



The Impact of Covid-19 Pandemic on Marital Relations - Case Study Kosovo

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Abstract: The Pandemic Covid-19, did not leave Kosovo untouched. In addition to causing health and economic damages, it also has begun to affect negatively the psychosocial behaviors of people. The phenomenon of domestic violence has been present even before in Kosovo, but since the beginning of the pandemic Covid-19, the number of reports of domestic violence has been increased for 19.37%. The aim of this paper is to evaluate the influence of Covid-19 in increasing this number on family issue in Kosovo. The results show that Covid-19 had a significant impact on the increase of domestic violence because these cases have not been adequately treated by the police, the prosecution and the courts, which has led to a loss of confidence in the judiciary. The results also show that the non-functioning of the center for social work has led to domestic violence being tolerated and not reported in time. In this paper, analytical and descriptive methods will be used to explain the impact of Covid-19 on marital relationships and recommendations to be given to overcome this situation. The data to be used will be qualitative obtained from already published documents and data obtained from cases occurring during the time of pandemic and isolation.

Keywords: Domestic violence; divorce; spouses; family

1. Introduction

Covid-19 is a disease that is thought to have occurred in a city in China. Initially this disease affected a small number around 5 people but after 10 days this number is increase in 282 in China (Chaplin, 2020). The number of infected people was increasing every day and started too spared in different country of the world despite the measures taken to prevent it. Due to the speed of its spread the first cases of infection are identified in Kosovo in March (Prime Minister, 2020). The disease that was not sparing anyone began to spread in Kosovo, which is believed

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to come from Italy (Anadolu Agency, 2020). Because in Kosovo Covid-19 was introduced later than in other countries, the Government of the Republic of Kosovo began to take measures to prevent its spread. The first measures taken with the close of state borders, the closure of schools and workplaces where it's possible to work from home. These measures began to be intensified by continuing with the isolation of municipalities where there were more cases of infected people (Government of Republic of Kosova, 2020). At the end of March the measures for the prevention from Covid-19 were tightened by stopping the movement of citizens at certain hours, initially from 10:00 to 16:00 and 22:00 to 06:00. (Government of Republic of Kosova, 2020). After a few days this decision was changed with another decision which prevented the movement of citizens between 17: 00-06: 00 hrs.

The number of infected people was growing despite the government's call for care and to stay inside the houses. Citizens tried to respect the measures to prevent the spread of the virus but everything was unclear and imperceptible. We were dealing with an enemy that was attacking us but we did not see it. The situation had started to escalate in some other European countries such as Italy, France and Spain while Kosovo was manage the situation well. The number of infected was increasing but it was affordable for hospitals. By April 25, 2020, the number of infected reached 700 and the number of dead people reached 19 (CNN, 2020) that showed that measures to prevent and spread the virus were showing results. On the other hand, schools remained closed while teaching was one through online techniques with the recommendation that one parent be released in order to take care for the children that were in primary school (Government of Republic of Kosova, 2020). This situation has caused to increase the commitment of parents about children in terms of education.

While until the emergence of the pandemic for the education of children responsible were the school, now this responsibility passes to the parents. This made the house a school place, thus increasing the workload of parents. Isolation also contributes to this situation when family members were forced to stay indoors and spend more time with each other. The number of infected people is increasing every day, accompanied by an increase the number of deaths, where at the end of May this number increased to 1064 cases of infected and with 30 deaths in Kosovo, while globally this number, according to Worldometers were reported a total of 5,950,089 cases of COVID-19 and of 362,989 deaths.

Isolation measures began to cause great economic damage due to its lockdown but did not leave untouched family and marital relations. This fact is shown by the alarming figures of reporting domestic violence, which in the first 6 months has increased by 19.37% compared to last year (Police, 2020). This increase in the number of cases of domestic violence clearly shows that covid-19, in addition to other damages, has also affected family relationships. For this reason, during this study I will analyze the impact of Covid-19 disease on increasing the number of domestic violence.

2. Literature Review

According to Kaur and Garg (2008), the domestic violence means the force which is abused by an adult family member to have control over other members, which can be physical, psychological, social, financial abuse or sexual violence. According to Whitbread cited in O'Brien, 2010, the marriage community is a pooling of fortunes on an equal basis, according to which each spouse acquires half of the property created during marriage, excluding the gifts or inheritance that one spouse wins, as it does not make any effort to receive that gift or inheritance (O'Brien, 2010).

According to Halim (2020), domestic violence is physical, sexual, reproductive, emotional, or economic, violation, leading to mental and physical health consequences, including death which globally one in three experience domestic violence over their lifetimes, and 4-12% during pregnancy. According to sociologic sociologist Marianne Hester, domestic violence goes up whenever families spend more time together and because of this we have to study Covid-19 (Kaur & Garg, 2008; Kumar, 2020).

3. Domestic Violence in Kosovo

According to the Law on protection from domestic violence, the domestic violence is defines as any intentional or omission act resulting in abuse, when is done by a person who is or has been in family relationship with victim, including the use of physical force, psychological pressure, intimidation, fear, physical assault, insult, swearing, humiliation, sexual violence, against of the protected party (victim) (Assembly of Kosova, 2010). Men and women at a certain age of life (in our legislation is 18 years of age) are entitled to marry and form a family without any

discrimination and also the right to treat equal by law (United Nation, 1948). People decide to get married to create a family but also to live with the man they love. Knowing that marriage has several purposes, as the purpose of common life and family creation, spouse help and social purpose (Podvorica, 2011). These are the reasons why people decide to get married, leave their families and start new life with another person. Understanding and helping is considered the key to success in a marriage. But not in every marriage happens this. Marriage as a family law institute produce legal effects regarding to the legal status of spouses and also produces legal effects regarding to personal and property rights and obligations of spouses (Aliu, 2007). Given that marriage is considered an important institution for creating a family and that the family is the safest and holiest place to grow up and stay, then arises the question why exactly this place should become a place of crime.

Domestic violence is a phenomenon that has been present for a long time. Due to its frequent occurrence it has obliged the state to incriminate and punish the perpetrators in order to reduce the number of cases of domestic violence. In 2018, the Criminal Code was amended and supplemented in Kosovo, where domestic violence is foreseen as a criminal offense, which has not been regulated before. This came as a result of the increase in the number of cases of domestic violence, where only in 2018 according to police reports there were 1125 cases of domestic violence, while only in the years 2015-2017, 49 women lost their lives as a result of violence in families, so they are killed by family members (Kosova women's network, 2019). Although domestic violence is incriminated as a criminal offense and punishable under the criminal code, this has not reduced the number of cases of domestic violence in Kosovo. Expecting that the number will decrease because the penalties were high for the perpetrator of domestic violence, during the quarantine period there was an increase of these reported cases. Based on police reports during 2020 there was an increase in the number of cases of domestic violence including a total of 650 cases where 161 were in January, 151 in February, 169 in March and 167 in April.

According to the police, this increase came as a result of the measures imposed by the government for closing in the house (Travers, 2020). According to the Network of Women in Kosovo, domestic violence is mainly directed against women and only during the quarantine period there were murders of women with metal rods, murders with axes and murders with weapons by their husbands. Noting that violence against women continues to be one of the most pronounced forms of

violence and where state institutions are not addressing this issue adequately (Network, 2020). A forecast for the increase of domestic violence was also predicted by the group for Security and Gender Equality, where based on studies from other countries they had come to the conclusion that also Kosovo there will be an increase in the number of domestic violence stating that social isolation and distancing to prevent the spread of the virus will contribute to increased domestic violence (YIHR, 2020). Calls for reporting cases of domestic violence were also made by the Ministry of Justice, the Police and many non-governmental organizations dealing with human rights. But if we start from the mentality and previous cases, the reporting of domestic violence is believed to be much lower than what happens in reality. According to the Kosovo Agency of Statistics in the survey conducted for the first quarter of 2020, of the total working age (15-64 ages) population 29.1% of the population were employed from which 44.0% of men of working age were employed compared to 14.1% of women also of working age (Statistics, 2020). This is an indication that the unemployment rate in Kosovo is very high while the number of employed women is very low. This means that women are financially dependent on men and this is thought to be the main reason they endure domestic violence and do not report it.

A study by the Kosovo Agency of Statistics and UNICEF found that women in Kosovo have a high tolerance for physical violence compared to other countries in the region, including Montenegro, Serbia and even Malawi in Africa and Vietnam in Asia,. This Multiple Indicator Cluster Survey is an international study conducted by UNICEF and 42% of women surveyed admitted to experiencing domestic violence. About 33 percent (32.9%) of women surveyed (ages 15-49) stated that a man is justified in hitting or beating a woman in cases where she goes out without telling him, when she neglects children, talks to her, if she refuses to have sex or if you burn food. For the same question and circumstance, women in Serbia saw violence as justified at a level of only 3.8 percent, while in Montenegro (2013), 2.7 percent. Also this percentage increases due to some mistakes that women can make such as, if she does not take care of housework, hygiene, if she does not take care of her husband's parents, if she makes her husband jealous, if she makes family decisions without consulting him, increasing the tolerance rate for violence from 32.9% to 42 .%. According to the same study, men have expressed approval for violence against the wife in the amount of 14.9 percent where it is noticed that men declare themselves approvers of domestic violence except for half of women, while women are the victims themselves (UNICEF, 2020).

According to a study conducted by the Austrian Development Agency in 2015, the main indicators of domestic violence are: unemployment (67.2 %), difficult economic situation (63.4 %), alcohol (52.3 % of men and 27.8 % of women identify alcohol as a main factor), lack of education (36.5 % of men), involuntary marriage (34.3 % of men), war trauma in Kosovo (33.7 %), intense quarrels or disputes (33.8 % of women) (Ministry of Justice, 2016). These figures show that unemployment is considered one of the main causes of domestic violence and that it also increased during the time of Covid-19, where many jobs were closed or uncertainty was caused about job returns

In addition to unemployment in general and high unemployment of women in Kosovo, another impact on the increase of domestic violence is considered the lack of proper handling of cases of domestic violence by the judiciary in Kosovo. According to the ombudsman in Kosovo, domestic violence during the pandemic has increased by about 36% compared to last year and according to him the health emergency have slowed down the work of the judiciary but the safety of victims and children should remain a priority of the court for action. Immediate and preventive protection of victims of violence (Shefkiu, 2020). Also during the pandemic, cases of domestic violence were not properly handled by Police, the prosecution which has left many other cases unreported. According to women's rights activist Nerimave Ferizi, many reported cases of domestic violence during the pandemic have been handled by the police or any state institution, stating that women have nowhere to go if the police do not handle these cases. On the other hand, the police declare that the prosecution is guilty for this by releasing the suspects and endangering the lives of women even more (Eve-Anne Travers, 2020). This makes many women fearful of reporting domestic violence because they are aware that they will not enjoy state protection and will continue to live with the abuser. They choose silence because they are economically dependent on men and have nowhere to go if they decide to report the case to the police.

Added to this issue is another fact that from 525,827 registered properties in Kosovo, only 16.87% of them own women, while 81.12% are male owners and 2.01% are legal persons (Haliti, 2018). This situation makes the position of women even weaker and more powerless compared to men, thus becoming completely dependent on men and increasing even more their influence on the life of women. The low number of assets registered in the name of men shows that women in case of leaving the house have nowhere to go, given that the center for social work does not have enough places to receive and treat them. According to center for social

work representatives, social workers do not treat victims inside center for fear of infection (Kosovo women network, 2020). This may also be a reason why women endure domestic violence or if they present it again they remain silent thus making home the most unsafe place for them.

3. Conclusion

Domestic violence has been a phenomenon that has been widespread in the past, where dozens of women have lost their lives from domestic violence and hundreds more have experienced domestic violence continuously. Statistical data show that domestic violence is constantly increasing but this increase is believed to be as a result of women starting to become aware and report cases to the police. The courage to report cases of domestic violence has come as a result of the protection of women by many non-governmental organizations who have raised their voices and come out in support of women who experience domestic violence and are afraid to report it. An increase in the number of domestic violence was also observed during the time of the pandemic Covid-19. The measures imposed by the government of Kosovo are considered as adequate measures to protect the population from infection with covid-19, but on the other hand these measures have made the house as the most unsafe place because the perpetrator stays all day at home with the victim. In this case, instead of the house being the safest place not to be infected with Covid-19, this place has become a crime scene where many women have experienced domestic violence.

The increase in the number of cases of domestic violence during the time of the pandemic by around 20% is considered to have come as a result of many factors. According to research, the increase in domestic violence has initially come as a result of unemployment, which should include the unemployment of men and women. The closure of many businesses which were closed during the pandemic also contributed to the increase in unemployment. Closing of workplace, schools, bars, restaurants and long stays at home has caused stress in population which has been reflected in domestic violence. Another factor that has influenced the increase of domestic violence is the inadequate treatment by the police and prosecutors by not properly treating these cases and raising uncertainty in the strata affected by this phenomenon. Another cause is the low number of real estate registered in the name of women, making them dependent on their husbands and making them endure domestic violence.

For these reasons the recommendations given in this case are to increase the employment in general and especial for woman, so that they are economically strengthened and are not dependent from men. Another recommendation is that the police and the prosecution take these cases more seriously and that the court impose appropriate sentences on perpetrators of domestic violence, which in this way will increase trust in justice. The society have also the great importance in the awareness of women not to tolerate domestic violence and not to consider violence part of everyday life. Above all it is the state, to offer protection to victims of violence by making the social work center functional for the long-term protection of women experiencing violence.

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