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VICTIMS OF DOMESTIC VIOLENCE IN SERBIA

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Abstract: In this paper, the results from researches and court practice on domestic violence in Serbia were presented, conducted in the period 1997–2006, by independent researches or non-government agencies for help and support for victims of crime.

The researches have shown that the majority of victims are women (80%), but also that children are present as direct or indirect, secondary victims of domestic violence, which confirms the correlation between violence against children and violence against women. Violence against children is one of the strategies of prolonged violence, that is, control over woman.

Studies of domestic violence in Serbia have identified the following factors of primary victimisation of victims: creation of identity of future victim in primary family, socialisation through learning of gender roles and male-female relations, being caught in gender trap and growing-up in environment burdened with violence that follows the pattern of patriarchal stereotypes on gender relations. The researches have also determined the profile of victims of violence regarding their age, education or employment, that is, economic (in)dependence.

Key words: domestic violence, victims, women, children.

1. Introductory notes

This paper presents the analysis of the results of the several researches carried out in the period from 1997 to 2006, which refer to the characteristics of victims of family violence in Serbia. The work is intended to introduce and present the main features of victimological of domestic violence and violence against women (socio-demographic, psychological, behavioral features of victims and others.), based on the analysis of the results of previous domestic studies.

According to research,¹ victims of domestic violence in Serbia, are, above all, women and children. Accordingly, the analysis of social, psychological and

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behavioral characteristics of victims and personal understanding of their position and role within the framework of domestic violence in Serbia will be based on the fundamental postulates of the feminist theory of domestic violence: the theory of learned helplessness, the theory being caught in gender trap, and the cycle theory.

The theory of learned helplessness, which was formulated Leonora Walker explains on the one hand, why battered women become victims, and on the other side, as they continue to keep the process of victimization trapped, resulting in the “psychological paralysis that prevents them to leave link. For the feeling of helplessness is not important if the possibility of control over events in our own lives really exists or not, it is important belief, expectation, or performed by a man (woman) has on it“ (Walker, 1993).

The gender-entrapment theory which was formulated Richie 1996th year, is the basis for understanding and explanation of racial or ethnic affiliation and violence in intimate relation, and their association with crime indirectly conduct female victims. Their identity was destroyed traumatic experience of violence in intimate connection, which is contrary to the non-violent environment in which adults (Nikolic-Ristanović, 2000).

The cycle theory is a complementary theory of learned helplessness and it shows that the cycle of violence takes place in three phases, which alternate turns: stages of creating tension, which is characterized by less violence, abuse emergency, characterized by uncontrolled exercise of brutal violence, and end to violence , which is characterized by “love“ and behavior of the abuser fine with requests for forgiveness. During this last phase aims to keep women on so they will convince it that the horror has passed, though, in fact, it just starts (Walker, 1993).

When it comes to theoretical constructs that explain domestic violence, please note that today there is a whole range of alternative explanations in this domain, from different social, psychological and biological perspectives, through the integration to the system, and ecological approaches.²

¹ – The research of violence inflicted on women and crimes committed by women in Serbia, carried out in Women’s Department of the Pozarevac Correctional Facility by the female activists of the Group for Women’s Rights and members of Victimology Society of Serbia with the financial aid of the Fund for Open Society in the period from 1997–1998.

– The research titled “The second is Family: Family Violence – the Violence in the Presence of the Authorities”, carried out in the period from 1998 until the end of 2000 by the Group for Women’s Human Rights of the European Movement in Serbia in cooperation with the Institute for Criminological and Sociological Research;

– The research of homicide in the family, which was carried out from the forensic-psychiatric and criminological aspect in the period from 1993 until the end of 2002 by the neuropsychiatrists of the Department for psychiatric expertise of Correctional Facility’s hospital in Belgrade, professor Ratko Kovacevic, M.D. and Bojana Kecman.

– The research of the current judicial practice in Belgrade and Nis related to the crime of family violence, which was carried out by professor Slobodanka Konstantinovic-Vilic, PhD and professor Nevena Perusic, PhD, with the assistance of the female activists of the Autonomous Women’s Center in Belgrade, Women’s Research Center from Nis and the associates of the Institute for Criminological and Sociological Research in Belgrade in the period from January 2006 until May 2007, within the project titled “Family Violence – the Obstacle to the Development”;

– The research of family violence in the following towns: Kragujevac, Arandjelovac, Topola, Jagodina and Pozarevac, the results of which are presented in: “Family Violence: Research Results”, by Gordana Mitic, 2005.

² In this connection, in this paper to avoid controversy with the contemporary concepts which postulates that violence against women does not differ qualitatively from violence against men and that preclude misogyny, sexism and male domination as a critical generator of violence against women.

2. Profile of Family Violence Victims in Serbia

The analysis of judicial practice³ in the field of family violence in Serbia and the results of the researches have suggested, or in other words confirmed, first of all that there is a majority of women (about 80%) among victims, i.e. the persons affected⁴ by the crime of family violence. This particularization should only serve as a guide for understanding of victimological dimension of family violence in Serbia.

The residence of female victims in the majority of cases (about 65%) is a town, then a suburb – about 19% and then a country – about 6%. The town as a birthplace prevails at 50% of victims, the country at about 30% and the suburb at about 10%.

The victims belong to various age categories. There are about 12% of minors, about 32% belong to the category ranging from 18 to 40 years of age, about 16% belongs to the category between 41 and 50 years of age, about 22% belongs to the category between 50 and 65, and about 6% of the victims have been registered in the category over 65 years of age.

The majority of victims were married at the time the crime of family violence was committed (about 36%). There were about 13% of the divorced, 19% of widows/widowers, about 5% of persons involved in divorce proceedings and 7% in common-law marriage.

At the time the crime of family violence was committed, the majority of victims had two children – about 36%, about 23% of victims had one child, 20% were childless, and about 10% of victims had three or more children. As for the education, the majority of victims had secondary school education – almost 60%, 25% were with primary school, 11% with higher or university education and 2% were without any school education.

About 35% of victims were employed and about 11% were unemployed; there were 13% housewives, 10% students and about 12% retired persons of both genders. The analysis of court cases shows also that there are no records about the employment for one fifth of the victims, but also that the percentage of the employed persons and those who earn their own income shows that the economic dependence of victims did not have a decisive role in the etiology of family violence.

3. Factors of Victimization by Family Violence in Serbia Life in a Primary Family of Female Victims

The researches of family violence in Serbia have suggested also that the family in which the female respondents grew up, i.e. their primary family, had a key influence on their gender socialization, in other words the creation of their identity

³ Research the current judicial practice in Belgrade and Nis in relation to the criminal offense of domestic violence, which, in the period from January 2006. year to May 2007. year, conducted by prof. Slobodanka Konstantinović-Vilić and prof. Dr. Nevena Petrusić;

⁴ In the analysis of judicial practice the term “victim” was used to determine an affected person – the person whose personal or proprietary right of any kind was violated or endangered (Article 221, paragraph 6 of the Law of Criminal Proceedings).

in childhood was influenced mainly by the gender socialization, while for some female respondents the socialization related to their national or religious belonging was also important.

Regarding the structure of the family within which the female respondents lived in their childhood, the researches classified two groups of women: the women who lived with both parents, i.e. in complete families and the women who temporarily or permanently lived in incomplete or destroyed families, in other words without one or without both parents. The majority of women lived in incomplete or destroyed families for some time, most of their childhood or permanently without one or both parents (Nikolic-Ristanovic, 2000; 2002).

One of the important characteristics of the primary family of the victim-to-be was also violence, i.e. physical punishment of the female respondents during their childhood by either the father or mother or some other family members, whereas the violence was inflicted by both parents almost equally. In the majority of cases this involved battering of children as a manner of disciplining, i.e. physical punishing for disobedience or aberration from traditionally expected female behaviour. At the same time, the female respondents included in these researches did not consider love and physical violence mutually exclusive in their minds, which is however an important factor in early socialization of the future victim of violence (Nikolic-Ristanovic, 2000; Mitic, 2005). In other words, the majority of victims was taught that they deserved battering, i.e. that the problem was in them and not in a batterer (Gelles, 1997). This circumstance, as underlined by Gelles, that violence and love can exist simultaneously in a household, is perhaps the most perfidious aspect of family violence, considering that children grow up learning that it is acceptable to batter the people we love. Justifying the use of violence by the parents formed also the relationship of these women towards violence that they subsequently suffered in their lives and which was characterized by justification, i.e. finding the reasons for violence and self-accusation.

The data obtained in the course of researches of family violence in Serbia show that the violence against women in their childhood increased the threshold of their tolerance to violence later in their lives (in marriage, i.e. in their secondary family), while the violence in male-female relationship they were witnesses of influenced the decrease of the tolerance. At the same time, their acceptance of physical violence as a punishment for the behaviour which is not in accordance with parents' expectations turned out to be an important factor of creation of their attitude towards the limits of tolerance, i.e. the seriousness of violence in their secondary families (Nikolic-Ristanovic, 2000; 2002).

Early acceptance of different evaluation of men and women also influenced the creation of identity of a future victim and the level of self-esteem of the researched female respondents. Also, the presence of an adult female person contrary to the absence of a male person in childhood influenced the socialization of respondents in two ways: they primarily identified with the adult female members of the family and learned that women should remain at home and men should not. The presence of the father in childhood was also an important factor of creating their feeling of

helplessness and dependence, as well as difficulties in relationship with men. Generally speaking, the data from the researches of family violence in Serbia show that the female respondents identified with an adult person who is passive, non-aggressive, indecisive and dependent woman, in other words, with a woman who corresponds to patriarchal standards and stereotypes. Contrary to the model of a mild and yielding female figure, there are two father models, in other words two models of an adult man who are in accordance with the models of man-woman relationships related to violence. One is represented as a very strict person and in accordance with patriarchal stereotypes, and the other as a mild and yielding. Accordingly, the reaction of women to subsequent marriage violence, or in other words to the violence in their secondary families, depended to a large extent on the expected image of a man they created in their primary families. The women who had mild and yielding fathers found it harder to try to come to terms with a rude behaviour of their partners, and inherently nurtured greater hopes in their improvement and showed a higher level of tolerance to violence (Nikolic-Ristanovic, *ibidem*).

Creating the identity of the future victim was also greatly influenced by the expectations of their parents considering marriage, household obligations and going out, contacts and behaviour outside home and success in school. The relationship of the female respondents from the samples of the researches carried out according to these expectations reflects the development of their identity and the level of acquired independence in decision-making, which had great influence on their behaviour in a violent abusive relationship (Miletic-Stepanovic, 2004; Mitic, 2005). The respondents who, according to their own answers in the interview, did not behave in accordance with the expectations in the primary family, or opposed to it, chose on their own, and later left their abusive partners, which points to the fact that they managed to build their identity to some extent.

In the researches of family violence in Serbia, especially in the part referring to the childhood and interrelations in the primary family, the female respondents reported physical punishments by the father or other corresponding family members in almost $\frac{3}{4}$ cases, which leads to the conclusion that this form of violence is one of the important characteristics of primary families of the respondents. These data suggest deep inveteracy of use of physical force in upbringing of children, which has characterized Serbia from the old time.⁵ Violence was almost equally used by both parents. In the majority of cases the battering was a way to discipline children, i.e. to physically punish them for disobedience or failure to follow the expected model of female conduct.⁶ In this way, it may be concluded, their gender socialization was also sanctioned (Nikolic-Ristanovic, 2000). Some examples of physical punishment by parents were described by the respondents during the research:

⁵ The confirmation of this fact is also found in the research of the family in Yugoslav villages, carried out by Erlich in 1964, which showed that battering as a means of disciplining the children in comparison with other parts of (former) Yugoslavia was mostly expressed in Serbia (Erlich, 1964: 52).

⁶ Almost identical results were obtained by Browne in the research of women who killed their violent partners (Browne, 1987: 23).

“Once I returned home late and the next day was my birthday and she (the mother, note by D. S.) stripped me naked and battered me until there were bruises all over me, she was not right and that was why I ran away from home.”

“They used to batter me much more than I deserved and once my mother battered me because I entered the room where she had a quarrel with her lover... I saw that he hit her... She was furious with me and she battered me. She used to batter me because of the romance novels I read. She used to batter me a lot and then I would have an epileptic seizure. She was not always right when she battered me... And my uncle often battered me with his belt (he also battered his own children)...” (Nikolic-Ristanovic, 2000: 44).

The discrimination among children in the primary family, which the female respondents also mentioned as a reason for physical punishment, did not mutually exclude love and violence in their minds, which was also an important factor in the early socialization of the future victim of violence.

“I also got beaten a lot of times by my father. He beat only me, not my brother or my sister. He did that because I was the eldest and I defended our mother. My brother and my sister were afraid of him and they never opposed to him when he abused our mother...” (Nikolic-Ristanovic, *ibidem*).

In some cases the female respondents reported that in their childhood the fathers who did not have sons discriminated between daughters giving the favoured position to the youngest daughter, who would be awarded a role of a son.

Favouring of the son over a daughter had also an important role in creation of the identity of the future victim of family, which was the most prominent in the relationship of the mother towards the children. This can be explained by the fact that the mother was much more often in a situation to deal with the complete early socialization of children, which gave her more opportunities to make more differences in requirements than the father.⁷ One of the respondents told the following:

“Mother loved my brother the most since he was a boy. She adored him. She stood at his side more often than to the side of her daughters when they made a mistake. I think that she did it because he was a male; she knew that he would stay with her in the end. We, her daughters, left home afterwards, and he stayed there.” (Nikolic-Ristanovic, *ibidem*).⁸

The traditional and early acceptance of different evaluation of male and female children influenced the shaping of identity and level of self-esteem of the female respondents in their later life, particularly the manner in which they responded to violence in their secondary family. From the point of view of influence of early socialization on the subsequent perception of violence by the female respondents in these researches, there is an important fact that the majority thought that the parents were right to punish them physically (Miletic-Stepanovic, 2004; Mitic, 2005). These data confirm the results of earlier researches in the world, which show that the women

⁷ According to Johnson, all points to the fact that the mother and the father agree to some degree regarding the mutual cultural values based on which they determine the desirable characteristics of men and women and that mothers, as the first and the main agents of socialization make efforts to achieve these values. (Johnson, M. 1986, “Očevi, majke i usvajanje uloge vezane za pol”, cited according to: Nikolic-Ristanovic, 2000: 46).

⁸ The favouring of male children in Serbian families was also confirmed by Erlich, V. (1964: 69, 89–90).

accept violence they were exposed to in their childhood as a legitimate manner of disciplining (Browne, 1987: 23). Such an attitude towards physical punishment by the parents shaped also their relationship towards violence they suffered in secondary families, and which was characterized by justification, in other words finding the reasons for violence and self-accusation. At the same time, their acceptance of physical violence as a punishment for behaviour which did not correspond to the requirements and expectations of the parents was an important factor of creation of their attitude regarding the limits of tolerance, or the seriousness of violence in their secondary families. This attitude is confirmed by the results of some psychological researches, according to which the personality traits are mostly acquired when a child actively imitates the attitudes and behaviour of the parents (in this case the use of physical force), although the parents did not have any intentions to teach him/her that (Bandura, 1986; cited according to: Nikolic-Ristanovic, 2000: 49).

Some female respondents from the researches reported also that they were abused by the parents in ways other than physical in their primary families. They also reported the following forms of abuse: constant yelling and difficult financial situation caused by excessive spending of money on drink by either father or mother, discriminating between them and other children or insulting on nationality basis, if the parents were of different nationalities.

4. Learning the Model of Man-Woman Relationship and Sex/Gender Roles

The important factor of socialization by learning the gender roles, according to the results of the researches of certain factors of victimization on the position and role of the victim, is in any case the identification with a parent or other member of the family of the same sex and learning the model of male and female roles through observing their behaviour and mutual relationship (Nikolic-Ristanovic, 2000; 2002; Miletic-Stepanovic, 2004; Mitic, 2005).

Women from the research samples spent the majority of their childhood time with their mothers or with another adult member of the family who was replacing the mother. The majority of respondents (about 60%) spend the majority of time in their primary families with an adult female member of the family while the dominating figure in their childhood was mother or grandmother. The father was mainly physically absent from the family life, and even when he was present at home he did not deal with children. The presence of the adult female person as opposed to the absence of the man influenced the socialization of the respondents in the following manners:

- They primarily identified with their mothers and grandmothers;
- They learned that the woman's place is at home (in a private sphere), and the man's place is outside home (in a public sphere) (Nikolic-Ristanovic, 2000: 50).

The absence of the father can be an important factor of creation of the feeling of helplessness, dependence and difficulties in relationship with men, which was

pointed out by the results of the worldwide researches dealing with the influence of the father's absence on female children (Johnson, 1988; cited according to: Nikolic-Ristanovic, 2000: 50).

The female respondents in general evaluated the position of female and male family members taking into account that the role of a victim of violence is reserved for a woman, as well as being tied to the home and responsibilities in it, as opposed to man's freedom and obligations outside home. They accepted man's superior, or woman's inferior position within the family and the differences in economic independence. Related to this, the majority of female respondents (about 70%) considered that their life would have been better if they had been born as men.

"I think that my life would have been different if I had been a man, at least nobody would beat me."

"My life would have been better if I had been a man, because I could defend myself from violence and I would have been free."

"Of course I think that life is much easier to men than to women. If nothing else, they are at least stronger and not everyone can beat and abuse them."⁹

The examples quoted above lead to the conclusion that women mostly consider that they would have avoided being victims of violence, that they would not have been stigmatized when they divorced and that they would have managed to get economic independence if they had been born as men. In other words, they did not manage to avoid the model of gender roles and man-woman relationship characteristic for their primary families in their secondary families – or the gender trap, as Richie would say (Richie, 1996, cited according to: Nikolic-Ristanovic, 2000: 57). Their secondary families are a repeated model of the family in which they were growing up and, which is of particular importance, where they adopted that model as "natural" and inevitable model of man-woman relationship. Many of them see their identifying with submissive and yielding mothers as an important factor of staying married to an abusive husband, which in any case is a primary element of creation of their identity of a victim.

5. Violence in Primary Family of Female Victims

The researches of family violence in Serbia which, among other things, were aimed at gathering as many information and data as possible about the forms of violence which the female respondents either directly or indirectly suffered and endured in their primary families, i.e. in their childhood, until they started their secondary families or stable emotional relationships; these researches were indirectly aimed to gather the additional information on the extension of family violence, but also to synthesize the knowledge of long-term consequences the family violence has on children, both the witnesses and victims of it. The efforts of the

⁹ The answers of the female respondents from the researches of violence over women and women's crime rate, conducted in women's department of Correction Facility in Pozarevac, 1997–1998. Research results published in: Nikolic-Ristanovic, V. (2000) From victims to prisoners – domestic violence and women's crime, Belgrade: Victimology Society in Serbia, Institute for Criminological and Sociological Research.

researchers were also directed to examine the assumptions about inter-generational transmission of violence and on the influence of early socialization by learning the role of a victim on the later exposure of women to family violence.

The data obtained by the researches suggested the considerable share of women who witnessed violence father inflicted on the mother in childhood (1/5 of the female respondents), but also even larger share of women who were direct victims of physical violence in childhood (over 26%). This fact suggests that the violence against women and children in the family is not a modern phenomenon, but the manifestation which has its own (pre)history in patriarchal stereotypes and family standards that have been nurtured for centuries.

The analysis of these data leads to the conclusion that during the last 15 to 20 years there has been an increase of violence in Serbian families, which is substantiated by the fact that the present rate of family violence in our country is above the average rate of family violence in contemporary European countries, or the neighbouring countries in the West Balkans. This thesis is also substantiated by the data from the researches of family violence in Macedonia, according to which about 7% respondents less than in our country were victims of physical violence (in Croatia, Bosnia and Herzegovina or Albania, however, this number is higher than in Serbia and it is up to 1/3 of respondents).¹⁰

The data from the researches of violence against mothers of the female respondents and against themselves when they were children suggest the existence of the important relationship between violence in childhood and subsequent violence they experience in family. Almost 40% of female respondents, victims of physical violence, as opposed to 16% of women who were not victims, answered that their fathers abused their mothers. Also, about 41% of victims, as opposed to about 20% of women who answered that they are not the victims of physical violence, were direct victims of physical violence in childhood (Nikolic-Ristanovic, 2002; Miletic-Stepanovic, 2004; Mitic, 2005).

6. Children as Victims of Family Violence

Due to the high degree of vulnerability, children become victims of various forms of abuse in great percentage. The abuse in the widest sense can be classified as: physical abuse, sexual abuse, psychological (emotional) abuse and neglecting. Related to the place where the abuse is happening, child abuse can be roughly classified to the abuse happening inside the family (some researches show that the percentage of abuse within the family makes 70 to 90% of all registered cases) and outside the family (in institutions, at work, in the street, in war zones), (Pejovic-Milovancevic, 2001: 177).

¹⁰ The data have been taken from the researches of family violence in the West Balkans countries, conducted by the non-government organizations in the countries of the West Balkans in the period from 2003 to 2005. The research results were interpreted in: Nikolic-Ristanovic, V. and Dokmanovic, M. (2006) *Medjunarodni standardi o nasilju u porodici i njihova primena na Zapadnom Balkanu*, Beograd: IGP "Prometaj".

According to Keiser (Konstantinovic-Vilic, et al. 2003), the victims of abuse inside the family become: an unwanted child; a child born out of incestuous relationship; a child born against the will of the “aging” mother; a child born as a “result of rape”; a child with either physical or psychical defects, who is considered a “personal burden” by the parents; a child born following the divorce of marriage, when new families have been established; an illegitimate child.

The results of some researches (Pejovic-Milovancevic, 2001) also show the following: the incidence of physical abuse is about 5.7 in a thousand children and it is rising. The incidence of physical neglect is considerably higher when compared to physical abuse, as is the case with both emotional neglecting and abuse.

The studies of family violence particularly point out that children are always victims when there is violence in the family. They are always victimized, regardless of whether violence is aimed at them or it happens between the parents, or among other family members (Mullender, 1996; Mrsevic, 1995; Banjanin-Djuricic, 1998). Also, when the mother is victimized by the father, it has direct implications on the mother’s efficiency as a parent, since the majority of them takes care of children the most. The role of an abused woman as a parent is radically decreased due to her being victimized, and in extreme cases the children may be neglected and abused by their mothers (Jaffe, P. et. al., 1997).

In any case, the children witnessing family violence are secondary victims, by-products of violence against women (Stark, 1999–2000, cited according to: Lukic, Jovanovic, 2001). The correlation of violence against children and violence against women in the family has been confirmed by many researches. Very often violence against children is one of the strategies of extended violence, in other words of control of a woman. The so-called dynamics of “double victim” is often related to this strategy, which includes an abused woman whose children are victims of violence by her violent partner (Stark, 2000: 10). Namely, the first stage of abuse is represented by coercive control, which includes all mechanisms of physical and sexual abuse. As the consequence of this, a dilemma of an abused woman arises in the second stage, the woman who is forced to choose between her safety and the safety of her children. As Stark says, in the majority of cases the abused woman decided to either hurt a child or allows her child to be hurt, her perception is that the alternative attempts are equally or even more dangerous for both her and her children. In a situation in which the choice of responses is drastically limited, she makes attempts to be rational and chooses the best (often the minimum violence) for her or her children. Eventually, in the third stage, an abuser uses physical force on children, as an extended tactics of coercive control of his partner (*Ibidem*).

The researches of family violence in Serbia have shown that children can be direct victims of various forms of violent behaviour by the parents, which certainly leaves many and permanent consequences on both psychical and physical health of the child, but they can be victimized by frequent physical and verbal confrontations between the parents. Violence against children within the family relations in Serbia is in correlation with violence against women, because in cases where women are

abused their children become victims of the abuser, both when they are silent witnesses to the abuse and when they try to help their mothers (Mihic, 2002).

Almost all female respondents in the researches reported that they were far more involved in upbringing, care and nurturing of children than the fathers. At the same time, all respondents said that their partners often blamed them for being bad mothers in front of the children, that they wanted to “break the family”, as well as for causing unnecessary conflicts, psychic derangement, cheating. The fact that the female respondents – direct victims – were at the same time mothers was used in conflicts as a mechanism of blackmail and control. Functional connotation of motherhood as natural and the most important role in a society takes special place within the context of family violence. Both in Serbian families and in social relations there has been a widespread opinion that mothers who abuse their children, even in violent situations, are bad mothers, and that those sacrificing in favour of survival of family or children are good mothers (Schneider, (2000: 120). This is particularly important when they have to make decision to leave the abuser and seek help for both themselves and children. The prejudice that women who together with their children left their violent partner would be safe and protected from further violence is one of the most dangerous prejudices. The studies show that not only these women and their children are exposed to the greatest risk of violence when they are leaving the abusive relationship, but the abusers often use children to continue the violence over their spouse/partner. Particularly characteristic are the situations in which abusers have the right to visit the children who were given to the custody of the mother.¹¹ The researches also show that violent partners twice more often seek exclusive custody over children than non-violent partners and that they often refuse to pay child support in order to continue their economic violence and thus keep mothers dependent (Zorza, 1999: 30). Generally speaking, according to some estimates, about 87% children in the world are witnesses to scenes of domestic violence (Davison, 1994: 57).

The data obtained by the researches in Serbia suggest the high degree of direct and indirect victimization of children in cases of violence against their mothers. Out of the total number of cases where the respondents were victims of family violence, the children were present to the last case of violence in more than a third (about 38%). Children themselves were victims of violence in almost half the cases of the last case of violence they witnessed to (about 44%).

The children were present during the violence inflicted by the respondents' partners, or their fathers (in about 85% cases), which is in accordance with the framework of an abuser on the whole. Although very rarely, however, the children were present also when other family members inflicted violence on the female respondents, particularly the father, father-in-law, son and daughter. In the majority of cases it was a combination of physical and psychical violence (about 60%), and rarely just physical violence (about 25%). It is however important to point out that

¹¹ NOW – Legal Defence and Education Fund: “Domestic Violence and Child Custody” in Legal Resource Kit, New York, 2000, p. 3. 75% of violent fathers threaten mother through children, during visits, and even 25% threaten to hurt children during visits.

children were present even in cases where physical and psychical violence was accompanied by sexual violence (about 15%). The abuser was under the influence of alcohol in about half the cases where the children witnessed the violence (about 51%). In about 14% cases the abuser had a knife, a gun or some other weapon, and in about 67% cases women were physically injured.

Some of the reports by the female respondent which were obtained during the researches say much about how children behaved in situations of violence over the mother:

“They (the children, note by D. S.) would wake up and cry, pour things. Then he would start battering them. They had to cover over the head and be silent. I always tried to calm them somehow and told them to let go and be silent when he battered me. They suffered much together with me. They spent many nights in the basements of other people. They were afraid of him even when they got married.”

On the other hand, the awareness that the children are witnesses to violence represents an additional suffering for a woman, because, as a rule, she finds the suffering of her children much harder than her own. This is why women do not think that battering related to most serious violence is not the most difficult, but the most difficult violence for them is the violence inflicted on their children:

“I cannot tell you which battering was the worst: they were all horrible, because he used to beat me until collapse. Until I fall down. But it was the most horrible when he used to batter me in front of the children. I scream, the children scream and cry.”

Considering direct violence, primarily of the father against the children, two models of behaviour surfaced during the researches. The first one and domineering, is the model of violent relationship towards children, and the other one and rare is non-violent.

Violence against the children ranged from a smack on the face to the most brutal abuse:

“He abused the youngest daughter the most. He hoped that she would also be a son and he could not stand her. He threatened to sell her. He used to grab her by her hair and drag her on the floor. Once he chased our eldest daughter with an axe threatening to chop her to pieces. The child runs, shouts, calls for help, and I just stand mesmerized – I did not dare help her.”

“He once threw the elder daughter over the terrace. I was then pregnant with our younger daughter and I do not know how I managed to stay alive then because of the battering and the stress when he threw my child over the terrace.” (Nikolic-Ristanovic, 2000: 92). As for the physical violence of the female respondents against their children, two models also can be noted, but in this case, as opposed to the use of physical violence by their husbands, the non-violent model prevails (in over 50% cases). According to what the respondents said, it was usually some light battering as a form of physical punishment of children because of their disobedience. In some cases, however, more serious form of children victimization would appear as a consequence of mental instability of the respondents because of difficult economic situation, frequent conflicts with the husband or persistent effort, for instance, to

raise a daughter according to the traditional patriarchal model. In that way, they were the ones pushing them into so-called gender trap (Richie, 1996).

7. Conclusion

The extent of family violence in everyday life of both urban and rural families in Serbia proves that it can be considered an internal pattern of family behaviour.

The results of the researches of family violence in Serbia have shown that the majority of victims are women (about 80%), but also that children were present as either direct or indirect victims of domestic violence. In every situation when they are witnesses to violence in the family the children are secondary victims, or in other words the by-products of violence against a woman, which confirms the correlation of violence against the children and violence against the women in the family.

The researches of domestic violence in Serbia as both criminological and socio-pathological phenomenon, identified the following factors of primary victimization of victims: creation of the identity of the future victim through life in the primary family, socialization by learning sex/gender roles and man-woman relationship, being caught in gender trap and growing up in the circumstances full of violence according to the pattern of patriarchal family stereotypes considering the relationship between genders.

According to this, it can be assumed that the rate of reporting domestic violence to the police in Serbia is considerably below the rate of reporting other crimes – about 17% in comparison to 33%, which was recorded by the international victimization survey, carried out in Belgrade in 1996 (Nikolic-Ristanovic, 1998). It is also below the rate of reporting domestic violence in neighbouring Macedonia (about 21%) (Caceva, et. al., 2000). The number of cases which resulted in court proceedings is even smaller. The reasons of not reporting to the police suggest, on the one hand, the powerful influence of patriarchal stereotypes that the domestic violence is not a “sufficient crime” to seek help of the state institution and that it is a woman’s guilt and shame. On the other hand, the reason for not reporting it is also distrust in the willingness of the police to intervene and the doubt in the quality of that intervention.

The presented facts speak in favour of the need for the institutions of social control as well as informal social subjects to take every measures and activities in order to define and adopt mechanisms of equality of genders, but also to set guidelines of national strategy to fight against violence against women. At the level of local community, it is necessary to coordinate protocols of inter-sector cooperation of services and institutions that are legally dealing with prevention and suppression of domestic violence. The victims should be provided all legal, psychological and social help and support, overcoming bureaucratic dimensions of social reaction.

“Safe houses”, shelters for victims and services offering help to victims are just a foundation, the beginning of the fight against violence and complex program of protection of victims, but also a modest contribution to the prevention of psychosocial disorders, in other words minor or major consequences of experienced episodes of violence.

The analysis of research results showed that women as victims have observed well the very essence of the problem of domestic violence, and they have suggested the following solutions and manners to overcome the problem of violence:

- To solve difficult material and housing situation and introduce measures for economic independence of women;
- To raise children, educate and inform them “since early childhood” about the problems of domestic violence;
- To raise consciousness of women to break the “wall of silence, shame and disgrace”;
- To develop better marketing related to the work of non-government organizations, spreading more information by means of public media about the institutions where the victims can seek help;
- The abusers should be punished more strictly;
- The abusers should be treated medically;
- Special groups of police officers should be established in order to monitor certain parts of town/village that would also be familiar with the cases of domestic violence, particularly in cases when there was a restraining order pronounced considering movement and approach to the victim (Nikolic-Ristanovic, 2000; 2002).

In addition to legal ones, there should be a number of social actions in order to lower the risk the abused women are exposed to, then to make them stronger, to inform and educate them properly. It is particularly important accordingly to provide the shelters for victims continuously (both women and children), to organize support groups and information campaigns, as well as gender sensitive treatment of victims of violence, when they find themselves in prison for having committed a crime (Walker, 1979).

According to Peking Declaration¹² the first subjects called to intervene in cases of violence against women are the governments, who are expected to undertake integral measures of prevention and elimination of violence against women. There is a particularly highlighted need to make legal and stronger the existing penal, civil, working and administrative sanctions in domestic legislation in order to punish those inflicting violence and indemnify the victims. There is also a pronounced need to adopt the international standards of human rights and documents referring to women’s human rights and full application of Convention on elimination of all forms of discrimination against women.

8. References

- Banjanjin-Đuričić, N. (1998). *Udarac po duši*. Beograd: Institut za kriminološka i sociološka istraživanja, Jugoslovenski centar za prava deteta.
- Browne, A. (1987). *When battered women kill*, New York and London: The Free Press and Collier Macmillan Publishers.

¹² Peking Declaration was adopted as a final document of IV World Conference on women, held in Peking from 4th to 15th September, 1995.

- Calderon, J. A. R. (1990). Victimology. *International Criminal Police Review*, 432.
- Casey, M. (1987). *Domestic violence against women*. Social and Organisational Psychology Research Unit UCD. Dublin.
- Čačeva, V., Čoneva, Lj. (2000). *Semejno nasilstvo*. Skopje: Ese.
- Davison, H. (1994). *Impact of Domestic Violence on Children*. On Children and the Law. New York.
- Dobach, E., Dobach, R., Cavanagh, K. Lewis, R. (2000) *Changing Violent Men*. London: Sage Publications Ltd.
- Engelhard, M. (1990). Viktimizacija i spremnost na prijavu. *Der Kriminalist*, br. 10. Heidelberg.
- Erllich, V. (1964). *Porodica u transformaciji*. Zagreb: Naprijed.
- Finkelhor, D. (2000). The victimization of children: Recommendations for assessment and instrument development, *Journal of the American Academy of Child and Adolescent Psychiatry*, 39(7), str. 829–840.
- Finkelhor, D., Gelles, R., Hotaling, G., Straus, M. (1983) *The Dark Side of Families*, London: Sage Publications Ltd.
- Gelles, R. (1997). *Intimate violence in Families*. London: Sage.
- Gelles, R. (1994). Introduction: Special issue on Family Violence, *Journal of Comparative Family Studies*, (1) 1–6.
- Heise, L. et al. (1999). Ending violence against women, *Population Reports*, Baltimore: Johns Hopkins University School of Public Health, Population Information program Series L, No 11.
- Herman, J. L. (1996). *Trauma i oporavak*. Zagreb: Centar za žene žrtve rata.
- Konstantinović-Vilić, S., Nikolić-Ristanović, V. (2003). *Kriminologija*. Niš: Centar za publikacije Pravnog fakulteta.
- Lukić, M., Jovanović, S. (2001). *Drugo je porodica: nasilje u porodici – nasilje u prisustvu vlasti*. Beograd: Institut za kriminološka i sociološka istraživanja.
- Matijašević, D. i sar. (2003). *Nasilje nad ženama i posledice po zdravlje – za radnike primarne zdravstvene zaštite i urgentne medicine*. Beograd: Institut za mentalno zdravlje.
- Miletić-Stepanović, V. (2004). *Nasilje u porodici: način proizvodnje nasilja nad ženama u Srbiji krajem devedesetih*. Beograd: Odeljenje za sociologiju Filozofskog fakulteta (magistarska teza).
- Mitić, G. (2005). *Nasilje u porodici: rezultati istraživanja*. Kragujevac: Centar za edukaciju, komunikaciju i istraživanje Alternativni krug.
- Mihić, B. (2002). *Porodično nasilje nad decom*, *Temida*, 3/02.
- Mrvić, N. (1993). *Žene-ubice – žrtve dugogodišnjeg porodičnog nasilja*. Zbornik Instituta za kriminološka i sociološka istraživanja, broj 1. Beograd.
- Mršević, Z. (1998). *Ženska prava u međunarodnom pravu*. Beograd: Jugoslovenski komitet za ljudska prava.
- Mullender, A. (1996). *Rethinking Domestic Violence*. London: Routledge.
- Nikolić-Ristanović, V. (1989). *Žene kao žrtve kriminaliteta*. Beograd: Naučna knjiga.
- Nikolić-Ristanović, V. (1998). *Victims and Police in Belgrade*. *International Review of Victimology*, 1.

- Nikolić-Ristanović, V. (2000). Od žrtve do zatvorenice – nasilje u porodici i kriminalitet žena, Beograd: Viktimološko društvo Srbije, Institut za kriminološka i sociološka istraživanja.
- Nikolić-Ristanović, V. (2002). Porodično nasilje u Srbiji. Beograd: Viktimološko društvo Srbije, Prometej.
- Nikolić-Ristanović, V., Dokmanović, M. (2006). Međunarodni standardi o nasilju u porodici i njihova primena na Zapadnom Balkanu. Beograd: IGP Prometej.
- Pejović-Milovančević, M. i dr. (2002). Model zaštite dece od zlostavljanja i zanemarivanja. Psihijatrija danas, 1–2.
- Smeenk, W., Malsch, M. (2005). Family Violence and Police Response – Learning From Research, Policy and Practice in European Countries. Burlington: Ashgate Publishing Company.
- Stark, E. (2000). Failure to Protect: Unrevealing The Battered Mother's Dilemma. Western State Law Review, No. 29.
- Schneider, E. (2000). Battered Women and Feminist Making, New Haven.
- Thyfaut, R. (1984). Self-defence: battered women syndrom on trial. California Western Law Review, 20.
- Walker, L. (1993) The Battered Women Syndrom, u: R. J. Gelles and D. R. Loseke (eds), Current Controversies on Family Violence, London: Sage.
- Weiss, B. et al. (1992). Cognitions, depressive symptoms and development in adolescents. Journal of Abnormal Psychology, 102.
- Žegarac, N., Brkić, M. (1998). Nasilje u porodici – mogućnost zaštite i prevencija, u: Nasilje nad decom. Beograd: Fakultet političkih nauka.
- Zorza, J. (1999). Protecting the Children in Custody: Disputes when One Parent Abuses the Other. Clearinghouse Review, No. 3.

ŽRTVE PORODIČNOG NASILJA U SRBIJI

Rezime

U radu su predstavljeni rezultati istraživanja porodičnog nasilja sprovedenih u periodu od 1997. do 2006. godine, od strane nezavisnih istraživača ili nevladinih organizacija koje se bave pružanjem pomoći i podrške žrtvama kriminaliteta.

Istraživanja su pokazala da najveći deo žrtava čine žene (oko 80%), ali da su i deca direktne ili indirektno, sekundarne žrtve porodičnog nasilja, čime je potvrđena korelacija između nasilja nad decom i nasilja nad ženama. Nasilje nad decom predstavlja jednu od strategija produženog nasilja, kao oblika kontrole nad ženom.

Studije porodičnog nasilja u Srbiji identifikovale su sledeće faktore primarne viktimizacije žrtava: kreiranje identiteta buduće žrtve u primarnoj porodici, socijalizaciju učenjem tradicionalnih muško-ženskih uloga i relacija, tzv. „uhvaćenost u zamku roda” i život u okruženju opterećenom nasiljem. Istraživanja su, takođe, odredila profil žrtava nasilja u vezi sa njihovim uzrastom, obrazovanjem ili zaposlenjem, to jest, ekonomskom (ne)zavisnošću.