

Review Article

**FUNDAMENTAL AND APPLIED RESEARCH:  
MURDERERS IN THE TERRITORY OF SOUTHEASTERN SERBIA**

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**Abstract.** *In this paper, the author discusses the fundamental characteristic of criminological research methods, with specific reference to fundamental and applied research. The significance of these forms of research is invaluable particularly in terms of their joint implementation as it implies the process of detecting and collecting data on some form of criminal behavior and establishing the most effective measures to prevent such behavior. In that context, the author endeavors to demonstrate the importance of fundamental and applied research by focusing on the criminogenic factors associated with murderers in the territory of South-eastern Serbia. The subject matter is observed in light of the murderers' gender, age, mental capacity and culpability. The findings of the applied research conducted on this issue set solid grounds for developing efficient homicide prevention measures.*

**Key words:** *criminology, applied and fundamental research, murderers, South-eastern Serbia.*

1. INTRODUCTION

Criminology has been explored by people of diverse professional backgrounds in different scientific areas. Hence, there is no single and uniform definition on the concept of criminology because every single theoretician provided his/her own definition of criminology depending on the starting theoretical grounds of respective research. Thus, Sutherland and Cressey believe that criminology is a body of knowledge about crime as a social phenomenon while Eliot and Merrill point out that criminology can be defined as a scientific study of crime and measures aimed at its prevention and reduction. Taft defines

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criminology as a study including all topics pertaining to understanding and exercising crime prevention, including criminal sanctions and treatment of offenders.<sup>1</sup> Geppinger defines criminology as an empirical, interdisciplinary science dealing with such circumstances in the human and social environment which are associated with the occurrence, commission and prevention of crime as well as with the offenders' criminal behavior.<sup>2</sup> The theorist Mannheim defines criminology as a study of crime, whereby crime is defined as any human behavior which is incriminated in the legislation and punishable by the law as a criminal offense.<sup>3</sup> Some Serbian scholars have also defined the concept of criminology in different ways. For example, Professor Milan Aćimović defines criminology as a science of crime perceived as an individual and mass social phenomenon, whereas Pešić defines it as an interdisciplinary and multi-methodological discipline which studies the causes of delinquency as a social phenomenon for the purpose of its prevention and control.<sup>4</sup>

This overview of diverse definitions of criminology yields a conclusion that there are as many definitions of criminology as there are criminologists. We may accept the definition given by Professors Konstantinović, Kostić and Nikolić, that criminology is an independent, theoretical and empirical, interdisciplinary social science dealing with phenomenological and etiological characteristics of crime as a mass social phenomenon and criminal behavior as an individual phenomenon, for the purpose of explaining and counteracting such conduct.<sup>5</sup> This definition of criminology underscores the most obvious distinction between criminology and criminal law. Criminology deals with establishing the phenomenological and etiological characteristics of crime whereas criminal law deals only with the protection of social values. To illustrate the distinction between these two sciences, we may (for example) pose a question whether the criminal offense of aircraft hijacking shall be subject to criminological study in Serbia. Given the fact that criminology deals with the phenomenological forms of crime and the crime of aircraft hijacking has not been committed in the Serbian territory so far, there is a logical conclusion that this crime cannot be a subject matter of particular interest for criminologists in Serbia.

## 2. CRIMINAL PHENOMENOLOGY AND CRIMINAL ETIOLOGY

Criminal phenomenology, as part of criminology, deals with the phenomenology of crime in terms of different forms, scope, dynamics, structure and structural changes. Forms of crime may be observed from different aspects. Thus, for example, forms of crime may be classified according to type of criminal activity, the object of protection, the perpetrator's gender and age. The scope of crime is measured by the total number of crimes in a particular area within a specific time frame and it may be traced by examining

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<sup>1</sup> Rajendra Kumar, S., *Criminology And Penology*, Atlantic Publishers and Distributors, New Delhi, 1998, p. 2.

<sup>2</sup> Konstantinović Vilić, S., Nikolić Ristanović, V., *Osnovi kriminologije (Basic Criminology)*, Sirius, Niš, 1992, p. 3.

<sup>3</sup> Morrison, W., *Theoretical Criminology: From Modernity to Post-modernism*, Cavendish Publishing Limited, 1995, p.6.

<sup>4</sup> Marković, I., *Osnovi kriminologije (Basic Criminology)*, Pravni fakultet Univerziteta u Banja Luci, Banja Luka, 2010, p. 13.

<sup>5</sup> Konstantinović Vilić, S., Nikolić Ristanović, V., Kostić, M., *Kriminologija (Criminology)*, Pelikant Print, Niš, 2009, p. 21.

the statistical data provided by the Serbian National Bureau of Statistics. The dynamics of crime is correlated with the scope of crime as it demonstrates the changes in the physiognomy of crime within a certain period of time in a particular territory. The structure and structural changes in criminality indicate diverse types of crime, characteristics of crime in general and some criminal activities within these forms of crime.<sup>6</sup> In this context, it is important to lay emphasis on the terms *criminalization* or *decriminalization*. Criminalization implies creating new incriminations while decriminalization pertains to the changes in the criminal legislation which decriminalize specific behaviors which are no longer regarded as crimes. The process of criminalization may be illustrated, for example, by incriminating the murder of a public official acting in discharge of his/her public duties. Namely, ten years ago there was a justified criticism by some experts on the incrimination of offences against life and limb.<sup>7</sup> After the change of the social system in the Republic of Serbia, the need has ceased to exist for the incrimination of the criminal acts of murder of a person in charge of preserving the public order, apprehending criminal offenders or guarding a person deprived of liberty as prescribed in the criminal legislation or some other regulation aimed at providing for the general social protection. Criminal phenomenology addresses a number of questions: 1) *What kind of crime has been committed?* 2) *Who committed the crime?* 3) *When was it committed?* 4) *How was it committed?* and 5) *Where was it committed?* By addressing these questions, we can underscore the significance of criminal phenomenology.

In contrast to criminal phenomenology, criminal etiology addresses only one question: *Why has someone committed a crime?* The answer to this question is not straightforward because it is necessary to consider the impact of various criminogenic factors arising from the external environment or internal factors. On these grounds, criminal etiology is divided into *exogenous* and *endogenous* etiology. Exogenous etiology deals with establishing various criminogenic factors stemming from the society while the endogenous etiology is related to the impact of personal characteristics on the emergence of crime.

### 3. CRIMINOLOGICAL METHODS

Criminology has developed its own system by using different methods from other sciences but it has also managed to develop its own methods (such as: the clinical method and the individual case study method) which significantly contributed to distinguishing criminology as an independent science. At the beginning of the 20<sup>th</sup> century, criminologists believed that it was possible to change the behaviour of the offender afflicted by the so-called "criminal disease" by using the clinical method, in the same manner as it is possible to subject a person afflicted by cancer to treatment at a medical clinic. For a long time, the substance of social reaction to crime was punishment, which depended on the social dangers of a specific crime. However, over time, criminologists and penologists have changed the focus of their attention from the crime to the criminal offender. For this reason, there is no uniform judicial approach to imposing criminal sanctions for the same

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<sup>6</sup> Konstantinović Vilić, S., Nikolić Ristanović, V., Kostić, M., op. cit., p. 29.

<sup>7</sup> Domazet, V., *Krivična dela protiv života i tela (Crimes against Life and Limb)*, Nacrt Krivičnog zakonika SR Jugoslavije i zaštita od kriminaliteta nasilja, Centar za publikacije Pravnog fakulteta u Nišu, Niš, 1999, pp. 23-24.

offence; for example, an act of robbery differs from another by the circumstances of the offence and the individual characteristics of the criminal offender. The direct consequence of such a change in dealing with crime and offenders is a wider application of individual treatment of delinquents. For example, a young man who committed arson by setting a school of fire actually needs love and attention, and his treatment would include placement in foster care. Focusing on the basic tenets of the clinical method, we can infer that this method is very similar to the method used in the medical clinic. Thus, the clinical method includes four stages: a bio-psycho-social observation, diagnosis, prediction of future behavior, and implementation of particular treatments.<sup>8</sup>

The individual case study method is another method which has distinguished Criminology as an independent science. It includes the study of individual cases involving delinquent behavior of individual perpetrators.<sup>9</sup> In other words, this method entails a thorough examination of individual offender's life. Apart from using interviews to collect data on the delinquent's life and childhood, it is also necessary to support the data with relevant documents on each delinquent. The offender's family, relatives and friends may also be interviewed. Although the interview may include other people, it should be noted that the primary focus of the clinical method is the criminal offender and his/her social and family life. The clinical method should address the questions such as: 1) Has the delinquent sustained some emotional trauma? 2) How weak/strong is his moral integrity? 3) How does he explain his behavior? and 4) How does he justify his behavior? However, this method has some drawbacks; it is not fully objective and the researcher may be prone to seeking justification for the delinquent's behavior.<sup>10</sup>

All the methods used in criminology have some common features which are clearly reflected in the following facets: collection of specific facts and their theoretical generalization; fundamental and applied research; collection of data on criminal behavior, the crime, the offender and the victim; use of qualitative and quantitative methods; use of the comparative method; study of criminal behavior in a wider context of the offender's life; classification and typology of crime; use of inter-disciplinary methods and knowledge from other sciences; and teamwork.<sup>11</sup>

#### 4. FUNDAMENTAL AND APPLIED RESEARCH

Although research may be classified as fundamental, strategic, applied and developmental, all these types of research are not pertinent to criminology. In fact, the basic features of the criminological method are the fundamental and the applied research. Fundamental research is aimed at acquiring new knowledge and expanding the boundaries of the existing system of knowledge within an area (such as crime).<sup>12</sup> The objectives of fundamental research are accomplished by applying a general model which is inherent to all social sciences.

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<sup>8</sup> Sutherland, E., Cressey, D., Luckenbill, D., Principles of Criminology, General Hall, Lanham, 1992, p. 342

<sup>9</sup> Marković, I., op. cit., p. 32.

<sup>10</sup> Rajendra Kumar, S., op. cit., p. 13.

<sup>11</sup> Konstantinović Vilić, S., Nikolić Ristanović, V., Kostić, M., op. cit., p. 54.

<sup>12</sup> See: [http://www.ef.uns.ac.rs/Download/metodologija\\_nir/09%20naucno%20istrazivanje%20-%20priroda,%20vrste,%20funkcije%20i%20struktura.pdf](http://www.ef.uns.ac.rs/Download/metodologija_nir/09%20naucno%20istrazivanje%20-%20priroda,%20vrste,%20funkcije%20i%20struktura.pdf), accessed on 23.03.2013.

This model includes the following stages: observation, setting hypotheses and testing hypotheses. As criminology can be observed at the macro level (as a mass social phenomenon) and at the micro level (as an individual criminal behavior), criminologists apply both quantitative and qualitative observation methods. After observing the phenomenon, they set hypotheses and proceed with the collection of facts in order to test their hypotheses.

One of the definitions of applied research specifies that all applied research is aimed at seeking ways of developing relevant procedures in order to affect change of certain phenomena.<sup>13</sup> In terms of criminology, it means that the applied research is aimed at detecting flaws and deficiencies in the existing instruments for combating crime and improving them through three stages: instituting preliminary measures for combating crime, identifying flaws, and improving the specific measures.<sup>14</sup> In other words, applied research includes data collection and analysis of the findings, which are ultimately aimed at bringing about change in the observed phenomena. For example, in 2009, a criminologist Hernandez compared a number of questionnaires in order to draw a conclusion which one would be most appropriate for anticipating the number of psychoactive substance abusers among the Hispanic youth.<sup>15</sup>

Although applied research has immediate practical value (which is not a feature of fundamental research), we cannot infer that the practical value of the findings obtained by fundamental research are less significant than those gained by the applied research. The progress in fundamental research is regularly accompanied by improving measures for combating crime. Some criminologists believe that there is a so-called *multipurpose research* correlation between the fundamental and applied research. Such a research usually begins as a fundamental research and later evolves into an applied research. For example, a multipurpose research may be undertaken when the chief of a local police department wants to find out how many of his employees are satisfied with their police work. The research should be conducted so as to determine different facts related to job satisfaction; the obtained facts should reflect in what ways police officers are satisfied with various aspects of their work. A similar research can be carried out in various police agencies in order to assess the strengths/weaknesses in the agency work and eventually improve its efficiency.<sup>16</sup>

The research on murder statistics is another example of combining the fundamental and the applied research. The statisticians of the United Nations concluded that the murder rate in Serbia is two-thirds lower than the murder rates in 1994 and 1997 when the number of murders peaked.<sup>17</sup> This should not be used as an excuse for failing to conduct criminological research, which would be aimed at determining the phenomenological and etiological characteristics of crime and using the collected data to propose a set of prevention measures. In the next part of this article, the author will present the tenets of the criminological research on the phenomenon of homicide in the territory of South-eastern

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<sup>13</sup> See: [http://www.vaspitacka.edu.rs/files/informacije\\_o\\_predmetima/031-Predavanja\\_br13.pdf](http://www.vaspitacka.edu.rs/files/informacije_o_predmetima/031-Predavanja_br13.pdf), accessed on 23.03.2013.

<sup>14</sup> Konstantinović Vilić, S., Nikolić Ristanović, V., Kostić, M., op. cit., str. 55.

<sup>15</sup> Dantzker, M. L., Hunter, R., *Research Methods for Criminology and Criminal Justice*, Jones and Bartlett Learning, London, 2012., p. 10.

<sup>16</sup> Dantzker, M. L., Hunter, R., op. cit., pp. 10-11.

<sup>17</sup> *Srbija isto kao Urugvaj*. See: <http://www.glas-javnosti.rs/clanak/glas-javnosti-15-06-2008/srbija-isto-kao-urugvaj>, accessed on 05.10.2011.

Serbia, including the research findings pertaining to certain individual characteristics of the perpetrators of this crime.

## 5. RESEARCH BACKGROUND

Homicide, as one of the most dangerous criminal offences for the society, has been a subject matter of multifaceted research in diverse scientific disciplines. Despite the extensive scientific research and multidisciplinary approach to this matter, homicide still draws attention of both general and academic/professional public.

In South-eastern Serbia, the rise of scientific interest in the phenomenon of homicide may be traced back into the period before World War II when some criminal law scholars (such as: Gligorije Grozdanović, Franjo Klarić, V. Subotić and others) started exploring this subject matter. However, for quite a while, there was a lack of consistent study and comprehensive approach to the emergence, genesis and prevention of homicide. The criminological and victimological approach to this phenomenon was even more sporadic. Thus, in the period before World War II, the victimological approach to homicide was apparent only in the article "*Homicidogena uloga ubijenih u ubistvu*" (Homicidogenic Role of Victims in Homicide) written by Milovan Milovanović in 1930. Yet, in the period to come, a number of researchers from South-eastern Serbia embarked on a more substantial examination of homicide from the aspect of criminology. The first among them was Slobodanka Konstantinović-Vilić, in her 1984 doctoral dissertation titled "*Žene ubice*" (Female Murderers). In the same year, a criminologist Špiro Vuković started a more extensive criminological study of homicide. In 2001, Miomira Kostić defended her doctoral thesis titled "*Deca ubice*" (Murderous Children). The only other legal scholar who explored the criminological aspect of homicide was Biljana Simeunović-Patić, whose research on homicide was confined to the territory of the City of Belgrade.

Even though the foregoing scientific studies have revealed ample phenomenological and etiological aspects of homicide, there is still a lot of space for conducting various kinds of research on this subject matter. Given the fact that the foregoing scientific studies have not included the territory of South-eastern Serbia, there is a need to address the following question: *Who are common murderers in South-eastern Serbia?*

## 6. MURDERERS' GENDER AND AGE

The results of diverse scientific research conducted both in Serbia and abroad have shown that women generally commit fewer criminal offences than men. Thus, according to the results of annual surveys conducted in Serbia in the period from 1999 to 2005, the total percentage of women involved in the commission of crime ranged between 8.3 to 8.9 %. The percentage of female murderers was approximately the same, which means that more than 90% of murders were committed by men. In comparison, in the United States, 89.7% of the total number of murders was committed by men while only 10% of murders were committed by women.<sup>18</sup>

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<sup>18</sup> Crime in the United States. *Expanded Homicide Data*. See: [http://www2.fbi.gov/ucr/cius2009/offenses/expanded\\_information/homicide.html](http://www2.fbi.gov/ucr/cius2009/offenses/expanded_information/homicide.html), accessed on 26.08.2011.

The research conducted for the purpose of examining the homicide phenomenon in South-eastern Serbia has yielded similar results. Namely, the research sample included a total number of 55 perpetrators of different types of homicide. In the observed sample, 95% of these offenders were men (a total of 52 male offenders) while only 5% were women. The criminological research conducted by Simeunović-Patić yielded similar results. In her research, the observed sample included 486 perpetrators of homicide or attempted homicide detected by the police. The results showed that 94 % of the offenders were men (a total of 457 male perpetrators) while only 6 % were women.<sup>19</sup> The results obtained in the research conducted in the territory of South-eastern Serbia show that women make only 5% of the total number of perpetrators of homicide; generally, the results demonstrate that (in most cases) women are the perpetrators of petty crime and non-violent criminal acts.

In South-eastern Serbia, the structure of homicide according to gender proves to be quite diverse. The research shows that many types of homicide in the period from 2005 to 2010 were committed by men only.<sup>20</sup> In the observed period, there was a total number of 31 male offenders who committed the act of murder. This fact does not match the results obtained by Simeunović-Patić, who established that murders were committed by men and women alike. In her research, only 6% (12 offenders) from the total number of 190 perpetrators of this type of homicide were women.<sup>21</sup> Apart from murder, other types of homicide which are largely committed by men include different forms of aggravated murder: a murder involving cruelty, violence and malice; a premeditated murder endangering another's life; a murder committed in the course of burglary or armed robbery; a murder committed for financial gain, and a murder committed in ruthless revenge or in a heat of passion.

In South-eastern Serbia, the observed sample included 4 men who committed multiple murders as compared to only one woman who committed this form of aggravated murder. On the other hand, the criminal acts of manslaughter and infanticide (at childbirth or after delivery) were committed by one woman each.

Within the territorial and time framework of the research conducted in South-eastern Serbia, there are further differences in terms of the murderers' age. Thus, the results obtained in this research show that, at the time of committing the crime, the largest number of murderers were in the 26-30 age group (9 out of the total number of 55 offenders), which makes 16 % of the total number of murderers; moreover, 7 of these offenders were men. It should be noted that most female murderers fell into the same age group, except for one female perpetrator who was in the 22-25 age group. Similarly, there were 6 male perpetrators in the 22-25 age group, which makes a total of 13 % of murderers of both sexes. Further on, a significant number of murderers fell into the 19-21 age group, which makes a total of 11%. The murderers falling into the 41-45 age group also have a significant share (9%) in the commission of this crime, as well as the offenders falling into the

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<sup>19</sup> Simeunović –Patić, B., *Ubistva u Beogradu – kriminološka studija* (Homicide in Belgrade – a criminological study), Beograd, 2003, p. 80.

<sup>20</sup> For the purpose of statistical analysis, it should be noted that the judgment (no. 53/06) of the County Court in Niš referred to a single criminal event which was qualified both as a cruel murder and a murder committed for financial gain, and that these murders were actually committed by two men. Given the fact that each murder was committed by two men, the offenders are included in *Table 1* as 4 perpetrators of these two types of murder.

<sup>21</sup> Simeunović –Patić, B., *op. cit.*, p. 81.

46-50 age group and the 61-65 age group (9% each).<sup>22</sup> The murderers in the 66-70 age group made 5 % of the total number of offenders while the number of murderers falling into the 31-35 age group was slightly higher (9%). As far as juvenile offenders are concerned, the results of the observed sample show that 4 juvenile murderers (7%) fell into the 14-16 age group of junior juvenile offenders at the time of committing the crime whereas only one juvenile killer (2%) fell into the 17-18 age group of senior juvenile offenders. In the observed sample, there was only one man who fell into the 36-40 age group (2%); further on, 5% of murderers fell into the 51-55 age group while the total number of murderers in the 56- 60 age group and the 71-75 age group was significantly lower (2 % each).

After comparing the percentages reflecting the numbers of juvenile and adult killers, we may note that the proportion is 1:10. This ratio is much higher than the ratio obtained in the research previously conducted by Simeunović-Patić, where the proportion was 1: 6,6.<sup>23</sup> Similarly, within the territorial and time framework of this research, murders committed in the territory of South-eastern Serbia feature a relatively large number of mature and senior perpetrators aged 51 to 70 even though we might have expected that the number of murderers would be much lower among senior criminal offenders. Considering that a total of 22% of murderers in our research were aged 51 to 75 at the time of committing the crime, it may be concluded that the criminal act of murder is committed by both young and mature persons alike.

#### 7. MURDERERS' MENTAL CAPACITY (SANITY)

Given the fact that the Criminal Code of the Republic of Serbia (2006) defines a criminal offence as an illicit and culpable criminal act explicitly prescribed by the law (Art. 14, para. 1), *criminal liability* (culpability) is an essential element in the definition of a criminal act. The concept of culpability is explicitly regulated in Article 22, para. 2 of the Serbian Criminal Code. In order to establish one's culpability, it is necessary to establish the person's state of mind (*mens rea*) at the moment of committing the crime, to determine whether the criminal act has been committed with premeditation or negligently (if the latter requirement is explicitly prescribed by the law) and whether the perpetrator was aware, was obliged to be aware or could have been aware of the illicit nature of his/her act. Therefore, culpability includes three essential elements: mental capacity (sanity), the culpable act and awareness of the illicit nature of the act.

Mental capacity (sanity) is the perpetrator's mental state at the time of committing the crime. It should be noted that the Serbian Criminal Code does not explicitly define the term mental capacity (sanity), which is explained by defining the opposite concept of mental incompetence (Article 23). Thus, the perpetrator is considered to be incompetent

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<sup>22</sup> In the judgment (no 12/10 (2009) of the Higher County Court in Leskovac, there was no data on the perpetrator's date of birth. As the file included only the year of birth, the perpetrator's exact age could not be precisely established. Eventually, it was determined by subtracting the year of the commission of the crime from the perpetrator's age. Thus, the perpetrator was found to be 61 years old and consequently classified into the 61-65 age group (although he actually might not have turned 61 at the time).

<sup>23</sup> . Simeunović –Patić, B., op. cit., p. 84.



(lacking the mental capacity) when he/she was unable to understand the meaning of his/her act or incapable to control his/her behavior due to a mental illness, temporary mental disorder, mental retardation or some other severe form of mental disturbance. In addition to mental incompetence, there is a concept of *substantially diminished mental capacity* and a concept of *diminished mental capacity*. Whereas a substantially diminished mental capacity may be the ground for a mitigated sentence, a diminished mental capacity may be taken as a mitigating circumstance in determining the punishment. Yet, the legal grounds for determining mental incompetence will not be subject to further elaboration in this analysis.

Within the territorial and time framework of this research, the results have shown that a total of 47 % (26 perpetrators) were mentally competent at the moment of committing the crime. A total number of 22 killers (40%) were assessed by psychiatrists as having a diminished mental capacity while only 2 killers (4%) were established to have a substantially diminished mental capacity. All things considered, the obtained results demonstrate that as many as 53% of murderers have been afflicted by some abnormal mental condition and/or disorder which significantly impaired their basic mental functions at the time of committing the crime.

## 8. FORMS OF CULPABILITY

The second essential element in establishing criminal liability (*culpability*) and determining a relevant punishment is the *culpable act*. The perpetrator of a criminal offence may be punished only if it is established that there is a mental link between the perpetrator and the committed criminal act, which is a result of criminal intent. The forms of culpability are *premeditation* and *negligence*.

The Serbian Criminal Code envisages two types of *premeditation* (Article 25), both of which are always subject to criminal prosecution. The first one is *intentional premeditation*, which occurs when the perpetrator was fully aware of his/her act and intended to commit the act. The second type of premeditation involves *unintentional premeditation*, which occurs when the perpetrator was aware that he might be committing a criminal act and consented to committing it. Yet, it should be noted that there is no substantial difference in punishment for these two forms of premeditation, primarily because the sentence depends on the court's assessment of the merits of each individual case. Although the criminal law theory recognizes some other forms of premeditation, they are not applicable in our research and will not be part of this analysis.

*Negligence* is a less serious form of criminal culpability (Article 26). The legal definition of negligence includes two forms of negligence: *voluntary negligence* and *involuntary negligence*. The perpetrator has committed an act of voluntary negligence when he/she was aware of the illicit nature of his/her act but recklessly assumed that the criminal act would be avoided or that he/she would be able to prevent it. On the other hand, an act of involuntary negligence has been committed when the perpetrator was unaware of the illicit nature of his/her act even though he was obliged to be aware and could have been aware of such possibility, given the circumstances involved in the commission of the act and his/her own personal characteristics. Negligence is punishable only providing that it is explicitly prescribed by the law. Although the Serbian Criminal

Code recognizes some other forms of negligence, there is no substantial difference between these two forms of negligence in terms of punishment.

Upon analyzing the data on the types of murders committed by criminal offenders within the scope of this research, the results show that 93% of offenders committed different forms of intentional premeditated murder, which makes a total number of 51 perpetrators out of the total number of 55 criminal offenders. Unintentional premeditated murders were committed in only 4 cases (7%). Generally speaking, such a large percentage of intentional premeditation shows that the perpetrators' actions were committed purposefully with specific intent to deprive another of his/her life.

## 9. CONCLUSION

The criminal act of homicide has always been perceived as a negative social phenomenon. Taking into account the universal and timeless nature as well as the ultimate consequences of murder, this social phenomenon deserves constant reassessment. In order to ensure a comprehensive understanding of this phenomenon, there is a need for a more extensive cooperation among researchers from different areas and disciplines.

In terms of the murderers' gender, the data collected in the research conducted in the territory of South-eastern Serbia do not significantly depart from the results of earlier studies conducted in the USA and in Serbia (by Simeunović-Patić). The research results demonstrate that the criminal act of murder is largely committed by men (in 95 % of research cases) and that young people make the largest percentage of killers in South-eastern Serbia. Moreover, the proportion of mentally competent murderers, mentally incompetent murderers, murderers of substantially diminished mental capacity and diminished mental capacity is almost identical.

These are only the initial data which should facilitate the process of identifying potential killers. This research should be a starting point in the endeavour to respond to numerous questions posed by criminal phenomenology. The provided answers on the phenomenology of crime will subsequently help etiology to address the question why a person has committed the crime of murder. Relying on the knowledge about the reason for depriving another person of his/her life, we can propose a set of prevention measures, which has been the focal point and the objective of this applied research. Yet, the phenomenological and etiological characteristics of homicide in the territory of South-eastern Serbia shall be subject to further continuous research.

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## FUNDAMENTALNO I PRIMENJENO ISTRAŽIVANJE - KO SU UBICE NA TERITORIJI JUGOISTOČNE SRBIJE?

**Darko Dimovski**

*U ovom radu autor razmatra osnovne karakteristike kriminološke metode, s posebnim osvrtom na fundamentalna i primenjena istraživanja. Značaj ovih istraživanja je nemerljiv, jer se njihovim zajedničkim sprovođenjem otkriva određeni oblik kriminalnog ponašanja, a ujedno se nalaze najefikasnije mere za prevenciju takvog ponašanja. U tom kontekstu, autor nastoji da pokaže značaj fundamentalnih i primenjenih istraživanja, usmeravajući se na kriminogene faktore povezana sa ubicama na teritoriji jugoistočne Srbije. Predmet se posmatra kroz prizmu pola ubica, starosti i uračunljivosti i vinosti. Saznavanjem odgovora na postavljena pitanja, stvara se dobra osnova za izgradnju efikasnih mera prevencije ubistava.*

Ključne reči: *kriminologija, primenjeno i fundamentalno istraživanje, ubice, jugoistočna Srbija.*