the video game's existence to think only of itself and for itself represents the alluring dimension of video games and is a fundamental part of their appeal. This "pure play" focuses on the intrinsic joy of interacting with the game systems, without the need for external rewards or pre-defined goals. The aspect of the natural joy of play (Stuart & Brown, 2009) relies on the basic human instinct for play, known in psychology as autotelic activity—that is, an activity that has its own purpose. The player plays for the sake of playing itself, not for rewards, rankings, or the completion of a story. Fink wrote that "a true player plays only to play" (1984, p. 297), adding that "play stands for itself and in itself," and further, that "the joy of play is not merely the joy of playing, but the joy of the play itself, the joy of the wondrous mixture of reality and unreality" (Fink, p. 298). Of course, he does not overlook the simple fact that "play is characterized by adherence to rules," certainly "the rules it itself sets." This concept echoes ludic philosophy, where play is not just a means, but an end in itself. The freedom that allows for "pure play" emphasizes experience and process, rather than the final outcome. Such games offer unique value because they allow players to play as they wish, without pressure, thus fostering authentic interaction with the virtual world. This "play for the sake of play" is the essence of what makes video games a special medium.

Discussion

The aporias of ontological discord between games and politics arise from irreconcilable differences in the essence of their being, which necessarily leads to differences in goals, rules, and methods of operation. A game, as a space of freedom, fiction, and temporary but obligatory rules, is based on voluntariness, internal autonomy, and freedom from goals. In contrast, politics is the domain of necessity, power, and responsibility, where rules are binding, and the consequences of actions often transcend individual intention. However, these two noumena, though seemingly incompatible at first glance, are not entirely separate – political structures often adopt elements of games through rituals, symbols, and strategies, while games reflect and subvert political relationships. Despite efforts to bridge this discord, the unresolved question remains whether a game can truly function within political frameworks without losing its freedom, and whether politics can retain its seriousness while adopting playful game elements. The aporias arising from this relationship point to a deeper philosophical tension between spontaneity and structure, fiction and reality, freedom and power. Perhaps it is in this tension that fertile ground can be found for critical reflection, where the game can become a means of explaining and challenging rigid political forms, while politics, by acknowledging the game, can open space for creativity and alternative forms of community. It remains open whether it is possible to reconcile these ontological differences, or if their discord is inevitable. However, it is precisely this likely irresolvability that encourages further reflection on the boundaries and overlaps between games and politics, as well as the possibilities for their mutual transformation.

Perhaps, in this conclusion, we can reflect or at least offer another aspect through which the given aporia might approach a solution. Heidegger called this "the shadow with which the modern world places itself into a space inaccessible to representation and makes itself incalculable. It is the invisible shadow that falls everywhere over all things since man became subjectum, and the world – image" (Heidegger, 2000, p. 76). A video game can be understood as a shadow of different aspects of human reality, depending on the perspective from which we view its relationship to the world. If we see the game as a simulation of reality, we can interpret it as a shadow of deeper ontological elusiveness. Like Plato, who sees the real world as a shadow of the world of Ideas, we can imagine a video game as the shadow of something even more real – a more complex cosmos beyond our perceptual limits. In this sense, a video game is not just entertainment, but an attempt to capture and present the invisible structure of existence. If we understand politics as the domain of power, institutions, and ideology, video games can be a shadow of politics in the sense that they simulate and obscure the mechanisms of power. They reproduce certain political values through their mechanics (rules, hierarchies, rewards), but in a form that is often invisible or "innocent" under the guise of entertainment. In this light, the video game is not just a passive reflection of politics – it is its shadow that hides and normalizes certain ideological orders. Of course, the very pertinent question is whether a video game remains just a shadow or whether it can become a means of illuminating what casts that shadow. This Heideggerian question opens space for deeper philosophical reflection, because Heidegger believed that "everyday thinking sees in the shadow only the lack of light, if not even its negation. But the shadow is indeed obvious, yet incomprehensible testimony to hidden lighting. According to this concept of the shadow, what we immeasurably experience as something that escapes representation is, nevertheless, clearly in its existence and points to hidden existence" (Heidegger, 2000, p. 89).

Our definition posits that video game is:

"a game in virtual reality, object-oriented towards the player, without whom it cannot exist, in which the player, through interaction with hardware, activates the pre-defined game software, and together, within their own space and time of the game, they create its alternatively real world whose phenomenal being is displayed on the monitor of the electronic device, while the virtual being remains confined in the parallel world of the game along with the player's avatar, with both game beings being unaware of each other and not depending on one another. The components and boundaries of the individual player's experience of the video game and the world of the video game are as follows: the predefined game world created by the manufacturer; the player's experience measured by the ability to perceive virtual reality through sensory and extrasensory receptors; and the player's imagination measured by their ability to create their imaginary being through their avatar in the form of the protagonist of the game, which, in their own sphere of meaning within the alternative reality, experiences the alternative world of the video game, while refining and controlling it. The alternatively real world of the video game and the real world of the video game experience overlap and intertwine, allowing the player and their avatar in the player's imagination to switch places, where total identification of the player with their avatar is the ultimate goal, but also the ultimate limit of the implementation of the real player into the alternatively real world of the video game.

Unconditional acceptance of the freedom of the altered reality and adherence to the rules of the game are mandatory conditions of the game, and the goal of the activity is the game itself as a real or meta-activity in the obligatory meta-reality. The aesthetic, ethical, and logical reception of the being of the game as a phenomenon temporarily placed in the 'meta-reality within the real reality' is based on modified appropriate strategies that create the game world with a unique possible relationship between the player, reality, and the game, making this reception, when it comes to games with *sine qua non* meta-activities, equally subject to both sensory and higher cognitive and receptive forms of aesthetic and ethical processing. The existence of the being of the game is limited only by the existence of the player and the game, and the being of the game is given and unchangeable to the extent that the social and psychological being of each player is given and unchangeable, and their imagination as the ability to combine elements of the being of the game, images, and value stances from their own experience to create representations, concepts, and ideas that did not exist in their previous experience, and very often nowhere else." (Filipović, 2016; Filipović, 2022)

This is a place where we could pose the question, even if rhetorical, whether political video games put players in a situation where, besides "playing for the sake of the game," they also have other goals and purposes, aside from playing. Given that most of these demands, goals, and purposes belong to the corpus of politics, the question is whether such demands inhibit freedom in video games, and what, after the reception of these demands, remains of the game and playing the game as a free activity. Answers to this question depend on the provenance of the one answering the question. If that provenance is political, it inherently means that the answer will ignore the problems the being of a video game faces with imposing any goal or any other purpose except playing, just as the same being will have problems with any intermediary between the being of the video game and the being of the game. A game, in its primal aspect, is a concept that is not easily explainable, and not easily understood. Although it may seem otherwise, the game resists rationalization, just as the game existed before humans, and perhaps in a different form of human, resisting the thinking of the human we know. It resists most strongly that part of its being which is not accessible to humans and their capacity for understanding.

Conclusions

Apologists for the political use of video games argue that political video games do not limit freedom, but rather transform it by placing players in a context that requires reflection, decision-making, and taking responsibility in accordance with political, moral, or social issues. These demands can certainly alter the perception of freedom in the game, but this does not necessarily mean that freedom is inhibited—it is simply manifested differently. Political games redefine player freedom, directing it towards decision-making, responsibility, and understanding the consequences. Although these games set demands and impose goals, they do not necessarily inhibit freedom; instead, they can transform it, opening doors to a deeper understanding of complex social problems. Freedom in these games is often found in the choices players make and the ways in which they confront those choices, which can be just as fulfilling as the game itself.

On the other hand, players who desire video games as a fulfillment of the cosmic urge to play, who view the game as the foundation of human freedom (Uzelac, 1987), the essence of humanity itself, and the only confirmation of one's humanness, prioritize freedom and aesthetics that allow the video game to be a game in virtual reality, object-oriented towards the player, without whom it cannot exist. In this context, the player, through interaction with hardware, activates predefined game software, and together, within the game's own space and time, they create its alternatively real world, whose visible being is displayed on the electronic device's monitor, while the virtual being remains confined in the parallel world of the game along with the player's avatar.

In a previous work, we noted that the aesthetic channels of connection place the aesthetic experience of the video game closer to logic than aesthetics, because the experience of playing a video game is often a place where human senses lose their footing and make way for higher forms of cognition and experience (see: Filipović, 2022). The aesthetic (aesthetic) reception of a video game is limited only by the existence of the player and the game and can be compared only to the play of a child who has just gained awareness but still lacks significant experience, so awareness itself is of little use. The aesthetic delight of a small girl playing with a doll, or the blindness of a child engaged in playing with lead soldiers, are the only experiences comparable to the aesthetic and cognitive experience of playing a video game. This necessary incorporation of the remembered and experienced childhood world into the adult world is something akin to how Saint-Exupéry dedicates his *Little Prince* to his old friend "León Werth, when he was a little boy" (De Saint-Exupéry, 1985). Through this dedication, he emphasizes the universal value of the child's perspective and its enduring presence within all of us. His gesture highlights that the childlike way of experiencing the world—through curiosity, imagination, and honesty—is not merely a privilege of childhood but an emanation of freedom that can and should be carried through life. Saint-Exupéry's dedication reminds us that play, much like the child's view of the world, is not confined to a particular age. As we grow and mature, our approach to play changes, often under the influence of life's complexities. However, true freedom in play lies in preserving that childlike part of us, regardless of age or context. Just as the *Little Prince* could play with his rose and volcanoes on his planet, adults too can find freedom and joy in play, even in a political context, if they preserve their inner world of childlike imagination and curiosity.

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Politička ludologija – aporije ontološkog nesklada između igre i politike

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Sažetak

Rad istražuje koncept političke ludologije analizirajući aporije ontološkog nesklada između igre i politike u kontekstu video igara. Iako video igre pripadaju korpusu fikcije i simulacije, one istovremeno generišu značajne političke implikacije, oblikujući percepciju moći, identiteta i odgovornosti. Rad problematizuje način na koji video igre funkcionišu kao prostor političkih narativa, moralnih dilema i egzistencijalnih pitanja, preispitujući granice između igre kao slobodnog, autonomnog prostora i politike kao uređenog poretka moći i obaveza. Početno poglavlje analizira šta je političko u političkim video igrama i kako politički elementi u video igrama konvergiraju, naizgled, zauvek datim i nepromenljivim ludološkim konceptima igre. Istražujući moralne dileme i odgovornosti, autor propituje kako političke video igre stavljaju igrače pred moralne izbore i kako ti izbori utiču na subjektivnu odgovornost. Fokus je na etici odlučivanja, granicama slobodne volje i načinima na koje igrač kroz interaktivno iskustvo postaje politički subjekt. Autor razmatra i paradoks slobode u video igrama, suprotstavljajući "slobodu od" video igre, "slobodi za" igrača, dokazujući da je ova druga samo dozvola koju, kao iluziju, kreatori nude igraču. Analizira se kako se koncept političke slobode prevodi u ludološki sistem pravila i mehanika, i u kojoj meri igrač može prevazići te granice. Zaključno poglavlje postavlja pitanje ontološkog statusa video igre u odnosu na stvarnost. Razmatra se da li politička dimenzija igre ostaje zatvorena u okvir fikcije ili ima sposobnost da preobrazi igračevu percepciju realnog političkog poretka. Diskutuje se o granici između simulacije i stvarnosti, kao i o potencijalu video igara da redefinišu politički diskurs izvan svoje virtualne sfere.

Ključne reči: video igre, ludologija, politika, etika, sloboda

New Legal Horizons: Hybridization of Law in the Era of Industry 4.0

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New Legal Horizons: Hybridization of Law in the Era of Industry 4.0

Abstract

The evolution of modern society towards digital society with the usage of digital technology affects the transformation of the legal system, predisposing the adaptation of traditional legal norms to the needs of the digital economy. It is precisely the concept of hybridization of law that refers to the current transformation of the legal framework so that law, i.e. legal rules adequately responded to the needs and challenges of digital transformation. The authors research and discuss the scope of the hybridization of law, that is how traditional legal rules are adapted to the modern needs of science and practice, with an emphasis on legal certainty. The subject of the research is the interaction of the traditional legal system and Industry 4.0, with a focus on the adaptation and transformation of legal norms in the digital environment. Indirectly, the process of hybridization of law is in focus, which is demystified through the mutual influence of legal principles and digital innovations. The purpose of the research is to provide a comprehensive insight into the phenomenon of legal hybridization, identifying the key challenges and opportunities that Industry 4.0 brings to the legal system. Analyzing the model of law hybridization contributes to a better understanding of the development of law in the digital era and the establishment of a framework for the application of best practices in modern legal systems. To that end, the research includes an analysis of key approaches to the hybridization of law, as well as the identification of the basic elements of this process and the key legal, technological, sociological and economic factors that enable or limit its development.

Keywords: digital society; hybridization of law; Industry 4.0; digital economy

Introduction

The digital revolution initiates radical reforms in business and communication, determining the transformation of the legal system that would adequately regulate new technological solutions. We are witnessing fundamental changes in the business processes, in the management and accessing information, trends that create new challenges for the legal system. The rapid development of artificial intelligence and big data analytics requires legal adaptability that enables real-time monitoring of these technologies. Traditional legal principles, which rest on material and physical presence, that is, which we can label as "analog" in nature, face the challenges brought by Industry 4.0. The question of compatibility between the promotion of innovation and the preservation of legal certainty becomes central in all discussions on the regulation of digital technologies. New areas are emerging that require legal regulation, in which digital and traditional elements, norms and practices would work synchronously in order to preserve legal security, through a model of hybridization of law or legal rules.

The hybridization of law represents the process of combining traditional legal institutes, practices and principles with new trends brought by the digital society, with the aim of adapting to the modern needs of regulating social trends and challenges (Vasić, Petrović, 2024, pp. 694). For example, traditional institutions of property law, such as property, title, pledge, require adaptation to the context of the emergence of digital assets, and in order to redefine the ownership and control of virtual objects, such as cryptocurrencies, non-fungible tokens (NFT) and digital assets in the virtual world. New forms of property

introduce the need to regulate new risks, hitherto unknown, and the need for their incorporation into new or redefined institutes within traditional legal areas, through innovative legal solutions. The European Union provides an example of this approach through the General Data Protection Regulation (2016), and the regulation on digital assets, which represent a framework for member states in adapting their systems to the digital economy. However, despite such efforts in legal creation, practice often exceeds legislation, which opens up space for legal uncertainty. The legal framework related to smart contracts and blockchain technology is still insufficiently defined, which can cause difficulties in international business transactions.

In this paper, the authors start from the assumption that the process of legal hybridization, which implies the integration and modification of traditional legal norms and digital innovations, can improve the adaptability and efficiency of legal systems in the digital era. Today, law and technology merge into a hybrid legal system that includes both analog and digital spheres. It is assumed that hybrid approaches to legal regulation will enable more effective application of law in the digital environment, increase legal certainty and enable innovative legal models that meet the needs of the digital society.

This paper analyzes the broader context of the hybridization of law, including the possibilities and limitations of different approaches to this topic. The focus is also on the question of how legal systems can achieve an optimal balance between flexibility and stability, enabling legal certainty and promoting sustainable innovation.

Methodological approach

The methodological approach in this work is based on an interdisciplinary research of the relationship and interaction between the concept of the traditional legal system and Industry 4.0, with a focus on ways of adapting and transforming legal norms in the digital environment. The research includes a conceptual and objective analysis of the process of hybridization of law through the permeation of legal principles and digital innovations.

Within the methodological approach, a systematic review of relevant literature, including key theoretical concepts and empirical studies, was conducted to provide a comprehensive insight into previous research. In accordance with the objectives and subject of the research, different general scientific methods were used: analytical-deductive for the analysis of existing legal principles and theories, hypothetical-deductive for testing hypotheses about the influence of digital technologies, and comparative method for comparing the approach of different legal systems in the regulation of digital innovations.

Special emphasis is placed on the integration of interdisciplinary insights from legal theory, technology and economics, which enables a holistic view of the challenges and opportunities brought by the hybridization of law. The work is structured according to the IMRAD principle, enabling a logical flow of research and a clear presentation of the results.

Research and analysis

The omnipresence of digital technologies, as well as their mass application, represents a significant challenge for existing legal frameworks. Legal systems, created for application in the "analog age", and which today we call "traditional", must now respond to the challenges of the digital society. Digitalization of business, e-commerce, cryptocurrencies, smart contracts and artificial intelligence raise new legal questions that require innovative answers. The authors based their research on the currently achieved degree of hybridization of

law, analyzing new legal trends and the evolution of new hybrid regulations.

The process of digital transition creates numerous challenges, but also opportunities, imposing the need for traditional legal doctrines to adopt new principles in order to more effectively regulate digital resources (Stojšić Dabetić, Mirković, 2024, pp. 183). Digital innovations create numerous ethical dilemmas, especially in relation to users' rights and the preservation of privacy in the digital space, which is a key ethical issue today (Albrecht, 2016, pp. 287-289). Artificial intelligence and big data analytics enable the collection of huge amounts of information about users, often without their explicit consent. This practice leads to ethical dilemmas regarding the rights of users and the transparency of digital platforms (Kabir, Alam, 2023, pp. 1778-1779). The ubiquity of artificial intelligence raises the question of the responsibilities that AI systems bring to legal sectors. The social impact of these technologies is reflected in the broader context of equality – how to ensure that digital resources are accessible to marginalized groups. For developing countries, the postulates of the modern digital society create new challenges where the lack of infrastructure, technical knowledge and professional staff can limit the implementation of modern legal solutions. Also, global technology companies often take advantage of regulatory loopholes, while local legislation lags behind due to weak resources and training of regulatory bodies, and stagnates in the process of harmonizing with international standards. The development of innovative legal regulation also includes addressing the issues of security and sustainability of the so-called digital ecosystem.

The key challenge is the creation of sustainable and secure legal solutions that can be adapted to the dynamic requirements of the digital environment, while respecting international standards and enabling global development (Bjelajac, Bajac, 2022, pp. 21-22). The application of technologies such as encryption and anonymization in legal frameworks can increase user trust in digital transactions, establishing a balance between the right to privacy and transparency. The question of digital inclusion becomes crucial – how to ensure that digital laws do not deepen social inequalities, as the digital transformation poses challenges related to access to justice and equal legal opportunities.

Digital transformation, which affects awareness, ideas, behavior and business, has created a completely new business model that requires adaptation of existing legal norms (Čelik, 2021, pp. 7). In order to achieve a sustainable balance, it is necessary to continuously adapt legal frameworks in order to respond to changes in the digital landscape. Legal hybridization provides a tool to achieve that goal, but it requires a commitment to building a flexible and dynamic legal framework that will enable a sustainable balance between legal certainty and innovation.

The hybridization of law is positioned as a key mechanism for solving legal doubts predisposed by digital transformation. The process of hybridization of law involves combining traditional legal principles with new technologies, creating more flexible and dynamic legal frameworks that can respond to rapid technological changes and contemporary challenges of the digital society.

Discussion: Hybridization of law – the concept and scope in the modern digital society

The process of hybridization of law implies an interdisciplinary approach, combining jurisprudence, theory and practice with economics, informatics and sociology. For example, the work to create legislation on digital tokens involves collaboration between lawyers, economists and experts in blockchain technology.

It is the inclusion of technological experts in legislative processes that enables the creation of legal norms that are practically applicable in the rapidly evolving digital environment.

As Industry 4.0 continues to transform society, legal frameworks must evolve to address the implications of the digital age at the intersection of traditional and digital law (Habrát, 2020, pp. 938-939). The hybridization of law, as a process of adapting traditional legal norms to the challenges and opportunities of the digital era, is emerging as a new legal paradigm, opening up new legal horizons, and at the same time raising new complex questions. Legal systems, faced with the accelerated technological progress of Industry 4.0, must adopt flexible and innovative approaches to ensure legal certainty, transparency and adaptability.

The hybridization of law, which combines traditional legal norms with technological solutions, emphasizes the need for investments in modern technologies such as encryption, anonymization and pseudonymization. The integration of legal and technological approaches enables more effective protection of personal data and better compliance with the requirements of modern regulations such as GDPR (Ullagaddi, 2024, pp. 29-30). However, the key dilemma in the process of hybridization of law remains the question of compatibility between legal certainty and flexibility. Legal certainty requires clearly defined norms and predictability in their application, which is the basis for user and market trust in the digital environment. Conversely, flexibility is essential to adapt the legal framework to Industry 4.0, which conceptualizes rapid technological changes. Both goals are often in conflict, as an emphasis on rigid norms can be an obstacle to innovation, while too much flexibility can create legal uncertainty (Gromova, Koneva & Titova, 2022, pp. 188-189).

Blockchain and smart contracts symbolize the two-way interaction of law and technology. The integration of smart contracts into blockchain technology becomes crucial for further development, as it enables direct peer-to-peer transactions, while at the same time allowing the database to be stored publicly and securely in a trust-based environment (Mohanta, Panda & Jena, 2018, pp. 2-3). Based on blockchain technology, smart contracts symbolize the potential to improve legal practice through automation and decentralization, but their implementation requires additional attention regarding data integrity and legal liability (Stojšić Dabetić, Mirković, 2023, pp. 36-37). The concept of smart contracts that work for people and machines implies a hybrid approach, where the textual flexibility of traditional contracts is combined with coded elements for automation (Hazard, Haapio, 2017, pp. 425-426). The harmonization of human and algorithmic understanding of contractual provisions further emphasizes the need for hybrid approaches that overcome discrepancies between legal and technological frameworks. Hybrid contracts, which combine traditional textual flexibility with the digital precision of programming code, enabling harmonization between human and algorithmic understanding and enforcement of contractual provisions, represent a potential solution to balancing human and algorithmic understanding (Cvetković, 2020, pp. 94-96).

Conclusion

The meeting of traditional and digital law opens the way to a new legal paradigm, in which legal systems face the constant challenges brought by Industry 4.0. As technologies such as artificial intelligence, blockchain, Internet of Things and automation are increasingly integrated into business processes, legal frameworks must evolve to respond to the implications of the digital age. The hybridization of law provides an opportunity to improve legal efficiency, transparency and adaptability in the era of digital

transformation. The integration of traditional legal norms with digital innovations enables the creation of flexible and stable legal systems that meet the needs of modern society.

The research showed that the majority theoretical views go in favor of the fact that the process of hybridization of law, through the integration and modification of traditional legal norms and digital innovations, can improve the adaptability and efficiency of legal systems in the digital era. Hybrid models have shown the potential to improve the application of law in the digital environment, increase legal certainty and create new legal mechanisms that meet the needs of modern society. However, legal uncertainty and different levels of regulation between national jurisdictions, particularly with regard to data protection and digital assets, remain key challenges that require further normative adaptation.

The paper analyzes the hybridization of law through an interdisciplinary approach that includes legal, technological, economic and sociological aspects. A special focus is placed on the adaptation of legal norms to digital innovations, with the identification of key factors that enable or limit this process. Through the synthesis of theoretical and empirical insights, the work contributes to a better understanding of legal transformation in the digital era and provides a basis for further improvement of legal frameworks that meet the challenges of Industry 4.0.

However, the key challenge remains to strike a balance between legal certainty and flexibility. While security ensures trust and predictability, flexibility is necessary to adapt legal frameworks to rapid technological changes. Interdisciplinary approaches, which include the cooperation of lawyers, technological experts and economists, as well as the harmonization of national and international standards, are key to reducing legal uncertainties and encouraging sustainable development.

Examples like GDPR and smart contracts illustrate how legal systems can evolve through hybrid models that integrate best practices from traditional and digital frameworks. The future development of legal systems must rely on innovative models of regulation that take into account the needs and challenges of the digital society. The hybridization of law is not only an opportunity to improve legal efficiency, but also a key mechanism for preserving social justice, sustainability and transparency in the era of the digital economy. Digital transformation requires a legal framework that will enable flexibility and adaptability, but also preserve the basic legal principles on which the legal system rests. In this context, legal systems must actively work to improve regulations that will ensure security and predictability in the digital environment, while at the same time encouraging innovations that shape the future of the digital economy.

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Novi pravni horizonti: Hibridizacija prava u eri industrije 4.0

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Sažetak

Evolucija savremenog društva u digitalno društvo kroz upotrebu digitalne tehnologije utiče na transformaciju pravnog sistema, predisponirajući adaptaciju tradicionalnih pravnih normi potrebama digitalne ekonomije. Upravo koncept hibridizacije prava se odnosi na aktuelnu transformaciju pravnog okvira kako bi pravo tj. pravna pravila adekvatno odgovorila na potrebe i izazove digitalne transformacije. Autorke istražuju i polemišu o dometima hibridizacije prava odn. kako se tradicionalna pravna pravila prilagođavaju savremenim potrebama nauke i prakse, sa akcentom na pravnu sigurnost. Predmet istraživanja je interakcija tradicionalnog pravnog sistema i Industrije 4.0, sa fokusom na prilagođavanje i transformaciju pravnih normi u digitalnom okruženju. Posredno, istražuje se proces hibridizacije prava, koji se demistifikuje kroz međusobni uticaj pravnih principa i digitalnih inovacija. Svrha istraživanja jeste pružanje sveobuhvatnog uvida u fenomen hibridizacije prava, identifikujući ključne izazove i prilike koje Industrija 4.0 donosi pravnom sistemu. Analizom modela hibridizacije prava doprinosi se boljem razumevanju razvoja prava u digitalnoj eri i uspostavljanju okvira za primenu najboljih praksi u savremenim pravnim sistemima. U tom cilju, istraživanjem je obuhvaćena analiza ključnih pristupa hibridizaciji prava, kao i identifikacija osnovnih elemenata ovog procesa i ključnih pravnih, tehnoloških, socioloških i ekonomskih faktora koji omogućavaju ili ograničavaju njen razvoj.

Ključne reči: digitalno društvo, hibridizacija prava, Industrija 4.0, digitalna ekonomija

The Importance of Geopolitics and National Logistics for the Security of the Republic of Serbia in Emergency Situations

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The importance of geopolitics and national logistics for the security of the Republic of Serbia in emergency situations

Abstract

This research examines the attitudes of a targeted group of respondents (N=107) concerning emergency situations, with a particular focus on the Republic of Serbia and the critical role of national logistics in ensuring national security. Within this research framework, national logistics encompasses fulfilling all material requirements essential for effectively addressing security challenges and threats. These include the needs of the military, police, civil protection, civilian population, and economy in Serbia, such as the provision of food, clothing, fuel, equipment, ammunition, spare parts, medicines, transportation, energy, and infrastructure. The study analyzes the key factors that enable the management and mitigation of risks during war, emergencies, and crises in Serbia. It provides valuable insights into participants' attitudes and perceptions regarding the importance of logistical preparedness in reducing risks and responding to potential security threats at the national level.

Keywords: national security, logistics, Republic of Serbia, emergency situations, foreign policy, survey, NEWSIMR&D

Logistics and geopolitics in the context of national security of the Republic of Serbia

In modern geopolitical and security conditions, national security is no longer limited to the military aspects of defense. In addition to strategic alliances and military preparedness, the main factor determining the effectiveness of the response to crisis situations is logistics. In this context, the Republic of Serbia, as a country located at the crossroads of East and West, must pay special attention to the development of national logistics that not only supports the country's defense in war and peacetime conditions, but also ensures sustainability in emergency situations. National logistics encompasses all aspects of material support that are necessary to maintain the functionality of the state in the event of a crisis (Stanojević and Mandić, 2021). This includes ensuring the needs for food, energy, water, medical supplies, military equipment, as well as the necessary human resources. Without adequate logistics, any state risks finding itself in a hopeless situation, regardless of its military and political resources.

In Serbia, logistics is of vital importance, especially in crisis situations that may arise as a result of natural disasters, political tensions or economic disruptions. To effectively respond to these challenges, it is necessary to develop comprehensive strategies that include strengthening institutions, legislative frameworks and coordination between different sectors. Therefore, national logistics in Serbia not only represents support in responding to emergencies, but is also a key element in building the country's resilience in the context of global and regional geopolitical developments.

This article explores the importance of logistics as a strategic instrument in ensuring the national security of the Republic of Serbia, especially in crisis situations. This research uses data obtained through a survey, which included the attitudes and perceptions of a limited number of 107 respondents. The research is aimed at understanding the needs that Serbia must meet in order to ensure continuity in

responding to security threats, and the survey results provide valuable insights into the current logistics system, as well as the strengths and weaknesses of national logistics in emergency situations.

In the introductory part of this paper, the authors present a comprehensive framework for understanding logistics as a strategic resource in national security, emphasizing its critical role in shaping a country's resilience to crises. As suggested by some scholars (Asadollah et al., 2024), a broader geopolitical dimension is introduced by examining how a nation's logistics capacities influence not only its domestic preparedness but also its ability to navigate complex international challenges. In an era where global interdependencies and regional tensions intertwine, the strategic management of logistical resources becomes vital for maintaining sovereignty and ensuring stability. This section discusses key factors such as equipment, transportation, resource reserves, and institutional coordination, illustrating their impact on national security frameworks.

The second part of the article delves into the findings of a survey, offering insights into respondents' perceptions of Serbia's current crisis management readiness. It highlights critical institutional shortcomings, including weak coordination between government and private sectors, insufficient staff training, and gaps in strategic planning. These findings underscore the urgent need to align Serbia's internal capacities with international best practices to enhance its response to emergencies.

In the third section, the article focuses on the necessity of legal and institutional reforms to strengthen logistical support in emergency situations. It emphasizes the importance of modernizing Serbia's legal framework, improving supply chain management, and investing in human resource capabilities as essential steps toward long-term stability. The final part of the paper situates Serbia's logistical readiness within the broader context of its foreign policy, analyzing the role of strategic partners such as Russia, China, and the European Union. These relationships are explored through their contributions to Serbia's emergency preparedness, particularly during political and economic crises.

The paper examines how shifting geopolitical dynamics, including global competition and regional alliances, influence Serbia's logistical needs and security strategies. By positioning logistics as a cornerstone of national security, this study argues that an effective emergency response requires the integration of human, material, and political resources into a cohesive, coordinated system. This approach not only ensures Serbia's ability to address domestic security threats but also enhances its resilience in the face of geopolitical uncertainties.

The importance of geopolitics and logistics for a country's national security

In the contemporary national security landscape, the interplay between geopolitics and logistics is critical, especially in emergencies. As nations face unpredictable threats ranging from natural disasters to geopolitical conflicts, preparedness and strategic reserves of essential assets play a vital role in protecting national interests and ensuring resilience (Bednarski et al., 2023). The geopolitical environment is increasingly marked by complexity and uncertainty. Nations face a variety of threats, including state-sponsored aggression, non-state actors, and transnational crises such as pandemics. These challenges require a deep understanding of global dynamics to shape national security strategies (Markina et al., 2018). The dispersion of potential adversaries over remote areas complicates military logistics, requiring flexible and agile systems capable of rapid deployment and sustainment in diverse environments

(Glencross, 2024). The geopolitical landscape continues to evolve due to technological advances and shifting alliances.

As nations redefine their security priorities, they must also reassess their logistics capabilities to effectively respond to new threats. This includes ensuring military readiness and the ability to rapidly mobilize resources in response to crises as stated in National Security Strategy of Serbia (Serbian Parliament, 2019). A comprehensive approach to logistics is vital to addressing the complexity of modern security challenges. Logistics serves as the backbone of national security preparedness (Stanojević et al., 2017). A well-structured logistics system allows a nation to stockpile essential goods and materials necessary to respond to emergencies. The National Defense Stockpile (NDS) is an example of this strategy, providing a reserve of strategic materials available during emergencies (GAO, 2024). The accumulation of stocks mitigates the risks associated with supply chain disruptions and ensures that critical resources are available when they are needed most. Effective logistics management includes regularly assessing and rotating stored goods to prevent obsolescence, diversifying supply chains to reduce reliance on single points of failure, and developing clear emergency protocols to rapidly activate supply chains during crises (Umbach, 2004). Proactive logistics planning not only improves immediate response capabilities, but also strengthens long-term national security through a resilient supply chain infrastructure (Stanojević et al., 2017). Establishing strategic reserves is essential to maintaining national security during emergencies. These reserves should include a wide range of goods, such as medical supplies, food, fuel, and raw materials vital to defense production.

Some scholars claim economy plays the crucial role in supply during the crises. Disturbances in global systems have impacted both GDP fluctuations and supply chains, revealing growing disparities in the logistics sector. Industries dependent on global supply chains are highly vulnerable to shifts in transformation flexibility and network configurations (Krykavskyy et al., 2023). The unrest in Ukraine has further deepened crises across financial, humanitarian, food, and energy domains, while exacerbating logistical disruptions. These include weakened links, reduced wartime usability, and heightened security risks (Krykavskyy et al., 2023). Logistics now prioritizes safety and self-preservation, emphasizing the need for durable, efficient, and adaptable supply chains to address disruptions effectively (Krykavskyy et al., 2023).

Domestic production capabilities further increase self-sufficiency and reduce vulnerability to external shocks. Integrating logistics into national defense planning requires ongoing assessment of supply requirements based on evolving threat scenarios. Policymakers must prioritize materials that are critical to both military operations and civilian needs during emergencies. This dual focus ensures that national preparedness is comprehensive and adaptable to potential crises.

On another hand, the group of scholars argue that security in emergencies must be redefined, as human activities have become central to geophysical processes, making insecurity a geological rather than merely ecological or biological issue (Dalby, 2017). They suggest incorporating geosocial and geophysical perspectives into security frameworks, emphasizing how the interaction of environment, technology, and disaster challenges traditional geopolitical assumptions and requires adaptive strategies to address emerging global insecurities (Dalby, 2017). Natarajarathinam et al. (2009) highlight that while much research has focused on handling natural and man-made disasters, there is a growing need for studies addressing internal supply chain crises, such as supplier bankruptcy, worker strikes, or bad

acquisitions. The authors emphasize that areas like recovery planning and crisis management scales require further exploration, and they aim to guide future researchers in advancing supply chain crisis management (Natarajarathinam et al., 2009). To that point Peters and Westphal (2013) add to debate extraction of natural resources, and consequently energy supply and energy reserves as variable crucial to understanding security of a nation state and geopolitics in general.

Results

The research used an online survey method with a limited sample, conducted using a semi-random approach. The sample was formed by inviting students of the Faculty of Security Studies of the University of Belgrade and faculties that study some of the subjects in the curriculum related to national logistics in emergency situations and geopolitics to participate in the survey, but at the same time, anyone interested was allowed to complete the survey. In this way, a total of 107 responses were collected, which according to some methodological studies could be justified observing the specifics of the research topic (Ploutz-Snyder et al., 2014). The survey included four socio-demographic variables: gender, age, place of residence and level of education, and an additional question was asked asking whether the respondents had taken a subject or course in the field of political science, security studies or geopolitics during their formal education.

The main part of the survey contained a total of 22 questions. Of these, 18 questions had the answers “Yes”, “No” and “I don’t know/I have no opinion”. One question was related to the evaluation of the questionnaire itself, while the remaining three questions focused on the foreign policy component of national logistics and allowed for multiple responses. The collected data were analyzed in accordance with the survey structure. Sociodemographic variables were used to segment the sample and examine potential correlations between different groups of respondents and their responses. Open-ended questions allowed for quantitative analysis, while multiple-choice questions provided deeper insights into respondents’ perceptions of foreign policy aspects of logistics.

Although the sample is not fully representative due to the semi-random selection of respondents, this methodological approach allowed for initial insights into respondents’ attitudes and opinions, which can serve as a basis for further research. Additionally, the survey can also serve as a solid basis for further in-depth and more comprehensive research on this issue.

Table 1. Respondent structure and sociodemographic characteristics of the sample

Gender	N	%	Total
Male	49	45,8	107
Female	58	54,2	
Place of residence	N	%	Total
Urban (city)	97	90,7	107
Rural	10	9,3	

Age	N	%	Total
18-25	52	48,6	107
26-35	40	37,4	
36-50	6	5,6	
51 and more	9	8,4	
Education level	N	%	Total
High school	8	7,5	107
Student	41	38,3	
Bachelor	33	30,8	
Master of arts/science	19	17,8	
PhD	6	5,6	
Courses attended? ¹	N	%	Total
Yes	74	69,1	107
No	33	30,9	

(Authors research)

The core of the questionnaire consisted of 16 carefully designed questions, organized into four distinct clusters to address key thematic areas relevant to the study. Each cluster focused on specific dimensions of the research, facilitating a structured exploration of the underlying phenomena.³ In this section, the findings are presented and analyzed, offering insights into the patterns and relationships identified through the responses. The results are discussed in detail below, with emphasis placed on interpreting their significance in the context of the study's objectives and theoretical framework.

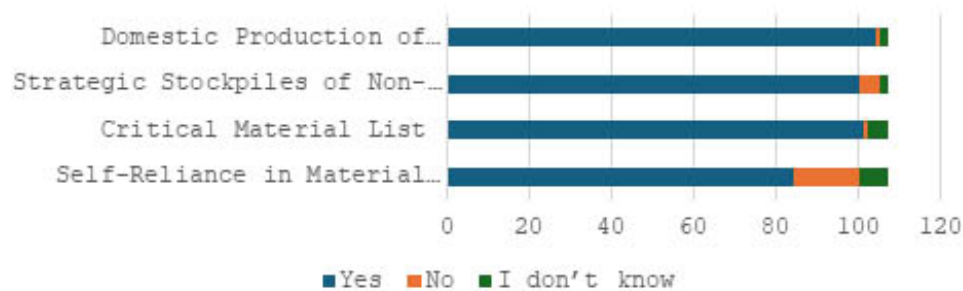
At the beginning it should be noted that among the respondents, no significant differences were observed between those who had attended courses in political science, security studies, or geopolitics and those who had not. Similar applies for the gender, and place of residence.

The first cluster of questions focuses on Serbia's strategic approach to ensuring national resilience in the face of wartime, emergency, and crisis situations (See the Annex I). The questions explore key dimensions of logistics and resource security, including the prioritization of self-reliance, the establishment

¹ The question was: During your formal education, did you have any courses in political science, security studies, or geopolitics?

² Each question has been summarized with a "digest" to facilitate graphical presentation, as the original questions are too lengthy. The full questions, along with their corresponding digests, are provided in Annex I at the end of this paper.

Graph 1. Cluster 1 – Attitudes on Serbia's approach to ensuring national resilience in the face of wartime, emergency, and crisis situations



(Authors research)

of a critical material list, the strategic stockpiling of essential imports, and the development of domestic production capacities (Graph 1).

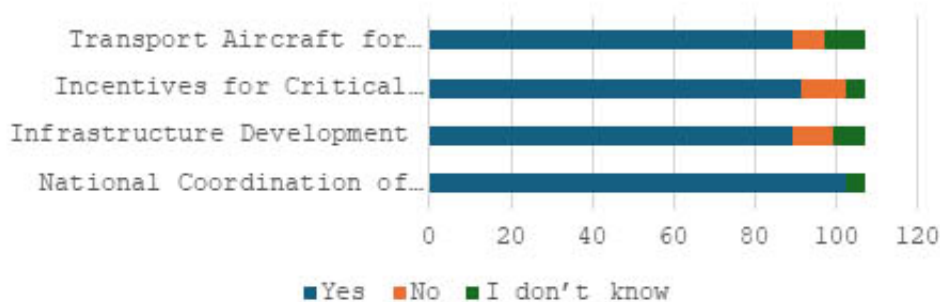
Regarding self-reliance in material needs, 84 respondents agree that the country should prioritize self-reliance, while 16 disagree and 7 remain unsure. The results indicate strong support for self-sufficiency, although a small proportion of respondents express doubts about its feasibility or necessity. For the critical material list, 101 respondents affirm the need for a defined list of critical materials, with only 1 respondent disagreeing and 5 uncertain. This overwhelming support suggests that most respondents view a clear inventory of essential materials as crucial for national preparedness and security. On the issue of strategic stockpiles of non-domestic materials, 100 respondents agree that these stockpiles are important, while 5 disagree and 2 are unsure (Graph 1).

The strong consensus indicates that strategic reserves of non-domestic materials are widely recognized as vital to ensuring the country's stability in times of crisis, though a small minority question the need or practicality of such reserves. Finally, regarding the domestic production of critical resources, 104 respondents support increasing domestic production of key resources, with only 1 opposing and 2 unsure (Graph 1). This result reveals a clear preference for bolstering domestic capabilities, likely reflecting concerns over supply chain vulnerabilities and the desire for greater autonomy in resource management.

Cluster 2 of questions (See Annex I) focuses on the role of national coordination, infrastructure development, and strategic resource management in enhancing Serbia's logistical preparedness. It explores the need for a dedicated body to oversee logistics at the national level, the importance of improving transportation infrastructure, and the potential for financial incentives to support critical sectors. Additionally, it considers the necessity of maintaining a fleet of transport aircraft to ensure Serbia's ability to respond effectively to emergencies. These questions aim to evaluate the key infrastructure and institutional frameworks essential for crisis resilience (Graph 2).

Regarding national coordination of logistics, a strong majority of respondents (102 out of 107) support the need for such coordination, with no opposition and only 5 uncertain responses. This indicates a high level of consensus on the importance of centralizing logistics efforts to ensure efficiency and preparedness. For infrastructure development, 89 respondents agree that infrastructure development is critical, while 10 disagree and 8 remain unsure. The relatively high level of support suggests that infrastructure development is seen as a key factor for improving national logistics, though there is some

Graph 2. Cluster 2 – Attitudes on the role of national coordination, infrastructure development, and strategic resource management in enhancing Serbia’s logistical preparedness



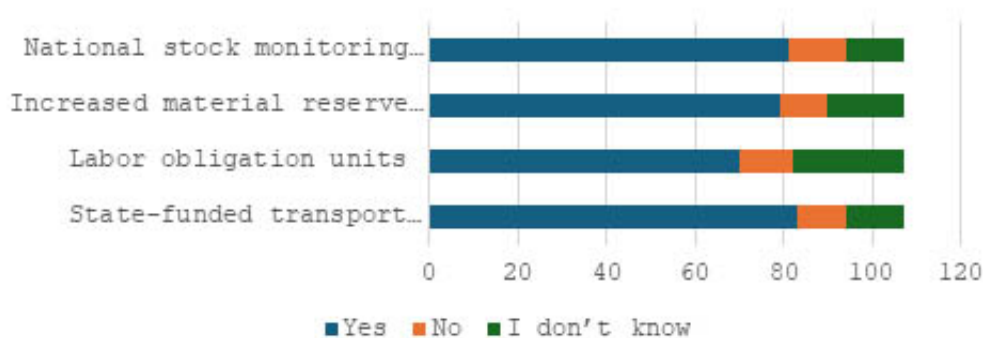
(Authors research)

variability in how strongly respondents feel about it. On the topic of incentives for critical facilities, 91 respondents affirm the need for incentives, while 11 disagree and 5 are uncertain.

This reflects a strong endorsement for incentivizing critical facilities, likely to support resilience in logistics during emergencies, with a small minority uncertain about the scope or nature of such incentives. Finally, for transport aircraft for emergencies, 89 respondents agree that transport aircraft are necessary for handling emergencies, while 8 disagree and 10 are unsure. The majority opinion highlights the recognition of air transport as a vital resource in crisis situations, though the number of uncertain responses suggests that some may question the specific needs or feasibility of such a strategy.

Cluster 3 focuses on the critical aspects of logistics preparedness and resilience in addressing national security challenges (See Annex I). The questions within this cluster examine key components of a strategic logistics framework, emphasizing the necessity of state-led initiatives and regulatory adaptations to ensure readiness for crises and emergencies (Graph 3).

Graph 3: Cluster 3 - Perceptions on state-funded transport reserves, labor obligations, material reserve requirements, and national stock monitoring software



(Authors research)

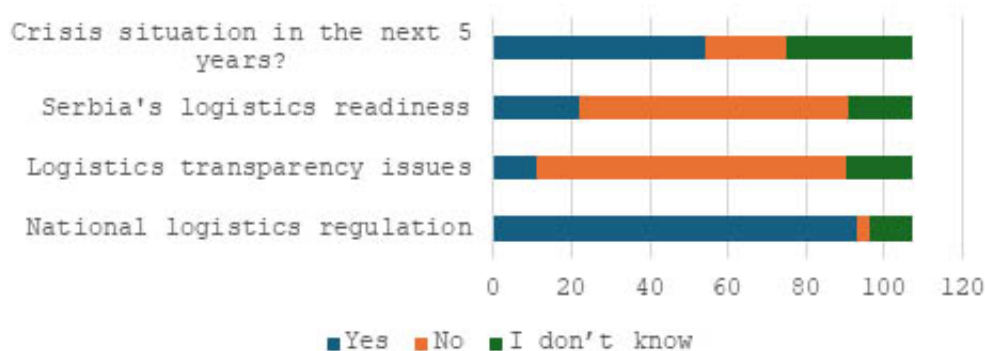
For state-funded transport reserves, a majority of 83 respondents support the concept, while 11 disagree and 13 are unsure. This indicates strong backing for the idea of state-funded reserves, likely reflecting recognition of their role in maintaining transport capacity during emergencies. Regarding labor obligation units, 70 respondents agree with the need for such units, 12 disagree, and 25 are unsure. The

result suggests a moderate level of support, but the 25 unsure responses indicate a level of uncertainty about the concept or its practical application in logistics planning. On the question of increased material reserve obligations, 79 respondents support the idea of bolstering material reserves, while 11 disagree and 17 are unsure (Graph 3).

The majority opinion highlights the importance of strengthening material reserves, though the uncertainty expressed by some may suggest a need for further clarification on the specific requirements or scope of these obligations. Finally, in relation to national stock monitoring software, 81 respondents support the implementation of such software, 13 disagree, and another 13 are unsure (Graph 3). The strong support for monitoring software indicates its perceived importance in enhancing oversight and management of stockpiles, although some respondents express doubts or require more information about its necessity.

Cluster 4 explores critical perceptions of Serbia's logistical resilience, focusing on the interplay between regulatory frameworks, state transparency, preparedness, and future crisis anticipation (See Annex I). These questions aim to assess public opinions on the adequacy of existing legal provisions, the transparency of logistics regulation in emergencies, and the nation's overall readiness to address potential security challenges (Graph 4).

Graph 4: Cluster 4 - Perceptions on whether Serbia experiences crisis in the next 5 years its logistical readiness and regulation



(Authors research)

A vast majority (93 out of 107) believe that national logistics regulation is adequate, while only 3 respondents disagree and 11 are unsure. On the issue of logistics transparency, 79 respondents acknowledge transparency issues, compared to 11 who disagree and 17 who are uncertain (Graph 4). Regarding Serbia's logistics readiness, 22 respondents feel the country is prepared, while 69 disagree, and 16 are uncertain. Lastly, when asked about the potential for a crisis in the next five years, 54 respondents foresee a crisis, 21 do not, and 32 remain unsure (Graph 4). These results suggest concerns about logistics transparency and readiness, alongside significant uncertainty about future crises.

Qualitative insights

Qualitative responses to the survey reveal a wide range of perspectives on the state of logistics, the legislative framework, and institutional readiness in the Republic of Serbia for addressing crisis

situations. The findings underscore the importance of logistics as a strategic pillar for effective crisis management, not only in terms of material resources but also through the mobilization of specialized personnel and the coordination of state institutions. Respondents consistently highlight the need for systematic staff training and long-term strategic planning to build robust logistical capacities. As one respondent noted, logistics is essential across all scenarios—peacetime, wartime, or other crises—emphasizing its universality and critical nature. Furthermore, logistics is recognized as more than just the provision of supplies; it is a comprehensive system requiring cohesive interaction among various sectors, including government and private enterprises.

Critiques of the current system focus on pervasive issues such as corruption, lack of preparedness for protracted crises, and the absence of a solid legal framework to regulate the use of territorial capacities. One respondent described the current state as a "facade of development," warning of its vulnerability in actual crises. There is a strong call for legislative reforms to establish clearer responsibilities and enforce mandatory cooperation between private enterprises and state institutions during emergencies. This collaboration is deemed critical for managing resources efficiently and avoiding ad hoc solutions that undermine long-term resilience.

Inventory management is identified as a particularly pressing issue, with respondents advocating for sustainable stock rotation systems and enhanced oversight. A poignant example from the military—where preserved food is rotated to maintain usability—highlights the potential for structured resource management to provide security during extended crises. Respondents also emphasize the necessity of planning that integrates both human and material resources into a unified response system.

While the survey itself yielded valuable insights, respondents critiqued its methodology, noting that questions were overly lengthy and options insufficiently diverse. These critiques underscore the importance of refining research tools to foster better engagement and collect richer data. Based on the analysis, key recommendations include legislative reforms to ensure flexible resource redistribution and mandatory private sector collaboration, institutional capacity building through training and crisis coordination mechanisms, and the implementation of transparent, sustainable strategies for inventory management.

Finally, corporate responsibility should be integrated into national logistics planning to ensure that all sectors contribute to a unified and effective response system. By addressing these structural and systemic gaps, Serbia can significantly enhance its logistical preparedness and resilience, both domestically and in the broader geopolitical context.

Geopolitical insights

Respondents were asked about Serbia's key allies in crisis situations.³ In analyzing the responses to this question, several significant patterns are observed that shed light on the complexity of Serbia's foreign policy and its strategic priorities. The Russian Federation and China are dominantly identified as Serbia's most important partners in times of crisis, with a total of 16 responses including this combination. This trend indicates Serbia's deep strategic connection with Russia and China, reflected in their mutual

³ The question, which allowed multiple answers, was: "Which country do you see as an ally of Serbia in terms of ensuring national logistics in crisis situations?"

political and economic support. Both allies play a key role in global and regional political crises, and Serbia relies on them to secure its position in international issues, such as the Kosovo issue. This combination suggests that Serbia is provided with significant security in the event of international tensions, with strong support from the East. The next significant group of responses, with 11 mentions, includes Russia, China, and “some of the Western Balkan states”, reflecting Serbia’s ambivalence toward regional relations. This answer may indicate situations in which Serbia maintains close ties with Russia and China, but at the same time feels somewhat isolated in the region, possibly due to political disagreements or discord among the Balkan states. This option may also indicate a lack of strong regional support in times of crisis, which Serbia compensates for with partnerships with major powers from the East.

The complexity of Serbia’s foreign policy becomes even more apparent with the 9 answers that include Russia, China, and the European Union as a whole. This answer implies a pragmatic approach, in which Serbia seeks to balance its traditional allies in the East with the growing importance that the European Union has in economic and political terms. This approach is typical of countries that are at the crossroads between East and West, and seek support from both blocs in order to preserve their sovereignty and political independence. Hungary appears in several answers, especially in combinations with Russia and China. With 7 mentions, Hungary is profiled as an important regional partner, which can act as a mediator between Serbia and the European Union. Geographical proximity and economic ties with Serbia make Hungary a key player, especially when political tensions arise within the EU. In this context, Hungary is seen as a support in crisis situations, which strengthens its importance in Serbia’s foreign policy environment. With 6 responses that also include Turkey, the country’s increasing importance in regional dynamics is seen. Turkey is recognized as an important partner of Serbia, especially in light of its strategic interests in the Balkans and beyond. This partnership can be both political and economic, with the possibility of further developing cooperation in various crisis circumstances, especially in relations with NATO or the USA. The combination of Russia, China and the USA with 4 answers indicates the possibility that Serbia is considering cooperation with major world powers, moving towards compromises that can provide stability in crisis situations.

However, this option also indicates challenges in relations with the United States, since relations between Serbia and the USA are traditionally tense, which can further complicate cooperation in certain political frameworks. It is interesting that 4 answers mention Russia, China, the European Union and Hungary, which emphasizes the role of the Hungarian aspect in Serbia’s relationship with the European Union. This indicates Serbia’s aspiration to establish a balanced relationship between its eastern partners and the European Union, with Hungary as a mediator in this process. Finally, there are 3 answers that include only the European Union, which indicates a certain openness of Serbia towards European integration, although this is not the dominant option in crisis situations. These responses may indicate occasional pragmatism and Serbia’s desire to rely on the EU in certain political and economic crises, but without excessive expectations of support in all scenarios.

Conclusion

The findings of this study underscore the critical importance of logistics as a strategic resource for the national security of the Republic of Serbia, particularly in addressing crises and emergencies. By examining the attitudes and perceptions of 107 respondents, this research highlights the current state of

Serbia's logistics framework, pinpointing areas of strength and identifying significant gaps that require urgent attention. This conclusion synthesizes key insights from the research, reflects on their implications for policy and practice, and proposes pathways for enhancing Serbia's logistics capabilities to ensure both domestic stability and geopolitical resilience.

The study revealed that logistics is not merely a support function but a cornerstone of national security. Respondents' strong emphasis on the need for self-reliance in critical material resources reflects widespread recognition of the vulnerabilities posed by over-dependence on external supply chains (see Graph 2). Establishing a nationally coordinated list of critical materials and ensuring sufficient domestic production capacities are seen as indispensable measures to mitigate risks associated with global market disruptions, especially in times of crisis. The survey also highlights the importance of strategic infrastructure development and institutional coordination. Respondents strongly supported the creation of a dedicated national organization to oversee logistics, emphasizing the need for better coordination between government bodies, private entities, and international partners. This aligns with global best practices, where centralized logistics frameworks have proven effective in managing complex emergencies but also to some scholars' opinions. Durugbo and Al-Balushi (2023) identify four key dimensions of restorative priorities in crisis operations: critical supplies with essential services, timely response with recovery, safety with security, and traceability with transparency. Their study also highlights operational complexities arising from network configurations, provisioning system challenges, and difficulties in complex learning and demand prediction during crises (2023, 1220-1221).

Another critical insight is the need for targeted investments in logistics-related infrastructure, such as transportation networks, warehouses, and specialized facilities. These investments are not only essential for operational efficiency but also for enhancing Serbia's strategic autonomy in emergencies. The survey findings indicate strong public support for state-funded initiatives, including the acquisition of transport reserves and the maintenance of an emergency fleet of aircraft, which could significantly bolster Serbia's crisis response capabilities.

To address the gaps identified in this research, Serbia must adopt a multifaceted approach to logistics reform. Key recommendations include modernizing the legal framework to clarify and expand the responsibilities of public and private entities in maintaining material reserves and logistical readiness, and establishing a dedicated national logistics agency to plan, coordinate, and oversee emergency response efforts, ensuring alignment with international standards. Investments in critical infrastructure such as ports, railways, and highways should be prioritized to improve the efficiency of supply chains. Financial incentives should be provided for the development of facilities that produce or store essential materials, such as healthcare supplies and energy reserves. Enhanced training programs for personnel involved in logistics and crisis management would help build a skilled workforce capable of responding to diverse threats. Knowledge exchange with international partners should be promoted to incorporate global best practices into Serbia's logistics systems.

A national-level software system for real-time monitoring of stockpiles, warehouses, and production capacities should be developed and implemented, alongside the establishment of strategic reserves of critical materials to ensure adequate supplies of non-domestic resources such as fuel, electronic components, and specialized medicines. Partnerships with key allies such as the European Union, Russia, and China should be strengthened to enhance Serbia's logistical capabilities through joint

initiatives and knowledge sharing, leveraging geopolitical relationships to secure access to critical resources and technologies during crises.

The research situated Serbia's logistical readiness within a complex geopolitical environment characterized by regional instability and global interdependencies. The findings suggest that an effective logistics system is not only critical for addressing immediate security threats but also for enhancing Serbia's resilience to broader geopolitical challenges. By investing in logistics, Serbia can bolster its sovereignty, strengthen its role as a regional actor, and position itself more effectively in the face of shifting global dynamics. Future research should build on this study by employing larger and more representative samples to validate and expand upon the insights presented here. Longitudinal studies could also track the impact of implemented reforms, providing a deeper understanding of the evolving relationship between logistics and national security. Additionally, interdisciplinary approaches that integrate perspectives from economics, political science, and technology could offer a more comprehensive view of the challenges and opportunities in this domain.

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Annex I: List of digests and questions from the survey

NO.	DIGEST	FULL QUESTION
Q1	Self-Reliance in Material Needs	Should Serbia prioritize self-reliance in securing essential material resources (e.g., food, clothing, fuel, equipment, ammunition, spare parts, medicines, transport, energy, and infrastructure) during wartime, emergencies, and crises?
Q2	Critical Material List	Is it necessary to establish a nationally coordinated list of critical materials, raw resources, food products, and medicines that will be prioritized during wartime, emergencies, and crises?
Q3	Strategic Stockpiles of Non-Domestic Materials	Should Serbia ensure sufficient stockpiles of materials it does not produce domestically (e.g., gas, oil and petroleum products, electronic and computer components, certain medicines, specialized vehicles, and generators) to mitigate supply disruptions from global markets?

NO.	DIGEST	FULL QUESTION
Q4	Domestic Production of Critical Resources	Should Serbia secure sufficient domestic production of critical materials, energy, and resources—such as food, water, basic medicines, ammunition, and electricity—to avoid reliance on imports during wartime, emergencies, and crises?
Q5	National Coordination of Logistics	Should Serbia establish an organization to plan, coordinate, and ensure logistical needs at the national level?
Q6	Infrastructure Development	Should the state focus on building key infrastructure, such as airports, ports, railways, and roads, to improve transportation capabilities?
Q7	Incentives for Critical Facilities	Should the state provide financial incentives for the construction of healthcare institutions, warehouses, and facilities that produce critical materials/energy/raw resources?
Q8	Transport Aircraft for Emergencies	Should Serbia maintain a fleet of transport and passenger aircraft for emergency operations, as was necessary during the pandemic for medical and repatriation flights?
Q9	State-funded transport reserves	Do you think the state should establish or finance the acquisition of additional transport vehicles to be used in crisis situations (e.g., reserves of barges, locomotives, wagons, etc., that would be allocated to transport companies and engaged when needed)?
Q10	Labor obligation units	Do you believe it is necessary to create labor obligation units to work in government bodies, healthcare and social institutions, large technical-technological systems, companies, and legal entities, as well as to perform urgent tasks required for ensuring national logistics needs and operations?
Q11	Increased material reserve obligations	Do you think the legal provisions on labor and material obligations should be amended to specify and slightly increase the responsibilities of companies, other legal entities, and entrepreneurs to maintain additional material reserves and build additional capacities necessary to overcome all types of security risks, challenges, and threats (in war, emergencies, and crisis situations)?
Q12	National stock monitoring software	Should a national-level software system be developed and implemented to monitor the status of stocks, warehouses, and production essential for war, emergencies, and crisis situations, both state-owned and privately owned?

NO.	DIGEST	FULL QUESTION
Q13	National logistics regulation	Do you think the area of national logistics should be further regulated by laws to reliably ensure the functioning of the entire society in overcoming all types of security risks, challenges, and threats (in war, emergencies, and crisis situations)?
Q14	Logistics transparency issues	Do you think there is sufficient transparency between the state and citizens regarding the regulation of logistics in emergency situations?
Q15	Serbia's logistics readiness	Do you think the Republic of Serbia is prepared to meet needs in case of war, emergencies, and crisis situations?
Q16	Crisis situation in the next 5 years?	Do you think the Republic of Serbia will experience a crisis situation in the next five years?

Značaj geopolitike i nacionalne logistike za bezbednost Republike Srbije u vanrednim situacijama

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Sažetak

Ovo istraživanje ispituje stavove ciljane grupe ispitanika (N=107) u vezi sa vanrednim situacijama, s posebnim fokusom na Republiku Srbiju i ključnu ulogu nacionalne logistike u obezbeđivanju nacionalne bezbednosti. U okviru ovog istraživačkog okvira, nacionalna logistika obuhvata ispunjavanje svih materijalnih potreba neophodnih za efikasno suočavanje sa bezbednosnim izazovima i pretnjama. Ove potrebe uključuju vojsku, policiju, civilnu zaštitu, civilno stanovništvo i privredu u Srbiji, kao što su obezbeđivanje hrane, odeće, goriva, opreme, municije, rezervnih delova, lekova, transporta, energije i infrastrukture. Studija analizira ključne faktore koji omogućavaju upravljanje i ublažavanje rizika tokom rata, vanrednih situacija i kriza u Srbiji. Ona pruža dragocene uvide u stavove i percepcije učesnika u vezi sa značajem logističke pripremljenosti u smanjenju rizika i reagovanju na potencijalne bezbednosne pretnje na nacionalnom nivou.

Ključne reči: nacionalna bezbednost, logistika, Republika Srbija, vanredne situacije, spoljna politika, anketa, NEWSIMR&D

Model of Crime Scene Investigation for the Crimes Committed with the Use of Explosive Substances

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Model of Crime Scene Investigation for the Crimes Committed with the Use of Explosive Substances

Abstract

Explosive substances as dangerous substances are used to commit crimes both with the intention and negligence. With regards to the properties of the explosive substance its use may cause very serious consequences for the life and health of people and the environment. Problems that may arise are certain difficulties in defining the scene of the crime where an investigation should be carried out, because the evidence may be scattered over a large area and destroyed and covered too. This paper discusses the classification and analysis of crimes committed with the use of explosive substances provided in the Criminal Law of the Republic of Serbia, as well as the criminal procedural characteristics of the crime scene investigation according to the Criminal Procedure Code of the Republic of Serbia. Special attention was paid to the criminal aspects of crime scene investigation in such cases with a focus on finding, preserving and significance of traces of explosive substances and other physical evidences with some empirical data – the number of crimes committed with/without explosions and verdicts, too. The aim of the research is solving the problem of the organisation of crime scene investigation. The result of the research is recommended model for crime scene investigation with the use of explosive substances as an attempt to improve the crime scene investigation. In order to justify the research, the statistical representation of the number of criminal acts with the use of explosive substances in the Republic of Serbia from 2017 till 2021 is presented.

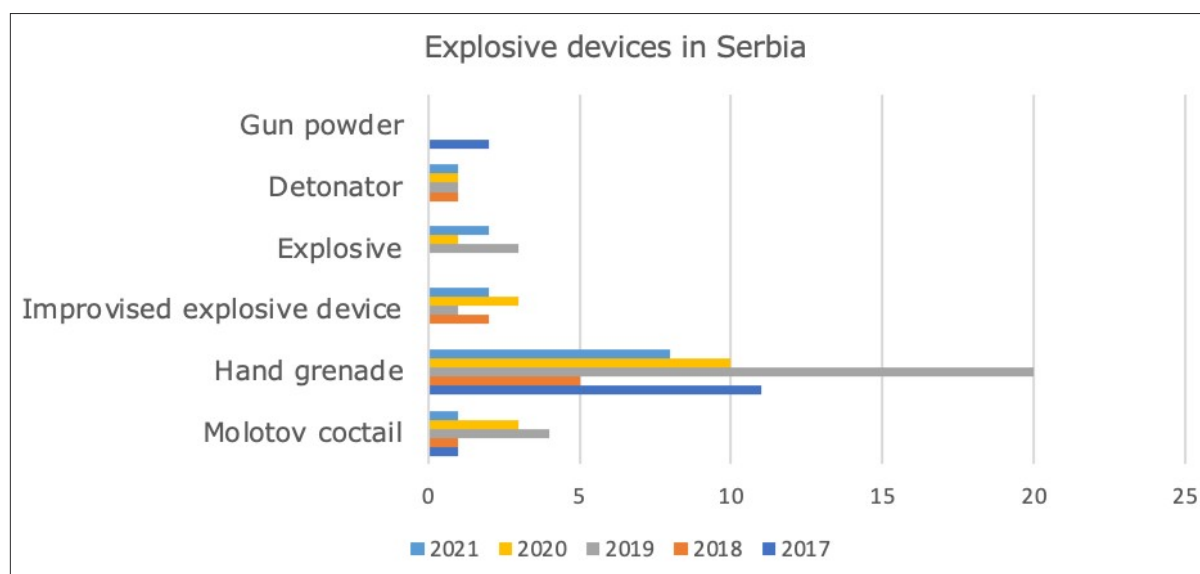
Key words: explosive substances, criminal act, crime scene investigation, physical evidence, model.

Introduction

Explosive substances are also known as energetic (Beveridge, 2017, p.1) and dangerous (Radić, 2011, p.17) materials. They can lead to chemical destruction with the release of hot gaseous products under high pressure and the use of these substances for crimes may cause serious consequences for the health and lives of people, material goods, the environment and fear and anxiety among citizens also. When handling explosive substances many risks are present, such as particularly typical risks of the emergence of technical and technological accidents. Crime scene investigation (CSI) for crimes committed with the use of explosive substances is specific comparing to investigations in other crimes. In some situations, it is quite clear that it is a crime, while in others (e.g. technical and technological accidents caused by any explosive substance) it will not be clear whether it is a crime or that offence was committed intentionally or not (Bjelovuk et al, 2013). In the professional literature one can find different classifications of explosive substances (Korajlić, 2009, p.25; Kumar et al, 2016; Beveridge, 2017, p.2). The causes of an explosion can be intentional (the perpetrator knowingly uses explosive substances, but should first come into possession of certain explosive substance) and accidental (often related to disrespect of regulation regarding the production, distribution, transportation and storage of explosive substances).

When responding to a call to the explosion scene, the investigator is required to have a working knowledge of a diverse set of science disciplines such as criminalistics, chemistry and engineering

Figure 1. The number of explosive devices used in Serbia in the period 2017 till 2021 (Ministry of Interior of the Republic of Serbia, 2022).



(Thurman, 2017). In support of the justification of the research, the number of explosive devices used in the Republic of Serbia in the period from 2017 till 2021 is given.

It is obvious from the diagram (Fig.1) that the explosive substances are used in the observed period in the Republic of Serbia as means of committing various criminal acts, namely gunpowder, detonators, explosives, improvised explosive devices, hand grenades and Molotov cocktails. The hand grenade was used the most.

Classification of crimes committed with the use of explosive substances and criminal procedural aspects of crime scene investigation

Explosive substances are not always mentioned in the description of crimes as means of their committing. In the Criminal Code of the Republic of Serbia (Official Gazette of the Republic of Serbia) such crimes can be systematized in three groups:

- Crimes committed only with the use of explosive or some other dangerous substance without their activation (there is no explosion - illegal manufacturing, possession, carrying and transport of weapons and explosive substances, intake of dangerous substances to Serbia and illegal alteration, disposal and storage of hazardous substances, etc.);
- Crimes committed with the activation of explosive or other hazardous substances as means of committing (terrorism, illegal fishing, causing general danger, etc.);
- Crimes that in their description do not contain specific means of committing, but can be committed with the use of explosive substances. There is an explosion (murder, aggravated theft, destruction and damage of public objects, terrorism, etc.).

The classification of crimes can be committed with explosive substances, points out to the ways and means of committing, as well as to the fact that certain offences can be made without the explosion, while during the committing of some other crimes, explosion is a must. Within the five years period 2008–

2012 in Serbia the number of registered crimes from the first group was almost double than the number from the second group, and in the Republika Srpska (entity in Bosnia and Herzegovina) that number was less than two thirds, while the number of these crimes comparing with other crimes in Serbia was only 0,87%, while in Republika Srpska that ratio was 1,08%. In the time of committing of these crimes the ratio of unknown perpetrators was 55,9% (Ministry of Interior of the Republic of Serbia and Ministry of Interior of the Republika Srpska, Bosnia and Herzegovina). This entity was chosen because there was a war in that area at the end of the 20th century, so there is a high probability that some explosive substances remained in illegal possession.

When it comes to the act of committing of some of these crimes judicial practice has different opinions, as illustrated in the following judgment of the Appellate Court in Novi Sad (The verdict of Appellate Court in Novi Sad in Republic of Serbia, Kž.1 2973/11 from Oct. 19th 2011) in relation to the offence of unauthorized production, possession, carrying and trafficking of weapons and explosive substances from the Article 348 of the Criminal Law: "The subject of the crime is not determined with the performance of that crime, in a sense, that it's just a weapon that was illegally acquired, produced, sold or kept, but the subject of that crime is firearm, its parts, ammunition and explosive substance in general, so when the defendant illegally kept the ammunition without permission from the authorities, that is what is considered a crime with all its characteristics within the actions of the defendant."

Reviewing the criminal procedural aspects of CSI in the Republic of Serbia, it should be noted that the legal basis for the performance of a CSI as evidentiary action is in Article 133 of the Criminal Procedure Code (Official Gazette of the Republic of Serbia) which stipulates that the investigation is conducted when for the clarification of fact in the proceedings it is necessary to have direct insight into the matter by an authority conducting the proceedings, while other material and formal conditions are not predicted. Procedural provisions do not predict for which criminal offences CSI should be performed. Also, the degree of their importance, the type of sanctions, severity of the prison sentence in accordance with the type of crime are not determined (Bošković & Kesić, 2020). Accordingly, CSI should be performed for all crimes in which at the area one can find evidences, identify specific facts and circumstances relevant for the clarification of the crime, the detection of the perpetrator and the securing of evidence (Bošković, 2013), which includes the crimes committed with the explosive substances.

The question is who is responsible for the CSI, i.e. whether the investigation is made by a public prosecutor, police or court. In accordance with the provision from the Article 2, paragraph 1, point 15 of the Criminal Procedure Code (Official Gazette of the Republic of Serbia) that prescribes that the authority of the proceedings is a public prosecutor, the court or other state body before which the proceedings are being conducted, it can be concluded that in the preliminary investigation both public prosecutor and police are authorized for the CSI regardless of the severity of the crime. On the other hand, in investigation phase primary person for CSI is a competent public prosecutor because he leads the investigation, but in most cases, he entrusts CSI to the police because of their expertise, equipment and competency. The authorized police officer shall immediately notify a public prosecutor about the need for CSI bearing in mind that Serbia has introduced prosecutorial investigation, but we can also notice that there is no legal impediment for the police to perform a CSI independently and to immediately notify a public prosecutor (Bošković & Kesić, 2020). The body in charge for a CSI will typically seek help from a professional person

from forensics, traffic, medical or other professions. Engaged professional person shall, if necessary, do the finding, securing, describing of evidences, take measurements, sketches, photographs and the necessary samples for analysis or gather other data.

When it comes to the subject of the CSI Criminal Procedure Code of the Republic of Serbia introduced the division of forensic examination of persons, items and places. In accordance with Article 134 of the Criminal Procedure Code (Official Gazette of the Republic of Serbia) envisaged when a forensic examination can be made on a person, whereby a distinction is made whether the investigation is made on a defendant or on some other person. Thus, it is predicted that the investigation of the defendant can be made without his consent if it is necessary to determine the facts relevant to the proceedings, while the investigation of other persons, without their consent, can be made only if it has to be established whether their bodies bear certain trace or consequence of a crime. If during the examination of a person it is determined that there are certain biological evidences or certain physical injuries, it is for sure that under the fulfilment of the conditions set by the law, it may be order to take biological samples for forensic genetic analysis. In addition to people, the subject of the CSI can be movable and immovable assets of the defendant or other persons and also the Code prescribes the investigation of the scene.

Just for comparison, in the US of America gathering of evidence from the crime scene comes down to two questions: first, the question of the permissibility of entering into certain areas in order to search the place where the offence took place and secondly, securing evidence and handling them in order for them to be presented in court proceedings (Kesić, 2014). If the crime is committed in a public place or in a public facility, authorized officers do not need to have special authorization to enter into such areas. However, when it comes to private facilities authorized officers enter such facilities usually based on the consent of the person who controls those facilities or on their own initiative if there is urgency of action, and in other circumstances on the basis of a court order (Gardner & Anderson, 2004).

The authority in charge for the proceedings is authorized to make a record on performed CSI that must be in narrative form containing facts from a crime with a special focus on the found evidences, given that the found condition is documented also with the photo-documentation, sketch, situation plan and the report of the forensic examination of the scene, which is stated in the minutes of the investigation to which these documentation are attached to. In relation to the obligation of the authority in charge of the proceeding to take photographs of the traces and items during the CSI, it is interesting to point out the standpoint of the judicial practice in the Republic of Serbia according to which "the crime scene records, despite the lack of photos, is the evidence on which judicial decision can be based, so it cannot be excluded as evidence" (The verdict of the District Court in Niš, KŽ. 774/07 from Sept. 14th 2009). Specifics of crime scene investigation in crimes committed with the use of explosive substances – organizational model

After securing the scene that must be timely, professional and complete, the next thing is to perform a CSI and to assess the risk of new explosions, to determine the boundaries of the scene, to remove and evacuate citizens and to make records of eyewitnesses in order to collect information. The adequacy of the risk assessment from new explosions depends on expert knowledge, training, and equipment of the investigating team. It is useful to have unmanned aircrafts, self-propelled robot vehicles and arms, the explosive and metal detectors, police dogs trained to detect explosives and special protective equipment. CSI is a set of complex activities which include an immediate review of material objects and

their connection with the objective to find evidences of a crime and to clarify other important circumstances and by the person conducting the investigation (Žarković et al, 2012). Expert team should immediately perform a visual inspection of the scene to detect evidences and their interaction. Visual inspection of the scene enables contemplative reconstruction of the event, as well as to make assumptions about possible locations of evidences in order to avoid their destruction. CSI involves the collection and processing of evidences that are being sent to the appropriate forensic analysis based on which one can come up to the level of grounds for suspicion that is sufficient to file criminal charges against suspects. When collecting evidences, it is very important to establish a forensic chain and to respect the international standards that regulate the behaviour at the scene in general, while for the forensic analysis of evidences it is important to perform in an accredited laboratory according to the ISO17025.

The entrance to the crime scene is not allowed for disorganized groups, but first the entrance should be enabled to those members of the investigation team who are specially trained. What evidences of explosive substances can be found at the scene depends on the type of substance as well as of the way of activation of the explosive device. In order to determine the facts and find the evidences it is necessary to make a detailed forensic examination of the scene with establishing the following manifestations of the explosion: thermal effect, brisance and the shock wave effect and fragmentation effect. Fragments of the casing of an explosive device, detonator, fuse, timer device, clockwork, battery parts, parts of wire conductors, circuits, shock tube, explosive substance, parts of paper wrapper, etc. can be found. Many fragments of the explosive device can be plunged in the soil or in the other objects at the scene. Those parts are important because of the possibility to calculate the velocity in which fragments have scattered and the explosive mass. Parts of explosive devices is not easy to find since very often they are mixed with soil or other substances or they are barely visible. These evidences allow the police and the public prosecutor to set the appropriate version and to plan operational activities.

The evidences like clothing, shoeprints, blood, hair, saliva, faeces, urine, nails, cigarettes buds, lighter, matches, cap, button, cigarette case, soil, glass, paint, etc. can be found at the scene also. In rare situations traces of papillary lines can be found, which has happened in the criminal practice in the Republic of Serbia (e.g. on the lever of a hand grenade). Breaking of glass due to an explosion in certain situations can provide enough data that allow the forensic engineers to calculate the explosive mass based on the shock wave effects. It is essential to determine the centre of the explosion. Damage caused by the shock wave can often be used to distinguish the gas explosion from an explosion caused by conventional explosives. Mass of used explosives may also be determined from a crater dimension (Bjelovuk, et al, 2015). For the purpose of later expertise, one should take samples of the surface due to the existence of the particles from an explosive substance. All found evidences are immediately expertly labelled and packed in airtight container in order to avoid their alteration or subsequent contamination, but one should take care about the packing order and the separation of evidences.

The CSI is documented with the report, photo-documentation, sketch and situation plan of the scene by the forensic technician and these documents are attached to the record of the forensic examination of the scene that has been done by the criminal inspectors has evidentiary significance. Record of the CSI is a basic document that secures the place on which a crime was committed and which, in addition to the evidentiary significance, has an operational character, because based on established facts, it is possible to set appropriate versions and to plan and undertake further actions.

Photography visually shows the situation on the scene and it is recommended to use in scale photo based on which it can be determined the size of some evidence.

Sketching the scene is done after finding, labelling and photographing of evidences. Based on the measures from the sketch the situation plan - technical drawing is made in scale with the use of drawing kits or in some program (AutoCAD, etc.), on which the most important measures are indicated, as well as cardinal directions, GPS coordinates, written legend with all necessary explanations, which contains the same labels for evidences under which they were entered into the record of CSI and visible in the photo documentation.

The contribution of CSI in clarifying and proving the crimes committed with the use of an explosive substance is undeniable, because during a CSI one is always trying to answer key questions, such as:

- whether it is technological or technical accident and of which crime was that, or was it a crime at all;
- place, time and manner in which the crime was committed;
- whether one or more perpetrators committed the crime;
- circumstances related to the crime and perpetrator;
- types and origin of explosive substance used;
- consequences of the explosion;
- suspects, etc.

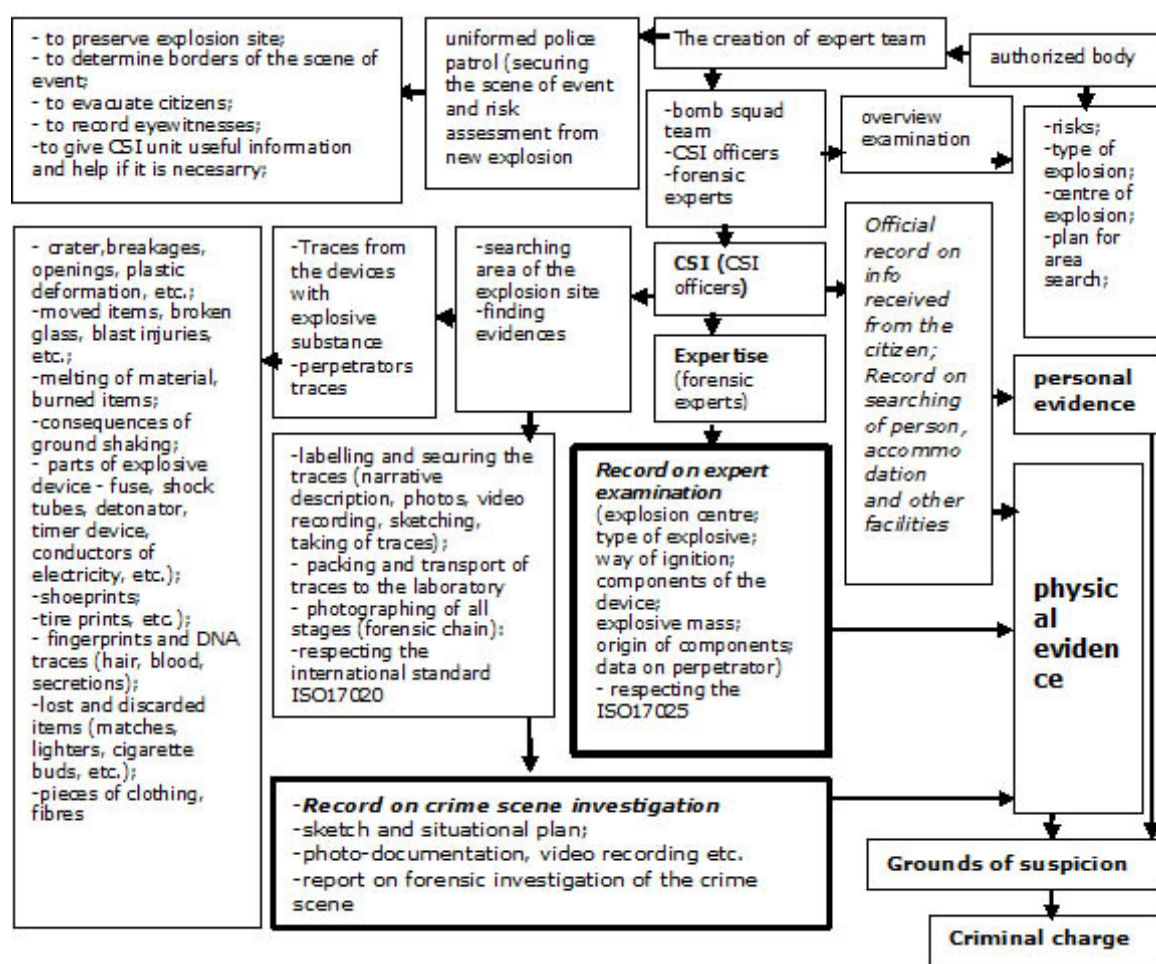
A special contribution of CSI in proving crimes committed with the explosive substances is reflected in enabling expert examination of evidences and with that evidentiary action valid evidence is provided. These evidences are very important in such crimes considering that there are rare or unreliable personal evidence, since statements of persons often do not contain the essential facts about the crime and the perpetrator. However, apart from the above mentioned, evidences that originate from explosive substances and perpetrator, and the evidences resulting from the physical effects of the crime to the perpetrator have appropriate evidence and operational significance, because they are the ones that bring the perpetrator in a reciprocal relationship with the committed crime and they are the subject of the expertise.

The research results indicate that, in order to solve and prove crimes committed with the explosion of an explosive substance, and depending on the found evidences during the investigation, in Serbia and in Republika Srpska the following expertise were conducted: chemical, physical, electronic, fingerprint and DNA expertise. In Serbia in relation to the total number of crimes committed with the use explosive substances, expertise in the mentioned time period was represented with 94,72%, while the percentage of representation in Republika Srpska is 94,19% (Ministry of Interior of the Republic of Serbia and Ministry of Interior of Republika Srpska). Evidences found during the investigation of such crimes allows to make appropriate expertise with the application of the latest scientific and technical achievements, the results of which enable solving of large number of these crimes, but also direct further operational activities, thus indirectly contributing to the discovery of new evidence.

CSI and expertise of found evidences may involve engagement of experts from many areas due to the multidisciplinary nature of the phenomenon and the different approaches to the problem. Thus, the expertise can be performed by the experts: chemists can provide information about the type of used

explosives, forensic engineers can provide information about the mass of used explosive based on the damage caused by the explosion, type of used explosive device, ways in which the explosive was initiated, as well as material damage, pathologists can provide information about the cause of injuries and possible causes of death for the victims of an explosion, forensic biologists can provide information on possible DNA profile, specialists in fingerprints can provide information on fingerprints from a perpetrator etc. Examination of damage is a common starting point for investigating the cause of an explosion. The crater has a great importance as the evidence in CSI (Xu et al, 2021). In the initial examination of the crater, evidences of explosion may contain important information, i.e. characteristics of the explosive substance. The crater could also be the source of the device fragments and unburned explosive, but it can also be used for the assessment of the explosive mass (Bjelovuk et al, 2015).

Figure 2. Model for CSI of crimes committed with the use of explosive substances (Bjelovuk, 2014, p.30)



Model for the CSI in case of the use of explosive substance (Fig. 2) shows the role of each entity in investigation. It also points out what specific evidences should they look for. As a result of these activities, and based on the collected physical and personal evidence, the authorized entity shall submit criminal charges when there are grounds for suspicion that a crime was committed or that a particular individual is the perpetrator of that crime.

Discussion

Performance of the CSI in which explosive substance was used has common elements with CSI of other crimes, but also lot of specific characteristics due to the existence of the risk of new explosions, dispersion of evidences on large area, unclerness of whether in that case there is an existence of intent of the perpetrator to commit a crime or the offence was committed out of negligence or if that case was a crime at all.

Model for the CSI where the explosive substance was used, would regulate the position and role of each participating entity. Suitable distribution of the roles of individual criminal procedure actors and the use of authorizations during a CSI is very important when viewed from the criminal procedure stand point. Respecting provisions of the Criminal Procedure Code of The Republic of Serbia during the performance of CSI is essentially important for future criminal proceedings because if the CSI was performed by the authority which according to the provisions of Criminal Procedure Code has no jurisdiction for it (e.g. police independently conduct an inquiry, and the prior consent of the public prosecutor was mandatory) such record of the CSI could not be used later as evidence in criminal proceedings and would lead to its exclusion from evidence. On the other hand, if certain appropriate forensic rules are not respected in terms of finding, processing and securing evidences with the use of an explosive substance, it may happen that there is irregularity in the CSI documents which brings in the question of their evidentiary significance. For these reasons, the proposed model for the CSI in crimes committed with the use of explosive substances is even more important. Bearing in mind that the behaviour at the such crime scene is not regulated equally in all countries, the implementation of international standards when collecting evidences from the scene, would allow a unified behaviour of all entities involved in a forensic chain, and therefore the possibility to exchange evidence according to international standards ISO17020 and ISO17025.

Conclusion

Explosive substances, regardless of the type of activity, contain the risk to cause an explosion, i.e. to be used for the committing of certain crimes, and their diversity and characteristics make the investigation very specific, which must be performed with the respect for the provisions of criminal procedure rules, because of its timely and professional performance the further course of the criminal proceedings often depends. Crimes committed with the use of explosive substance are in most cases proved through physical evidence obtained with the expert examination of evidences from an explosive substance and perpetrator found on a scene, which specifically highlights the importance and contribution of the CSI in solving and proving these crimes. That is why it is important to recognize the existence of mutual causal links between each evidence on one hand and committed crime on the other hand, because that enables the assessment of their relevance and suitability to evolve into physical evidence. For evidentiary significance, it is essential that the evidences found during a CSI are processed correctly and professionally secured in CSI documents, because the results of the research indicate that the current practice in some cases revealed some distinctions of certain facts in the investigation documents, with which their evidentiary force is being questioned.

In many situations when the committing of a crime was with the explosive substances evidences at the scene are present in small quantities, which creates certain difficulties in their finding and securing, and which requires expertise and perseverance of scene of crime officers and experts and their synchronized teamwork with other members of the investigation team. The importance of CSI and contribution of found evidences is indisputable for solving crimes, especially knowing that the personal evidences are difficult to obtain, and they are often unreliable.

Proposed model for the performance of CSI with the use of explosive substances would facilitate the crime scene management since it precisely describes the role of each entity during the performance of CSI. Since it envisages the implementation of international standards during the forensic examination at the scene, but also when performing analysis in forensic laboratories, it would enable the exchange of evidence at the international level. With appropriate special training for the performance of CSI in such crimes in order to reduce the risk when working on a scene, finding specific evidences and use of international standards would allow us to overcome the current problems in the CSI.

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Model vršenja uviđaja kod krivičnih dela sa upotrebom eksplozivnih supstanci

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Sažetak

Eksplozivne supstance se, kao opasne supstance, koriste za nehatno ili umišljajno izvršenje određenih krivičnih dela. S obzirom na to kakva su svojstva eksplozivnih supstanci, njihova upotreba može izazvati veoma ozbiljne posledice po život i zdravlje ljudi i životnu sredinu. Problemi koji se mogu javiti su određene poteškoće u definisanju mesta događaja na kom treba vršiti uviđaj jer tragovi mogu biti razbacani na velikom prostoru i zatrpani. U radu su date klasifikacija i analiza krivičnih dela sa upotrebom eksplozivnih supstanci predviđenih u Krivičnom zakoniku Republike Srbije, kao i krivičnoprocesna obeležja uviđaja prema Zakoniku o krivičnom postupku Republike Srbije. Posebna pažnja posvećena je kriminalističkim aspektima uviđaja na mestu događaja kod krivičnih dela izvršenih eksplozivnim supstancama sa posebnim osvrtom na pronalaženje, fiksiranje i značaj tragova eksplozivnih supstanci kao i drugih materijalnih tragova, uz navođenje pojedinih empirijskih podataka – broj izvršenih krivičnih dela sa i bez eksplozija kao i presude. Cilj istraživanja je rešavanje problema organizacije poslova vršenja uviđaja. Rezultat istraživanja je preporučeni model vršenja uviđaja na mestu događaja kod krivičnih dela sa upotrebom eksplozivnih supstanci kao pokušaj unapređenja vršenja uviđaja uzimajući u obzir specifičnosti i potrebe angažovanja velikog broja subjekata. U cilju opravdanosti istraživanja dat je statistički prikaz broja izvršenih krivičnih dela sa upotrebom eksplozivnih supstanci u Republici Srbiji od 2017. do 2021. godine.

Ključne reči: eksplozivne supstance, krivično delo, uviđaj, materijalni dokaz, model.

Women in the Police: Serbia, Montenegro, and Bosnia and Herzegovina

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Women in the Police: Serbia, Montenegro, and Bosnia and Herzegovina

Abstract

We analyzed the status of women in the police organization through the gender division of labor and hegemonic masculinity in order to show as clearly as possible what prevents women from integrating into this profession in the same way as men. The police maintain hegemonic masculinity through the use of authority, the glorification of the use of force, and the subordination of women. The gender division of jobs in the police profession is carried out in such a way that women are assigned jobs that are typically female (administration, administrative jobs, juvenile delinquency jobs, counter jobs, etc.). The authors used the method of selecting available literature and databases on women in the police in three countries: Serbia, Montenegro, and Bosnia and Herzegovina. The data in this text refer to Serbia and two neighboring countries: Montenegro and Bosnia and Herzegovina. The police of Serbia, Bosnia and Herzegovina and Montenegro have very similar data on the proportion of women in their services, and on average they are less than a quarter. There is an internal informal division into "female" and "male" jobs. "Women's jobs" include legal, financial, analytical jobs, then jobs related to human resources management, communication, as well as logistics support jobs, since the majority of women are in the financial sector, the human resources sector and joint jobs, administrative jobs, etc. Women are still most represented in the lowest police ranks. Other barriers include gender discrimination and harassment, male-dominated selection boards (when it comes to hiring and promotion), and working conditions that are unfavorable to family and parental responsibilities.

Keywords: gender division of labor, hegemonic masculinity, women, police, Serbia, Bosnia and Herzegovina, Montenegro

Introduction

In the field of distribution of power, in this case public power realized through the authorization to use force, the police represent a field in which women have extremely limited access, inclusion and advancement, i.e. occupying a position of power.

We observed the police organization through two theoretical concepts: gender division of labor and hegemonic masculinity, in order to show the obstacles that prevent women from integrating into this profession in the same way as men. Gender division of labor is a concept that explains how the sphere of work is formally and informally divided into professions and parts of professions that belong to women and men. The labor market is conditioned by strong mechanisms that classify certain professions as male or female dominant, based on the number of women or men in them. Thus, there are dominantly masculine professions such as the police and the army, where access and advancement are difficult for women. At the moment when a woman approaches a male-dominated profession, forces that are a combination of the gender division of labor and hegemonic masculinity begin to act (Tomić & Mićović, 2016).

The police organization as a place of hegemonic masculinity is proven by the division of labor that shifts women in the police to "women's issues", on the one hand, and on the other hand the official organizational policy that values competitiveness, aggressiveness, persistence and emotional detachment, which is reserved for men. Female police officers may simply be "police officers", upholding the

expectations associated with the prescribed behavior of a police officer. This pattern is evident in the description of female police officers and implies that women are expected to behave in socially prescribed ways i.e. compassionate, to talk more easily, and to be comforting to victims of crime. This practice is a means of reproducing cultural patterns and reaffirming stereotypes, justifying gender divisions in the police and leaving strong hegemonic masculinity (Rabe-Hemp, 2008).

We have singled out some recent research on gender equality in the police from our areas, Serbia, Bosnia and Herzegovina and Montenegro, in order to show that these theoretical concepts are grounded in practice in police organizations.

Methodology

The authors used the method of selecting available literature and databases on women in the police in three countries: Serbia, Montenegro, and Bosnia and Herzegovina.

The theoretical framework of our data analysis from available literature and databases included theoretical concepts of the status of women in the police organization through the gender division of labor and hegemonic masculinity in order to show as clearly as possible what prevents women from integrating into this profession in the same way as men. The police maintain hegemonic masculinity through the use of authority, the glorification of the use of force, and the subordination of women. The gender division of jobs in the police profession is carried out in such a way that women are assigned jobs that are typically female (administration, administrative jobs, juvenile delinquency jobs, counter jobs, etc.).

The national and regional context of our work includes data from Serbia and two neighboring countries: Montenegro and Bosnia and Herzegovina.

Gender division of labor

Almost all societies know a gendered division of labor (Abbott, Wallace, Tyler, 2005) through jobs that are seen as typically female jobs and those that are typically male. Historically, this division has changed, so some jobs have become less gender-recognizable in different societies. Ann Oakley (Ann Oakley, according to Acker, 2009) defined the gender division of labor as a social construct and not something that is conditioned by biological differences between women and men.

And observations on the state of gender inequality in professions in Serbia (Kolin, 2009; Tomić, Spasić, 2010; Tomić, 2019; Blagojević, 2012, etc.), indicate that the position of women in key aspects such as promotion and salary, less favorable than men. Some of the most important problems faced by employed women are obstacles in advancing to management positions in companies, lower pay for the same or jobs of equal value, as well as a lower representation of women who are only employed or engaged in entrepreneurship, compared to men (Babović, 2010).

Feminist discourse advocates recognizing women's work in the household as an important part of maintaining and caring for the family, and equates it with paid work in the public sphere. Women's work in the household has created a certain solidarity among women, and they perceive it as voluntary work based on giving love. Marxist theoreticians (see: Abbot et al., 2005) believe that men appropriate women's work in the household as something that belongs to them on the basis that it is work in the private sphere and that it is connected with feelings, so it does not have to be paid as work in the public sphere, whereby they also allow a woman to work in a paid job on the labor market. To this approach can be added the fact

that not only men benefit from women's work in the household, but also other actors (children, the elderly, the sick, etc.), and thus society as a whole.

According to Blagojević (2012), feminist theorists also pointed to the division of professions horizontally and vertically. The horizontal division is reflected in the fact that women enter a small number of certain professions on the labor market, while the vertical division is reflected in their small number within the professions themselves in places that are paid more and have a higher social status. Feminists have also noticed that the role of a woman in the household, where she performs unpaid work, is crucial for her position on the labor market. It is considered that this work is necessary to maintain the well-being of household members and achieve psychological, emotional and physical benefits for the spouse, children and the elderly, and Marxists add that women with their unpaid work in the household are necessary for the reproduction of the labor force in capitalism (Abbott et al., 2005, p.285).

In order to explain the position of women in the labor market, many theorists offer the concept of how combined capitalism and patriarchy functionally maintain the situation of exploitation and subjugation of women. Silvia Walbi (according to: Tomić, 2019) says that it is in the interest of the patriarchy for a woman to remain in the private sphere subordinate to a man in order to provide him with all services, including sexual ones, and that, on the other hand, it is in the interest of capitalism for a woman to enter the paid labor market as would work in lower-paid jobs and jobs that do not have a high level of social influence, i.e. to do typically female jobs and thus contribute materially to the household.

Gender-based institutions are based on hierarchy, segregation and sometimes exclusion based on gender (Acker, 2009.; Tomić et al., 2023) Efforts to keep women out of typically male professions are supported by social norms that support gender distinction, and all result in women's infrequent engagement and failure or difficulty surviving in male professions, with the explanation that this is due to their incompetence (Garcia, 2003).

The gender division of labor in the police profession is carried out by assigning women jobs in administration, administrative jobs, juvenile delinquency jobs, counter jobs, etc., which as a rule follow the wider social division of labor and are typically women's jobs. In this way, we observe that the division of labor in the police organization follows the division of labor in the labor market (Garcia, 2003). This phenomenon indicates a stubborn process of job segregation in the police organization, which is under the influence of social gender inequalities in the labor market and under the influence of the internal structure of the police organization, which is predominantly male. Based on the division of labor in the police, in which women are assigned a subordinate position, it follows that they have less power, are in lower positions in the hierarchical structure, and have less control over the work they do (Tomić, 2019).

Hegemonic masculinity

The privileged position of ideal-typical male behavior is occupied by "hegemonic masculinity". Hegemonic masculinity varies from country to country and between different historical periods, however, as such, it strongly influences the process of gender self-understanding and the role they play in social organizations (Frehill, 2004). Hegemonic masculinity is not normality in the statistical sense, because only a minority of men practice it. It is reflected in the fact that men regard him as the essentially true being of masculinity, and demands that all other men position themselves in relation to him. It ideologically legitimizes the global subordination of women to men. The concept of hegemonic masculinity refers to

subordinate men and women, whereby hegemony does not imply violence, although it may be supported by force; it meant dominance achieved through culture, institutions and persuasion (Connell & Messerschmidt, 2005).

In contemporary Western culture, the ideal of a dominant man is a man who is independent, not afraid of risks, aggressive, heterosexual and rational (Connell & Messerschmidt, 2005). The ways in which men respond to the demands of femininity to be accepted on an equal footing with masculinity are reproduced in the culture of modern societies very persistently to the detriment of women (Jewkes et al., 2015).

In the masculinity profession, there is an understanding that a woman's success is marked by the loss of her feminine qualities, because for promotion and advancement in typically male professions, it is necessary to possess a certain amount of aggressiveness, coldness and dominance (Jewkes et al., 2015). It goes without saying that a man who is successful and dedicated to his profession is exactly that because he has enough time and ability for it, he, as a man, is characterized as someone who is in charge of "outside" life, the public sphere, while a woman is responsible for integration, support and "private". When a woman is at work outside the family sphere, such stereotypes are very important in understanding why she is perceived as someone who, in fact, does not belong there in a masculinity atmosphere at work (Tomić & Spasić, 2010).

Police culture determines the behavior of police officers on and off the job. It represents a certain system of values, attitudes and beliefs that police officers adopt in relation to their work, leadership, certain categories of citizens, courts, law and various phenomena in society that affect their work. They characterize the police culture social isolation, job risks, specific powers and responsibilities, the necessity of mutual solidarity in joint actions, frequent contacts with antisocial behavior and certain types of people, the internal system of training and professional knowledge acquired in practice, the nature of information used in work and the like (Milosavljević, 2004).

Formal obstacles to the admission of women into police services are defined through selection standards, that is, through requirements regarding height, weight and physical abilities for male and female candidates, based on the stereotype of physical strength as one of the key prerequisites for police work (Balkin, 1988). Similar things happen during police training and trial work, during which, by constantly reminding that the police is a male profession, future female police officers are constantly intimidated (Tomić, 2019).

Many men in the police force still maintain a very negative attitude towards female police officers, considering them to be physically less capable, not aggressive enough, too emotional, mentally weak, too naïve, and finally, unable to gain the trust of citizens (Brant, 2008; Brown, 2007).). Due to the persistence of a paternalistic and protective attitude towards women, they are assigned administrative jobs in the police, in which admission requires the fulfillment of high standards (clean record and personal biography, excellent health, high psychological and intellectual grades, etc.), which are lower paid (analytical jobs, jobs in which field operative work is not performed, jobs related to the suppression of juvenile delinquency, or jobs of prison guards) (Tomić, 2019).

Results

The police of Serbia, Bosnia and Herzegovina and Montenegro have very similar data on the proportion of women in their services, and on average they are less than a quarter. There is an internal

informal division into "female" and "male" jobs. "Women's jobs" include legal, financial, analytical jobs, then jobs related to human resources management, communication, as well as logistics support jobs, since the majority of women are in the financial sector, the human resources sector and joint jobs, administrative jobs, etc.

The police maintain hegemonic masculinity through the use of male authority, heterosexism, the ability to show force, and the subjugation of women. This practice has a profound effect on the work of male and female police officers. Studies indicate that the police subculture is hypermasculine, reproducing traditional gender roles and stereotypes in order to maintain male dominance, leaving women at a distinct disadvantage (Bikos, 2016).

In Serbia, Montenegro and Bosnia and Herzegovina, during the past two and a half decades, women have been given the opportunity to be employed in the police to a much greater extent than before. In addition, in the last few years, legal and institutional measures on gender equality and protection against discrimination have been established in these countries. Despite significant reforms, women in the police are still much less represented in operational jobs, as well as in higher management positions (Bikos, 2016).

The challenges they face in a traditionally male professional environment are numerous and include restrictions related to employment, training and professional advancement. They face difficulties in balancing their professional and private lives, as well as expressing offensive and hostile attitudes about women through verbal and non-verbal communication.

Although the data for Serbia, Bosnia and Herzegovina and Montenegro are of a different character and uneven, they are nevertheless comparable and rich in content. The data refer to the composition of the police by gender in the most important aspects such as the share of women in the police, the share of women in leadership positions, the share of women in police administrations and services (statistics). The data collected through the interviews are not uniform thematically, but they provide interesting and key data for this text.

Current data for Serbia is not available because the Ministry of Internal Affairs treats it as an official secret, however there is data from earlier research that we have used to present in this text. Available data on the representation of women in the Ministry of Internal Affairs, according to the Ministry's report from November 2012, show that the percentage of women in relation to the total number of employees in the Ministry of Internal Affairs is continuously growing (2000 – 15.2%; 2005 – 19.1%, 2010 – 21.7%, 2012 – 21.8%). In 2010, 7.76% of employed women from the total number of employees in this status had the status of uniformed authorized official (UOSL), and 21.5% of women had the status of authorized official (OSL) in the operational composition of the total number of employees in this status. Of the total number of employees with OSL and UOSL status, 11.6% are women. In the uniformed composition of the police (UOSL), women mostly perform border police duties (18%), security duties (11%), followed by general jurisdiction police (8.3%), traffic safety (5.5%) and the smallest percentage work in the gendarmerie (2%). In the operational staff (OSL), there are the most women in jobs related to emergency situations (25%) and in crime prevention jobs (19%). Contrary to the increase in the representation of women in the overall composition, the number of women in leadership positions in the ministry decreased from 11.4% in 2010 to 9.9% in 2012. Despite this negative trend, the number of women at higher management levels has increased, e.g. heads of administration - now they make up 23.1%,

heads of departments 25.5%. The number of women in senior management positions at the operational level is still small. Of the 27 police administrations, only one is headed by a woman, then 2 women are commanders of police stations and one is the deputy commander of a police station, while 6 women are commanders of police departments. Women are not represented among the heads of administrations, departments of the criminal police and police of general jurisdiction (Bjeloš et al., 2012).

Data from 2016, based on the Report for the Police Administration for the City of Belgrade, show that the situation remained similar (Tomić, 2019). In relation to the police status, women were represented by 85%, compared to men, in the OD status (on specific duties), which by definition is lower than the OSL and UOSL status, with an even lower PD status (special duties) of 61 % and there were 77% of women without status. In terms of percentage, women were the most represented in the Administration for Administrative Affairs, 89%, and the least in the Police Brigade, 5%. Of the total number of employees in PU for the city of Belgrade, women represented 25%. This percentage is lower than the recommendations of European countries, which should reduce gender inequality in the security services of Serbia, and according to which it is necessary for women to be represented by 30% in the security services. The participation of women in jobs of a police nature was extremely low: the fewest women were employed in general police jobs, 11%, and in criminal police jobs, 26%, which are actually typically police jobs, i.e. supporting jobs that give the police profession the legitimacy of hegemonic masculinity. The jobs of the general jurisdiction of the police are the jobs of the uniformed police and are highly ranked in the police ranks. The small number of women in these jobs indicates that women still lack legitimacy in the police profession. The jobs of the general jurisdiction of the police, as well as the jobs of the criminal police, are central police jobs that carry status (formal and informal), influence, and in some way represent the police service. There are very few women in these jobs, i.e. less than two thirds compared to men. Men are still dominant as a group in these workplaces. This can be explained by the fact that these jobs are typical police jobs for which men are traditionally considered suitable and women less suitable, i.e. less competent. The highest percentage of women, as much as 88% with a university degree, are assigned to jobs with the status of OD (certain duties), which is also the lowest status in police jobs. This points to a direct systemic inability of women to advance to higher management positions (Tomić, 2019).

Women and men from the MUP agree that there is still an internal informal division into "women's" and "men's" jobs. "Women's jobs" include legal, financial, analytical jobs, then jobs related to human resources management, communication, as well as logistics support jobs, since there are the most women in the Finance, Human Resources and Joint Affairs Sector, the Administration for Administrative Affairs, the Secretariat ministries, Bureau for cooperation with the media. The largest number of women are employed in the Directorate for Human Resources and the Directorate for Administrative Affairs, which are essentially administrative departments. Even when a woman is an operative and there are a lot of bureaucratic and administrative tasks in her job, they are always, according to women, assigned to them. Also, men believe that women are good negotiators due to their communication skills and good at working with children, women victims of violence, communicating with citizens and that it is necessary to increase their representation in these jobs. All those jobs that require a high level of physical and mental endurance and the application of coercive means are perceived as "men's jobs", such as work in special units, work in the criminal, traffic police, general jurisdiction police, etc. Women are employed in those organizational

positions, but in jobs that involve help or support. For example, in special units, women work in analytics and logistics. There are very few women in the Traffic Police.

It should be noted that, in addition to the official number, there is also a dark number of women and men with higher and higher professional qualifications who do not work in positions with the prescribed professional qualification, but in lower positions. The obvious marginalization of highly educated women in the Administration for the City of Belgrade is the result of mechanisms of a systemic nature. The displacement of highly educated women in the Administration's administration, assigned to jobs that are logistical and auxiliary, and the apparent lack of female personnel in central police jobs, such as the uniformed and highly trained criminal police, is a clear indicator of the gender division of labor and hegemonic masculinity (Tomić, 2019).

Women believe that the admission of women and men to the service is done without proper selection. From the perspective of the majority of women, the Ministry of Internal Affairs, when admitting women to the police in the first years after 2000, paid more attention to quantity, that is, to admit as many women as possible, and less on the quality of candidates - their motivation for work, ability to perform police work, etc. (Bjeloš et al., 2012).

For the police of Bosnia and Herzegovina, there are the following data, collected in 2021 (Plevljak & Kržalić, 2021): In 16 police agencies, as many as there are in Bosnia and Herzegovina (BiH), almost 20% of the total number of employees were women. However, the situation was significantly less favorable, if we consider the participation of women in the status of police officers. Out of the total number of police officers, in 16 police agencies, only about 8% were women. Most of them were in the ranks of policewomen and senior or senior policewomen, that is, in the lowest police ranks. There were none in the ranks of general and chief inspector general, ranks that denote deputy managers or managers in police agencies.

The status of police officer is held by 7.2% of women out of the total number of police officers. So, 85% of women are, to put it simply, in administration, while 15% of them are in police officer status. Looking at the level of all 16 police agencies, the majority of women (66%) are employed in administration and this shows that serious efforts are needed to increase the representation of women in the status of police officers.

The findings of a similar study from 2020, which was carried out as part of the "Police and respect for human rights in BiH" project (Ždralović et al., 2020), show that the situation has remained almost unchanged in terms of the representation of women in the police ranks. There was an increase in the total number of employees in 16 police agencies by almost 3%. The representation of women remained almost identical at 20%. Difficulties in the professional advancement of female police officers are also reflected in their representation in managerial police positions. According to available data, 10 out of 15 police agencies had female police officers in management positions. Of the total number of police officers in all management positions in 10 police agencies, 7% were women. In addition, women are still the most represented in the lowest police ranks. In ten cantonal ministries of interior affairs, 45% of female police officers held the lowest police rank of policewoman. Again, they were not in the ranks of general and chief inspector general of the police. For example, if the MUP of the RS is excluded, in the remaining 15 police agencies, 62% of female police officers are in the two lowest police ranks - the rank of policewoman (45%) and the rank of senior policewoman (17%). The third police rank, in which female police officers are the most represented in these 15 police agencies, is the rank of junior inspector (16%). Interestingly, the ranks

of policeman/junior policeman and junior inspector are the initial police ranks that are applied to the police agency, that is, the only ranks for which public competitions are announced for the recruitment of new police officers. In these 15 police agencies, it is noticeable that the representation of female police officers drops drastically in the category of higher police ranks.

Although some research findings suggest that the police sector in Bosnia and Herzegovina could be said to be in the middle of the road to achieving gender equality, a deeper analysis shows that it is still necessary to make serious efforts to achieve those standards. This is best confirmed by the research findings that 9% of police officers in BiH are female and that the majority of employed women in the police sector are in the administration (66%). At the same time, these research findings indicate that prejudices about the police profession, as a predominantly male profession, are still prevalent and strong in society.

The OSCE (2021) study for Montenegro, conducted in the period from July to December 2020, investigated the attitudes and experiences of male and female police officers employed at different levels in the Montenegrin police. The purpose of the study was to identify cultural, social and institutional obstacles in the field of employment, retention and advancement of women at all levels of the Montenegrin police, as well as ways to solve and overcome these obstacles.

Respondents from the study agreed that gender inequality is rooted in Montenegrin tradition and culture. Most respondents perceive Montenegro as a patriarchal society in which men still predominate in the role of leader and authority. This is reflected in the stereotypical and overly general roles and responsibilities of men and women, especially in traditional male-dominated institutions such as the police. Nevertheless, the positive developments regarding the prevailing gender norms have been slowly changing in the direction of diversity and gender equality in recent years. Some police officers and managers stated that the police force is mainly for men. Both men and women are mostly of the older generation. On the other hand, younger officers stated that working in the police is a job for both men and women.

The representation of women in the Montenegrin police is still low, as women make up 13.8% of the total number of employees. This percentage is significantly lower in some operational police units. There are 15% women in the Police Directorate, of which 12% perform police activities (police officers), while 67% perform administrative tasks.

All managers agreed that more women are needed at all levels of the police service, especially in operational units (shifts, patrols, traffic, investigations, etc.), and some stated that the small number of women in some operational units hinders police work. Furthermore, although some progress has been made towards promoting women to middle management, there are no women in senior management positions. The majority of male respondents (managers and employees) stated that the main obstacles to promotion are the lack of motivation of women themselves for promotion and the lack of higher education, which is a mandatory requirement for management positions. These opinions are contradicted by statistics provided by the Police Department, which show that, overall, the percentage of women with a university education is higher than the percentage of men with a university education. On the other hand, many interviewees stated that lack of motivation is not a real obstacle for promoting women to a higher rank and that this is a discriminatory argument. Instead, there are very few women in the operational police service and many female police officers seek administrative work due to the challenges of balancing work and family responsibilities, and therefore lack the operational experience to qualify for leadership positions. Women are most represented in the administrations for Analytics and improvement of police

work, 67%, Human Resources and Finances, 65%, while in the Special Police and the police of general jurisdiction, there are less than 8% women. In addition, managers also tend to assign women to administrative jobs instead of field work, which hinders their opportunities to acquire skills and experience in areas considered important to law enforcement, and therefore to advance (OSCE, 2021).

Many female police officers feel that they have to adapt to the masculinity culture and prove their abilities. Police culture with its gender substructures and stereotypes is not the only obstacle identified in this research. Other barriers identified include gender discrimination and harassment; candidate selection commissions dominated by men (when it comes to both employment and promotion) as well as working conditions that are unfavorable in relation to family and parental responsibilities (OSCE, 2021).

Data for Serbia, Bosnia and Herzegovina and Montenegro show the position of women in the police, where less than a quarter of employees are women, most of them work in administrative services and administrations, and there are almost no women in high management positions.

Conclusions

We observed police organization through two theoretical concepts: gender division of labor and hegemonic masculinity, in order to show as clearly as possible the obstacles that prevent women from integrating into this profession in the same way as men. The police maintain hegemonic masculinity through the use of male authority, heterosexism, the ability to show force, and the subjugation of women. This practice has a profound effect on the work of male and female police officers. The gender division of labor in the police profession is carried out by traditionally assigning women a place in jobs that are typically female (administration, administrative jobs, juvenile delinquency jobs, counter jobs, etc.), which as a rule follow the wider social division of labor and are typically female jobs. In this way, we observe that the division of labor in the police organization follows the division of labor in the labor market. We have singled out some recent research on gender equality in the police from our areas, Serbia, Bosnia and Herzegovina and Montenegro, in order to show that these theoretical concepts are grounded in practice in police organizations. Data on the position of female police officers indicated a significantly lower representation in the police, a lower representation in operational police jobs, as well as in higher command and management positions. Women and men agree that there is still an internal informal division into "women's" and "men's" jobs. "Women's jobs" include legal, financial, analytical jobs, then jobs related to human resources management, communication, as well as logistics support jobs, since there are the most women in the Finance, Human Resources and Joint Affairs Sector, the Administrative Affairs, the Secretariat ministries, the Bureau for cooperation with the media. In addition, women are still the most represented in the lowest police ranks. Other obstacles include gender discrimination and harassment, male-dominated candidate selection committees (when it comes to both employment and promotion), and working conditions that are unfavorable in relation to family and parental responsibilities.

The position of women in the police clearly indicates the dominance of hegemonic masculinity and the gender division of labor. Marginalization and segregation of women employed in police services is at work. However, women have been shown to perform better than men in certain policing tasks, including those involving the use of force, which is a quintessentially masculine characteristic of policing.

The police of Serbia, Bosnia and Herzegovina and Montenegro have very similar data on the proportion of women in their services, and on average they are less than a quarter. Women are mainly

distributed along administrative lines of work, such as administrations for analytics, labor and legal affairs, finance. Women are predominantly found in administration jobs and in services that are of an operational type, that is, jobs in the general jurisdiction police, criminal police, patrol activities, traffic police, etc. The promotion of women to higher police ranks is not satisfactory, and the movement to management positions is almost imperceptible in the overall management staff.

The reasons for the low representation of women in certain police structures are: discrimination in the recruitment process, stagnation in lower positions, leaving the job due to underutilization of potential, discriminatory attitudes and regulations (i.e. the absence of regulations), paternalistic and humiliating behavior of men-colleagues and bosses, difficulties in combining work in the police and family obligations. Women are most often assigned positions that are perceived from a gender role as culturally and socially more appropriate, such as mostly jobs in administration, and in the field of operational jobs, it is work with women and children in the field of domestic violence and work in the field of juvenile delinquency.

There is an unwritten rule that the majority of women in the police can only advance to certain levels and ranks when their careers are stagnant rather than ascending. The main reason is the existence of stereotypes and prejudices that men are better managers than women. The police is shown to be an institution with pronounced gender inequality, because the criteria and practices are at work which, from the beginning of admission, allocate women to those lines of work that are not typically police and which are of an administrative nature, thus preventing them from achieving their full professional and personal work potential in the police. The presence of structural segregation and marginalization in the police is the action of the gender division of labor and hegemonic masculinity and results in the harmful treatment of women as a group.

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Žene u policiji – Srbija, Crna Gora i Bosna i Hercegovina

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Sažetak

Analizirale smo položaj žena u policijskoj organizaciji kroz rodnu podjelu rada i hegemonijski maskulinitet, kako bismo što jasnije ukazali na prepreke koje ženama onemogućavaju da se u ovu profesiju integrišu na isti način kao muškarci. Policija održava hegemoniju maskuliniteta kroz upotrebu autoriteta, veličanje upotrebe sile i podređivanje žena. Rodna podjela poslova u policijskoj profesiji sprovodi se tako da se ženama dodeljuju poslovi koji se tradicionalno smatraju „ženskim“ (administracija, administrativni poslovi, poslovi sa maloletnicima, rad na šalteru itd.). Autorke su koristile metodu selekcije dostupne literature i baza podataka o ženama u policiji u tri zemlje: Srbiji, Crnoj Gori i Bosni i Hercegovini. Podaci u ovom tekstu odnose se na Srbiju i dve susedne zemlje: Crnu Goru i Bosnu i Hercegovinu. Policije Srbije, Bosne i Hercegovine i Crne Gore imaju veoma slične podatke o udelu žena u svojim službama — u proseku žene čine manje od četvrtine zaposlenih. Postoji interna neformalna podjela na „ženske“ i „muške“ poslove. „Ženski poslovi“ obuhvataju pravne, finansijske i analitičke poslove, zatim poslove vezane za upravljanje ljudskim resursima, komunikaciju, kao i logističku podršku, budući da se većina žena nalazi u sektoru finansija, sektoru za ljudske resurse i zajedničkim, administrativnim poslovima itd. Žene su i dalje najzastupljenije na najnižim policijskim činovima. Dodatne prepreke uključuju rodnu diskriminaciju i uznemiravanje, komisije za zapošljavanje i napredovanje u kojima dominiraju muškarci, kao i radne uslove koji nisu prilagođeni porodičnim i roditeljskim obavezama.

Ključne reči: rodna podjela poslova, hegemonijski maskulinitet, žene, policija, Srbija, Crna Gora, Bosna i Hercegovina

Enforcement Procedure in the Republic of Serbia in the Context of Protecting the Rights of Parties in the Procedure

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Enforcement Procedure in the Republic of Serbia in the Context of Protecting the Rights of Parties in the Procedure

Abstract

The enforcement procedure in the Republic of Serbia represents a key legal mechanism for the realization of creditors' rights and the execution of court decisions, playing a significant role in maintaining legal certainty and market stability. However, it is equally essential that this procedure is conducted with respect for the fundamental human rights of debtors and other participants in the process to ensure a fair balance between competing interests. This paper analyzes the fairness of the enforcement procedure through the lens of protecting the rights of the parties, with particular emphasis on the application of international and domestic legal standards. The research focuses on key human rights, including the right to a fair trial, the right to peaceful enjoyment of property, the right to privacy and family life, and the right to a home, exploring their application and protection within enforcement proceedings. The rights of parties and participants in enforcement procedures are ensured through numerous legal mechanisms, including the right to appeal, the possibility of third-party objections, and the principle of proportionality in enforcement. These principles aim to guarantee a fair procedure while respecting human rights, thereby maintaining a balance between protecting the interests of creditors and the rights of debtors. Additionally, the paper examines the principle of debtor protection, which, although not explicitly prescribed by the Law on Enforcement and Security, plays a crucial role in ensuring the fairness of the procedure.

Keywords: Enforcement procedure, rights of parties, rights of participants, fair trial, right to peaceful enjoyment of property.

Introduction

The enforcement procedure represents the final phase of the legal process, in which the rights established by an enforceable or credible document are realized. It is the last and, at the same time, the most significant phase in the process of protecting violated or endangered subjective civil rights (M. Kulazov, 2019, p. 866). Enforcement means placing matters in their necessary position within the legal order (B. Blagojević, 1936, p. 137). To prevent previously recognized and established rights from remaining merely words on paper, the law must regulate the enforcement procedure in cases where the debtor is unwilling to voluntarily fulfill their obligation. In the Republic of Serbia, this procedure is governed by the Law on Enforcement and Security (Zakon o izvršenju i obezbeđenju, 2015), hereinafter referred to as the LES.

The protection of parties' rights is crucial in enforcement proceedings because these procedures are urgent and expedited, with no possibility of extraordinary legal remedies. The restoration to the previous state is only allowed if the deadline for filing a legal remedy against the enforcement decision has been missed, and the decision on this matter is made by the court competent to rule on legal remedies against enforcement decisions. The court and the public enforcement officer are restricted by the principle of formal legality. The essence of this principle is that neither the court nor the public enforcement officer may engage in assessing whether a claim established by an enforceable document exists. This issue has already been addressed in previous litigation or another type of proceeding, where, with all procedural

guarantees in place, the existence of the claim was determined, or a settlement was reached as the parties opted for an amicable dispute resolution (R. Keča, 2012, p. 160). The enforcement court is not authorized to interpret the enforceable document (Commercial Appellate Court, IŽ. 662/20). The essence of enforcement proceedings is to execute enforcement as stipulated in the enforceable or credible document, ensuring that the enforcement creditor is satisfied as fully and quickly as possible while respecting legal limitations and the rights of the enforcement debtor. The creditor must not receive less than what they claim, while the debtor must not be deprived of more than what they owe (A. Jakšić, 2022, p. 882).

Parties in the Enforcement Procedure

The parties in the enforcement procedure are determined based on the content of the enforceable document. Most often, these are the plaintiff and the defendant (in a civil procedure) or formal participants (in non-contentious proceedings) from a cognizant procedure (A. Jakšić, 2022, p. 899). The parties in the enforcement procedure must be clearly defined, as it must always be known for whose benefit and against whom the enforcement is carried out. If this is not the case, the enforceable document is not suitable for enforcement, and the court will reject the enforcement proposal (A. Jakšić, 2022, p. 899).

The enforcement procedure in the Republic of Serbia is based on a two-party structure, in which the enforcement creditor and the enforcement debtor appear as the parties (J. Ujdehag, S. Ginzburg, K. Popov, B. Bengtson, M. Milošević, N. Bodiroga, 2014, p. 122). The enforcement creditor is the active party. This is the person who requests the enforcement because the debtor has not voluntarily fulfilled the obligation. The enforcement debtor is the passive party, that is, the person against whom the enforcement is carried out, as they have failed to comply with the obligation.

Principle of proportionality

The goal of the enforcement procedure is the lawful and efficient satisfaction of the enforcement creditor's claim while respecting the rights of the enforcement debtor (N. Bodiroga, 2023, p. 267). The amount of the enforcement creditor's claim determines the choice of enforcement means and the subject of enforcement. The public enforcement officer is required to take into account the proportionality between the amount of the debtor's obligation and the means and value of the enforcement subject when selecting the enforcement means and subject for the satisfaction of a monetary claim. The principle of proportionality is an ideal of enforcement law, which affirms the idea of finding a balance between the rights of the enforcement creditor and the obligations of the enforcement debtor (N. Šarkić, D. Radulović, M. Počuča, 2019, p. 38).

The principle of proportionality can only be applied if there are multiple available means and subjects of enforcement (N. Bodiroga, 2023, p. 268). This principle will not be applied if the debtor, in the form of a public or legally certified document, has agreed to the enforcement being carried out with a specific means and on a specific subject of enforcement, or if it is unequivocally determined that there is only one means and one subject of enforcement from which the creditor's claim can be satisfied (USRS, UŽ.883/2014, 2016). The existence of disproportionality gives the enforcement debtor the opportunity to propose that enforcement be carried out with another means of enforcement, which is sufficient to satisfy the creditor's claim (Higher Court in Čačak, GŽ.761/11, 2011).

The public enforcement officer, by decision, ex officio or upon the party's proposal, in cases where the enforcement decision specifies multiple means and subjects of enforcement, will limit the enforcement to only those means and subjects that are sufficient to satisfy the enforcement creditor. Additionally, the public enforcement officer is obligated to, ex officio or upon the party's proposal, change the already determined means and subject of enforcement by decision if there is an obvious disproportionality between the chosen means and subject of enforcement and the amount of the enforcement creditor's claim. If the public enforcement officer violates the principle of proportionality, it constitutes a more serious disciplinary violation.

Principle of protection of the enforcement debtor

This principle is not explicitly prescribed by the current law but permeates the entire enforcement procedure. It implies the enforcement debtor's right to legally secure the protection of their interests. In order to protect the enforcement debtor, they must be treated humanely. The humanity of the procedure is reflected in the fact that the enforcement must be carried out in the most appropriate way and with the least consequences for the debtor and their family members (N. Šarkić, D. Radulović, M. Počuča, 2019, p. 53).

When it comes to the enforcement of movable property, the Enforcement and Security Act (ZIO) provides for the exclusion of certain categories of movable property from enforcement, particularly when it comes to items necessary for the debtor's and their family's survival. The law also establishes limitations on what can be subject to enforcement, including in cases where the enforcement is carried out on the debtor's receivables.

Regarding the enforcement of immovable property, the law provides dual protection. At the first public auction, the immovable property cannot be sold for less than 70% of its estimated value (starting price). At the second public auction, the starting price is 50% of the estimated value.

The second form of protection is that the enforcement cannot be carried out through the sale of the debtor's only immovable property to satisfy a claim whose principal amount does not exceed €5,000.00 in dinar equivalents, based on the middle exchange rate of the National Bank of Serbia on the day the enforcement proposal is submitted. This provision applies only to natural persons and not legal entities.

The law also provides for the protection of the debtor from enforcement on property that is considered not only essential for life but also necessary for preserving human dignity. This is particularly important in the context of reducing the economic and social stress on the enforcement debtor.

Applicable implementation of the right to a fair trial in the enforcement procedure in the Republic of Serbia

The right to a fair trial is protected by the European Convention on Human Rights (ECHR), which serves as a cornerstone for legal protection of human rights in Europe. Article 6 of the ECHR reads: "Everyone is entitled to a fair and public hearing within a reasonable time by an independent and impartial tribunal established by law. The judgment shall be pronounced publicly, but the press and public may be excluded from all or part of the trial in the interest of morals, public order, or national security in a democratic society, where this is necessary to protect the interests of minors or the protection of the parties' private

life, or to the extent considered strictly necessary by the court in the particular circumstances where publicity would prejudice the interests of justice."

The right to a fair trial does not only imply a fair outcome but also a fair process, which must be respected at all stages of the proceedings, including in the enforcement procedure.

In enforcement procedures, we refer to an "inherent right," i.e., the right to enforcement within a reasonable time. The parties and participants in the procedure must have the opportunity to use legal remedies. Enforcement must be carried out without unnecessary delays (N. Bodiroga, 2023, p. 28). The right to a trial within a reasonable time in enforcement proceedings is primarily guaranteed to the enforcement creditor, ensuring that enforcement is conducted in the shortest possible time. However, exceptionally, the enforcement debtor is also guaranteed the right to a trial within a reasonable time when decisions are made about their rights and obligations (USRS, Už.6995/20, 2022).

Delays in enforcement are allowed only as an exception. It is necessary for the enforcement debtor to prove that, due to enforcement, they would suffer irreparable or significantly compensable damage, which is greater than the damage the enforcement creditor would suffer due to the delay. The delay must be justified by special reasons, proven by a public or legally certified document. Additionally, at the request of the enforcement debtor, it is not possible to require the deposit of a guarantee if it would lead the debtor or their family members into severe poverty.

Parties and participants in the enforcement procedure must have the possibility to use legal remedies. If a party submits a legal remedy in the enforcement procedure and the remedy fulfills all procedural prerequisites for a substantive decision, it is the duty of the competent court to decide on this legal remedy or to comment on its validity (N. Bodiroga, 2023, p. 33). The ZIO provides for the legal remedies of an appeal and objection, which have a suspensive effect only when prescribed by law. An appeal challenges the decision of the first-instance court or the public enforcement officer unless the law specifies that an appeal is not allowed or that such a decision can be challenged by an objection.

An objection can be filed against the decision of the first-instance court or the public enforcement officer only when prescribed by the law and as an objection by a third party. An appeal can be filed against the decision regarding the objection only when prescribed by law. No objection or appeal can be filed against a ruling. Objections or appeals filed against a ruling are rejected in a decision or ruling that ends the enforcement procedure. Thus, the decision of the enforcement judge to merge proceedings is legally considered a ruling against which no legal remedy is allowed (Commercial Appellate Court, Iž.785/17, 2017).

An incorrect instruction by the court regarding a legal remedy does not grant the party the right to file a legal remedy, as the permissibility of a legal remedy against a decision regarding an objection in the enforcement procedure is strictly defined (Commercial Appellate Court, Iž.1467/20). An incorrect instruction regarding the legal remedy contained in the decision on enforcement based on a verifiable document cannot be to the detriment of the enforcement debtor and their right to file a legal remedy, an objection (Commercial Appellate Court, Iž.190/16, 2016).

Our law explicitly prohibits extraordinary legal remedies against final decisions, meaning that revision and retrial are not allowed. However, restoration to the previous state is allowed if the deadline for filing a legal remedy against a decision on enforcement has been missed.

Right to peaceful enjoyment of property and the enforcement procedure

The right to peaceful enjoyment of property is one of the fundamental human rights. This right is guaranteed in Article 1 of Protocol No. 1 of the European Convention on Human Rights. It is also established in Article 58 of the Serbian Constitution as the right to property. Property rights may only be taken or restricted for public interest, based on law, and with compensation that cannot be lower than market value. The law may limit the manner of property usage. The confiscation or restriction of property for the collection of taxes, other fees, or fines is only allowed in accordance with the law (Constitution of the Republic of Serbia, 2006, Art. 58).

The enforcement procedure must balance the creditor's right to collect debts with the debtor's right to retain the basic resources necessary for normal life.

Interference by the state with the right to peaceful enjoyment of property is contrary to Article 1 of Protocol 1 of the European Convention when a fair balance has not been struck between the demands of the general interest and the protection of the right to peaceful enjoyment of property. This occurs when an individual, due to the uncertainty of their position and the absence of effective legal remedies, suffers an excessive burden (Supreme Court, Rev.14213/23, 2023).

Right to home and the enforcement procedure

The right to respect for private and family life and the right to home are fundamental human rights guaranteed by both international and domestic law. Article 8 of the European Convention on Human Rights protects this right, ensuring that every person has the right to protection of their privacy, family, and home.

Our Constitution recognizes the inviolability of the apartment (Constitution of the Republic of Serbia, 2006, Art. 40). However, the Constitution does not use the term "home"; rather, it uses the term "apartment," which is defined in the Law on Housing and Building Maintenance (2016) as a separate part of a building that forms a functional whole, consisting of one or more rooms intended for residence, and usually having a separate entrance (Art. 3). Consequently, in constitutional complaints concerning the violation of the right to home, applicants do not invoke the violation of Art. 40 of the Constitution, but directly refer to the violation of the right to respect for the home under Article 8 of the ECHR or other related convention rights (D. Palčaković, S. Čorac, 2022, p. 297).

The protection of the right to home, particularly for vulnerable categories of residents, is also present in domestic judicial practice (D. Nikolić, S. Midorović, 2020, p. 62). In the context of the enforcement procedure, the right to home and privacy may be endangered, especially when the procedure involves the sale or seizure of real estate that serves as the debtor's home. The enforcement procedure is, by nature, coercive and aims to satisfy the creditor's claim, but at the same time, it is necessary to ensure that this process does not violate the debtor's basic human rights. Therefore, legislation and practice must foresee measures that protect the dignity of the debtor and the rights to their private and family life.

The Law on Enforcement and Securing of Claims foresees a series of measures that limit enforcement on properties used as the debtor's home, aiming to achieve a fair balance between the rights of creditors and the protection of the debtor's right to home. The principle of proportionality plays an important role in assessing whether the restriction of the right to home and privacy is justified in each specific case.

The argument advocating for the complete exemption of the debtor's sole property used as a residence from enforcement is based on several legal, social, and economic reasons. Primarily, the protection of the right to home, as a fundamental human right recognized by international acts such as the Universal Declaration of Human Rights and the International Covenant on Economic, Social, and Cultural Rights, forms the key basis for such a prohibition. This right would be threatened by the forced sale of the debtor's only property used as their home, which would expose the debtor and their family to homelessness and social marginalization. Furthermore, such a prohibition would promote social justice and reduce the burden on the state social system.

On the other hand, opponents of this idea point to serious implications for creditors' rights. Introducing such a prohibition would undermine the principle of legal certainty and lead to discrimination against creditors, who would be unable to collect their claims. Additionally, such a measure could encourage irresponsible borrowing and lead to abuses, such as the formal transfer of property to a protected real estate. Moreover, negative consequences would affect the efficiency of enforcement procedures, the financial system, and the state budget, as restrictions on enforcement would reduce credit availability and lower public revenue inflows. Furthermore, the issue of equality before the law arises, as debtors without real estate would find themselves in a disadvantaged position. This debate highlights the complexity of balancing the rights of debtors and creditors and the need to consider the proportionality of measures and their societal implications.

Correlation between the right to home and the enforcement procedure

The question of the correlation between the right to home and the enforcement procedure is a fundamental aspect of human rights protection within the judicial system. On one hand, the enforcement procedure aims to ensure the collection of claims and the effective realization of creditors' rights, which is important for the stability of the legal order and public trust in the judicial system. On the other hand, the right to home, as one of the highest rights in the hierarchy of human rights, not only refers to the physical space a person calls home but also encompasses important components of personal dignity, privacy, and family life. Therefore, the realization and protection of the right to home often come into conflict with the necessities of the enforcement procedure.

In some of its decisions, the European Court of Human Rights states that when it comes to respecting the right to home, it is necessary to determine whether there are sufficient and permanent connections linking a particular space, apartment, building, or other property to the applicant who claims it is their home. This means that in such situations, there is competition between the right to property and the potential right to home, and a proportionality test should be carried out to assess which of these rights should be afforded judicial protection in the specific case (Supreme Cassation Court, Rev. 5502/19, 2020). Whether certain premises constitute a home within the meaning of Article 8 of the ECHR is a matter of fact (ECtHR Judgment, *Bjedov v. Croatia*, 2012, <http://hudoc.echr.coe.int/eng?i=001-84365>).

The Law on Enforcement and Securing of Claims provides mechanisms to protect the debtor's right to home. This is especially reflected in the possibilities to limit enforcement or exclude certain properties from enforcement if their seizure would lead to the loss of home and endanger the debtor's family life. The lawfully acquired right to home prevails over the right to peaceful enjoyment of property (Supreme Court, Rev. 4942/23, 2024).

Although the right to home is not considered an economic or social right, it certainly has elements of the social status of the person to whom the right might apply. If the person, for some other reason, has the means to satisfy their housing needs, they cannot invoke the right to home (Judgment of the Supreme Court, Gzp1. 3/24, 2024). The right to home arises only when a person cannot provide themselves with any living conditions (Supreme Cassation Court, Rev. 1376/19, 2020). The ability to use an apartment as the realization of the right to home is of existential importance (Supreme Cassation Court, Rev. 109/21, 2021).

In order to determine whether the conditions for providing protection of the right to home are met in each specific case, it must be established whether the specific property represents the party's home, or whether the party has established a sufficiently strong and permanent connection to the property, regardless of the basis on which they use it. Even if a person resides in the property, this fact alone is not sufficient to recognize their right to home, particularly if the property does not represent their center of living or is not considered their home (Supreme Court, Rev. 30118/23, 2024). However, legal protection cannot be provided to a person who, without legal grounds, turns a space into a residence (Supreme Court, Rev. 28206/23, 2024).

It is then necessary to determine whether there is state interference with the right to home, which involves acts that limit or eliminate the factual possibility of using the property as an object of the right to home. If such interference exists, it is important to distinguish whether it is allowed or unlawful. Interference is allowed if it is legal, aimed at achieving a legitimate goal, and necessary in a democratic society. Interference is necessary if the same justified goal cannot be achieved through a milder measure, if there is an urgent social need, and if the interference is proportionate to that need. Parties should raise the violation of the right to home by filing a lawsuit to determine the unlawfulness of enforcement (Higher Court in Novi Sad, Gž.5460/20, 2021; Basic Court in Novi Sad, P.2365/20, 2020).

Conclusion

The enforcement procedure in the Republic of Serbia represents a key legal mechanism for the realization of creditors' rights and the execution of court decisions. While its primary goal is the protection of creditors' property rights, it is crucial that human rights and the dignity of the debtor, as well as other participants in the procedure, are not overlooked during this process. As analyzed in this paper, fundamental human rights, such as the right to a fair trial, the right to peaceful enjoyment of property, and the right to privacy and family life, including the right to home, represent foundational values that must be respected at all stages of enforcement. The right to protect the debtor's human rights must be equally safeguarded as the creditor's right to collect debts.

In the contemporary legal framework of the Republic of Serbia, the Law on Enforcement and Securing of Claims and relevant judicial practice aim to strike a fair balance between the realization of creditors' rights and the protection of debtors' human rights. Key principles such as proportionality, protection of the debtor, fair trial in enforcement proceedings, and the application of restrictions on enforcement concerning basic means of livelihood set the foundation for a fair resolution of conflicts between the right to collect and the right to protect the debtor's property. This approach helps prevent excessive restrictions that could negatively impact the life of the debtor and their family, contributing to the preservation of social balance and human rights.

The question of fairness in enforcement procedures is not only a legal issue but also an ethical one, as its application determines the realization of basic human rights in practical life. In this sense, the fairness of the procedure should not be sacrificed in the name of efficiency or the quicker realization of creditors' interests. Only through responsible and balanced application of the law can a legal system be built that simultaneously protects the interests of creditors and guarantees the human rights of debtors, ensuring the fundamental function of justice and the rule of law.

The further development of the legal system, which would include stronger protection of human rights and more efficient implementation of international legal standards, could contribute to the development of an even fairer and more efficient enforcement procedure. Enhancing the enforcement procedure leads to increased legal security, economic growth, and greater investor confidence. In this context, improving the legal framework and judicial practice, along with the implementation of international norms, represents a key opportunity to align the domestic system with European standards for human rights protection, which would, in the long run, contribute to the stability and public trust in the judicial system of the Republic of Serbia.

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Izvršni postupak u Republici Srbiji u kontekstu zaštite prava stranaka u postupku

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Sažetak

Izvršni postupak u Republici Srbiji predstavlja ključni pravni mehanizam za ostvarivanje prava poverilaca i sprovođenje sudskih odluka, koji ima značajnu ulogu u očuvanju pravne sigurnosti i stabilnosti tržišta. Međutim, istovremeno je od suštinskog značaja da ovaj postupak bude sproveden uz poštovanje osnovnih ljudskih prava dužnika i drugih učesnika u procesu, kako bi se obezbedio pravičan balans između konkurentnih interesa. Ovaj rad analizira pravičnost izvršnog postupka kroz prizmu zaštite prava stranaka, sa posebnim naglaskom na primenu međunarodnih i domaćih pravnih standarda. Fokus istraživanja su ključna ljudska prava, uključujući pravo na pravično suđenje, pravo na mirno uživanje imovine, pravo na zaštitu privatnosti i porodičnog života, kao i pravo na dom, a istražuju se njihova primena i zaštita u okviru izvršnih postupaka. Prava stranaka i učesnika u izvršnim postupcima obezbeđena su brojnim pravnim mehanizmima, uključujući pravo na žalbu, mogućnost podnošenja prigovora trećih lica, kao i načelo srazmernosti u sprovođenju izvršenja. Ovi principi imaju za cilj da garantuju pravičan postupak uz poštovanje ljudskih prava, čime se nastoji očuvati ravnoteža između zaštite interesa poverilaca i prava dužnika. Takođe, rad razmatra i načelo zaštite izvršnog dužnika, koje, iako nije izričito propisano Zakonom o izvršenju i obezbeđenju, igra ključnu ulogu u obezbeđivanju pravičnosti postupka.

Ključne reči: Izvršni postupak, prava stranaka, prava učesnika, pravično suđenje, pravo na mirno uživanje imovine.

Book Review: “Crime Geography”, by Szabolcs Mátyás

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Book Review: "Crime Geography", by Szabolcs Mátyás

Few researchers in the world deal with the geography of crime. One of them is the Hungarian Szabolcs Mátyás, who considers the popularization of this field of science a matter of his heart. In addition to the textbook presented, he founded two criminal geographical journals, one in English (Criminal Geographical Journal), organized an English-language crime geography competition, and founded the International Criminal Geographical Association. The latest book by the Ludovika University of Public Service associate professor is *Crime Geography*, published in 2024 by the University of Oradea.

Szabolcs Mátyás's work *Crime Geography* is an important step in the series of interdisciplinary research emerging at the intersection of criminal sciences and geography. The book comprehensively examines the spatial relationships of crime and shows in detail how the analysis of crime patterns is related to social and geographical factors. The author offers a unique point of view to those interested in the topic through his extensive scientific and practical experience and innovative approaches.

The book is aimed at professionals, university students, and those interested in criminal sciences. Mátyás aims to introduce the geography of crime, a relatively new scientific field, to the Hungarian and international audience and present its application possibilities in law enforcement, criminology, and urban planning.

Mátyás's book clarifies that the spatial approach to crime is not only of theoretical interest but can also be a practical tool for understanding and preventing crimes. The author emphasizes that spatial analysis can play a key role not only in the discovery of crime patterns but also in the development of crime prevention strategies.

The central idea of the volume is that crime is not only a social phenomenon, but its spatial distribution is also closely related to socio-economic conditions. Mátyás emphasizes that the use of geographic information systems (GIS) has revolutionized crime geography research, as these tools enable accurate on-site identification and analysis of crimes.

An interesting part of the book is the history of crime geography. Mátyás guides the reader through the development of the scientific field, starting with 19th-century French moral statistics, presenting the work of André-Michel Guerry and Adolphe Quetelet. Their research laid the statistical foundations of crime, complemented by map representation.

A significant part of the book is devoted to practical applications. Mátyás highlights that crime mapping and the analysis of hot spots can be extremely important tools for law enforcement agencies. This type of investigation helps to identify the spatial concentration of crimes and predict their possible future locations. This can be particularly useful for the police in allocating resources more efficiently.

The most interesting part of the book is 8.9.1, which displays the Mátyás crime classification system. This system uniquely combines qualitative and quantitative aspects of crime data to provide a comprehensive overview. By employing a classification method inspired by Köppen's meteorological system, the model uses visual and structured categories to enhance clarity and interpretability. Its ability to highlight regional differences in crime trends more effectively than earlier methods is a significant advancement. This dual-focus system improves crime representation and adapts flexibly to various legal and social contexts.

The volume provides many specific examples from different parts of the world, such as research conducted in the United States, India, and Hungary. Analyzing crime data in India, the author highlights the extent to which gender inequalities and social norms influence crime patterns. In Hungary, the author emphasizes the analysis of the spatial characteristics of organized crime, according to which Budapest and the Hungarian-Serbian border regions are particularly affected.

One of the greatest virtues of the book is that it shows that the geography of crime does not only mean crime mapping. The publications published so far - mainly American and English - under the title crime geography dealt almost exclusively with crime mapping. Mátyás showed that the geography of crime is much broader than this. Crime mapping is an integral part of the geography of crime, but the possibility of using the area are much wider and more diverse. He sought and showed connections with many social and natural sciences. With disciplines related to the geography of crime, they can help the investigation. According to Mátyás, crime geography is a "key" in the hands of the investigator. A key that can help get to the perpetrator.

The language of the book is professionally precise (the reviewer was a native Englishman) but also understandable, which is particularly important since the author's goal is to make the geography of crime more widely known. The volume is enriched by the author's own experiences, during which he shares his knowledge as an investigator and researcher.

Another strength of the book is that it demonstrates the applicability of crime geography through international and domestic examples. In addition to the research results, Mátyás proposes innovative solutions that can form the basis of crime prevention strategies.

The book *Crime Geography* by Szabolcs Mátyás is a pioneering work at the intersection of criminal sciences and geography. The volume offers theoretical foundations and practical guidance while providing insight into the historical and international context of the geography of crime. The author successfully demonstrates how important the spatial analysis of crime can be in understanding crime patterns and improving public safety.

The book is an ideal reading for anyone interested in social sciences, criminology, or geospatial informatics. Mátyás's work is a significant contribution to the field of science and is essential reading for both domestic and international crime specialists.

AUTHORS' GUIDELINES

(starting from 2025)

The journal Kultura polisa [Culture of Polis] publishes papers resulting from the latest theoretical and empirical scientific research from a wide range of social sciences. When writing papers, authors should refer mainly to the results of scientific research that have been published in scientific journals. The Editorial staff of the Journal reserves the right to adjust the manuscripts to the editorial rules and policies of the journal.

Article Processing Charge (APC)

The journal Kultura polisa is an open-access scientific journal (OAJ) of both non-commercial and nonprofit nature, and the scientific papers published by the journal to be free for readers, which we consider to be of great interest due to the dissemination of scientific knowledge and results of the latest scientific research, the journal charges a registration fee for publishing papers in the amount of 30,000.00 RSD (thirty thousand dinars). Authors whose papers receive positive reviews and are accepted for publication will be contacted by the editors of the journal with instructions for paying the registration fee.

Submitting papers

The journal is published three times a year. Deadlines for submitting papers are March 15th, June 15th and October 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 autoplagiarism 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 dropdown menu (About us – Submissions).

Language requirements

Papers are published in English (United States). Domestic authors, in addition to the text in English, should also submit the paper in Serbian, and Latin alphabet. On occasion, a paper may be published in Serbian, with the prior explicit approval of the Editor-in-Chief. Papers in both languages must fully meet the standards of proofreading, i.e. grammatical and spelling correctness, which speeds up the process of selection of papers. If the submitted papers do not meet the stated standards, they will not be considered for publication.

Paper structure

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), introduction, methods, results, discussion, conclusions, acknowledgements, and list of cited 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.

Author's institution name (affiliation)

Full (official) name and seat of the institution/organization where the author is employed at should be stated, and, occasionally, the name of the institution where the author conducted their research. Independent researchers and authors to whom scientific research is not their primary profession should also indicate their status. In complex organizations, the overall hierarchy of that organization is stated. In the hierarchy of organizations, at least one must be a legal entity.

Contact information

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.

Paper Title

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.

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, sub disciplinary 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 body of the paper should include an introduction, methodology, results, discussion, and conclusion.

The text of the paper should be formatted as follows:

- font: Arial Narrow, size 12;
- page size: A4, 8.27" x 11.69" (210 mm x 297mm);
- 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: 14 pt bold;
- font-size of subtitles: 12 pt bold;
- font-size of body text: 12 pt;
- font-size of footnotes: 9 pt;
- font size for tables, graphs and figures: 11 pt;
- indentation of the first line of the paragraph: 0.5 (12.7 mm) (option: Paragraph /Special /First line);
- text alignment: Justify;
- text color: 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 MS Word (*.doc or *.docx).

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. 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.

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:

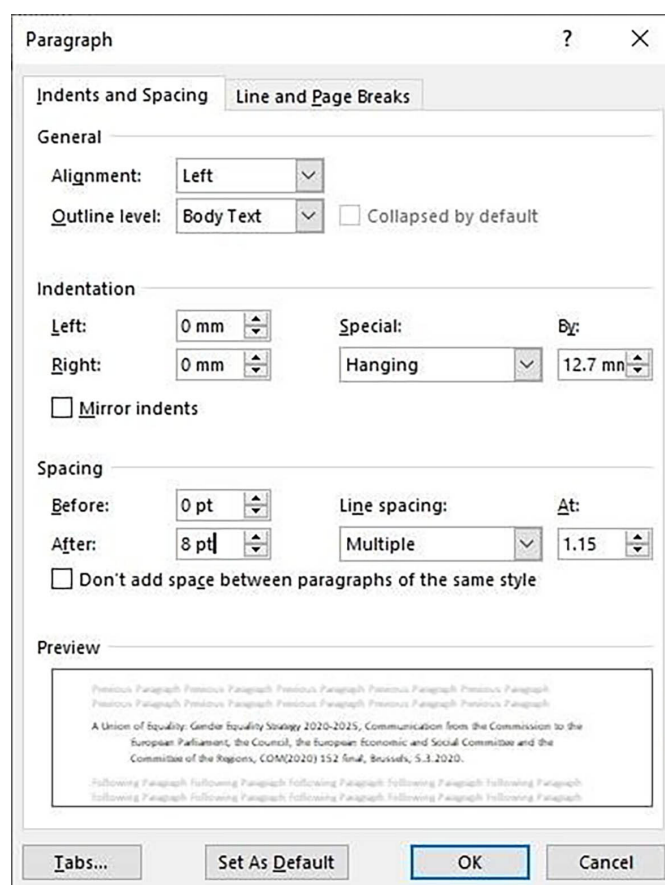
self-regulating consensus rules governing the platform, and finally a personalized article selection mechanism for users – personalized journalism.

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

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.

Milisavljević, B., Varinac, S., Litrčin, 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

1) *Different authors – References separated by semicolons.*

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

2) *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)

3) *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. Matic (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-apastyle.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

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

(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

(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.

(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-1867A-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

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-ofmicroplastics-than-other-major-european-rivers-12033067>

(Binding, 2020)

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

(World Health Organisation, 2018)

(WHO, 2018)

Tables and figures

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/acspoverty-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

1) *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).

2) *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: “ ... ”

3) *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

2) *Different authors* – Separate references with semicolons.

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

3) *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)

4) *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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- God. 1, br. 1 (2004)- . - Novi Sad : Udruženje Kultura-Polis :
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