

**THE HANDBOOK ON FEMALE CRIMINALITY
IN THE FORMER YUGOSLAV COUNTRIES***

**Editors: Angelina Stanojoska, Darko Dimovski and Elena Maksimova
Springer, 2023 (296 pages)**


UDC 343.91-055.2(035)(049.32)

343.8-055.2(035)(049.32)

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Apart from the common legal tradition, the countries of the former SFRY also share the challenges they face when studying certain forms of criminality. The criminality of women is rarely analyzed in the criminological and criminal law literature. One of the possible reasons is that, in criminological studies, women are most often analyzed as victims of crime, and very rarely as perpetrators of criminal acts. The editors of the *Handbook on Female Criminality in the Former Yugoslav Countries*, Angelina Stanojoska, Darko Dimovski and Elena Maksimova, tried to eliminate this shortcoming. An important qualitative property of this book is the comparative approach to the study of female criminality in the countries of the former SFRY. Consistently applied in the presented articles, this approach is highly relevant for observing female criminality in specific contexts, taking into account all the historical, legal and social specificities of each individual state created after the disintegration of the former SFRY. In ten unique criminological studies, the authors analyze the criminality of women in Serbia, Montenegro, North Macedonia, Croatia, Bosnia and Herzegovina, and Slovenia, but the comparative approach ensures that the Handbook represents a unique whole rather than a collection of individual studies. The authors of research studies presented in this monograph are university professors with many years of scientific experience in the study of crime in general, and women's crime in particular.

The first chapter, authored by Miomira Kostić, is titled *Mapping Women's Role in the History of Wars in the Former Yugoslavia, as Depicted in the Daily Newspaper "Politika"*. The author examines women's role and experiences in times of war in the former Yugoslavia in different 20th century historical periods, with specific reference to the First World War, the Second World War and civil wars in the former SFRY, when the social position of

Received March 10th 2024 / Accepted March 14th 2024

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* Stanojoska, A., Dimovski, D. and Maksimova, E. (eds.) (2023) *The Handbook on Female Criminality in the Former Yugoslav Countries*, Springer.

women was seriously aggravated because they were exposed to violent physical, psychological, economic and sexual violence. The author also provides examples of women who actively took part in the war, either as combatants for freedom and medical staff in World War I and World War II or as anti-war activists (in civil wars in the former SFRY). The study is based on numerous texts published in the daily newspaper "Politika", which enable the reader to observe the social position of women over time in different social circumstances. Considering that the first chapter of a monograph commonly indicates a contextual and substantive framework of thematic research, this comprehensive study has established the important historical and criminological frame for presenting the research results in the subsequent chapters.

The second chapter, authored by Darko Dimovski, is titled *Women's Crime in the Republic of Serbia: Research on judicial practice in the City of Niš*. This paper is based on an empirical research on the phenomenological and etiological characteristics of female criminality. The research covered court records on all criminal offences committed by women in the period from 2016 to 2020 in the territory under the jurisdiction of the Basic Court and the High Court in the City of Niš. In order to create a relevant research sample for the analysis of the phenomenological and etiological characteristics of women's criminality in Nis in the observed period, the research included the following case selection criteria: 1) a final court decision was rendered on the criminal offense committed by a woman; and 2) the final decision was issued in the period from 1 January 2016 to 31 December 2020. The research results show that women commit the most serious crimes (murder and serious bodily injury) as a response to years of violence suffered by their partners or other family members. The paper also presents conclusions and recommendations for the prevention and suppression of other forms of crime against women. The author particularly emphasizes the importance of preventive programs that would lead to reducing the scope of women's criminality. On the whole, this chapter presents the results of a significant criminological study on the criminality of women in the territory of the City of Niš.

The third chapter, authored by Ana Marija Getoš and Reana Bezić, is titled *Gender and Crime in Croatia: Female Criminality in Context*. The authors analyze gender-based crime in the Republic of Croatia in the context of female criminality. A special quality of this study is the detailed presentation of criminal legislation in the Republic of Croatia, as well as the analysis of the phenomenological characteristics and the available statistics on the most common types of crime committed by adult female offenders and juvenile female offenders (in the categories of homicide, misdemeanours, and white-collar crimes). The authors also discuss the contexts where women commonly have the role of victims (domestic violence, sex exploitation, etc.), and provide an overview of the criminal justice system response to female criminality. In the end, the authors conclude that, in spite of the gradually decreasing difference in the rate of crime committed by men and women in Croatia, women's crime is still viewed as a lesser social danger. Considering the observed trend of greater participation of women in white-collar crimes, the authors note that it is a very important area for further criminological research.

The fourth chapter, authored by Angelina Stanojoska, is titled *The Feminist Pathways Perspective: The Pathways to Crime of Female Murderers in the Republic of North Macedonia*. Murders are the most serious crimes and, as such, have always attracted public attention. The author analyzes the criminogenesis of murders committed by women in North Macedonia, pointing out that criminality of women should be examined by using the feminist approach. This approach is significant because it looks at criminogenesis from the point of view of numerous factors that contribute to the position of women as victims of criminal acts. In

the Republic of Macedonia, these criminogenic factors are patriarchal environment, economic dependence on abusers, and exposure to various forms of violence within the family. The paper also presents the confessions of women who were convicted of the crime of murder after being subjected to domestic violence for years. Thus, in addition to valuable theoretical considerations, the paper has an empirical significance as it contributes to understanding female criminality in the Macedonian context .

The fifth chapter, authored by Elena Maksimova and Olga Koševaliska, is titled *Battered Woman Syndrome in Female Perpetrators in the Republic of North Macedonia*. In the context of domestic violence, the authors analyze the psychological effects and traumatic experiences sustained by women victims of violence during years-long recurrent abuse, which may trigger the drive for self-defence and eventually lead to the commission of a criminal act of homicide. In addition to the statistical data on female crime committed as a result of the Battered Woman Syndrome (BWS) in the Republic of North Macedonia, the paper includes several case studies and confessions of women who bravely talked about their experience of violence and all factors of importance for criminogenesis in each specific case. The authors also examine the concept of femicide in the Macedonian context, emphasizing the importance of further qualitative research into complex criminological phenomena of domestic violence, female criminality and femicide.

In chapter six, the authors Aleksandra Jovanović, Velimir Rakočević and Lidija Rakočević examine the issue of *Female Criminality in Montenegro*. After providing a brief overview of the position of women in the Montenegrin society in the historical development of the state of Montenegro, the authors emphasize that female criminality and different forms of punishment were largely conditioned by the patriarchal character of the society itself. Focusing on the current criminal legislation and constitutional provisions, the authors elaborate on the phenomenology and etiology of female criminality, as well as the legal framework for combating female criminality. The most common crimes committed by women in Montenegro are crimes against property, traffic offences and abuse of official positions. The most common sanctions imposed on female juvenile offenders are warnings and guidance measures, educational measures of increased supervision, and exceptionally institutional measures (referral to an educational institution and correctional facility). The authors conclude that Montenegro lacks a systemic approach to women's crime and better coordination of state authorities in the fight against crime.

In chapter seven, the authors Miodrag Simović and Mile Šikman explore the issue of *Women's Crime in Bosnia and Herzegovina: Scope, Structure, and Psychosocial Status*. The authors explore the share and scope of female criminality in the structure of adult and juvenile crime, as well as the etiological factors of women's criminal conduct. In terms of the scope and structure of female criminality in Bosnia and Herzegovina, the authors report that property crime prevails among adults, while criminal offences against life and limb prevail among juveniles. The authors conclude that commission of criminal acts by women is a consequence of exposure to various forms of victimization and consider that the presented findings can be of great importance when creating different crime policy measures.

In chapter eight, Olivera Ševo Grebenar presents the results of research on the issue of *Female Crime During the Armed Conflict in Bosnia and Herzegovina* in the period 1992-1995. Based on the conducted research, it was determined that during the tragic armed conflict in B&H in this period, the largest number of women were convicted of committing war crimes against the civilian population, while the crimes against international law (crimes against prisoners of war, crimes against humanity, and command responsibility)

perpetrated by women were much less frequent when compared to those perpetrated by men. In the author's opinion, it is a consequence of the prejudice against women's active participation in military operations and the low representation of women in military and political positions during the given period.

The ninth chapter, authored by Miha Šepec and Barbara Balazić, is titled *Female Offenders: Analysis of Female Criminality in the Republic of Slovenia*. The authors analyze the criminality of women in Slovenia in the historical, sociological and feminist context. Statistical data show that women commit relatively few serious crimes, usually in response to long-term victimization and violence, which is perceived as a major criminogenic factor. Slovenian case law shows that women are most frequently tied for misdemeanours and white-collar crimes. The authors point out that female offenders have long been excluded from major criminological studies, and that it is necessary to pay special attention to the study of women's criminality which gradually approaches male criminality in terms of its characteristics.

The tenth chapter, authored by Irma Deljković, Marina Malish Sazdovska and Danijela Spasić, is titled *Gender Balance in the Criminal Justice System: Bosnia and Herzegovina, North Macedonia, and Serbia*. Bearing in mind that these three states share a common legal tradition and the problem of factual inequality between men and women, the authors explore gender equality in the distribution of police and judicial functions in these three states created after the disintegration of the SFRY. The results of the conducted research on the criminal justice system show similar patterns of female representation in the police and the judiciary. Women are underrepresented in the police, but they outnumber men in the judiciary. However, women are more represented in the positions of lower court judges, while men are more represented in higher, appellate and supreme courts, and in positions of court presidents. In the prosecutor's offices, the largest number of women is recorded in the rank of deputy prosecutors. The lowest representation of women is recorded in internal affairs bodies, particularly in special units, which is a problem for further consideration. The presented data show that inequality between men and women is still present in the police and the judiciary despite the normative equality of the sexes, and despite the fact that female law students outnumber male students in legal education.

On the whole, it can be concluded that the *Handbook on Female Criminality in the Former Yugoslavia Countries*, edited by Angelina Stanojoska, Darko Dimovski and Elena Maksimova, exceeds the scope of the criminological study on female criminality in many ways. This monograph is an analytical-synthetic work of exceptional importance for criminological thought and science because it opens new perspectives in the research on women's role as criminal offenders, victims of crime, combatants and activist in times of crisis, and legal professionals.