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A review

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**A REVIEW: ALEKSANDAR MATKOVIĆ,
OCCULTISM, CRIME AND LAW, NOVI SAD:
NOVI SAD HUMANITARIAN CENTRE AND
FACULTY OF EUROPEAN LEGAL AND
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**PRIKAZ KNJIGE: ALEKSANDAR
MATKOVIĆ, OKULTIZAM, KRIMINALITET
I PRAVO, NOVI SAD: NOVOSADSKI
HUMANITARNI CENTAR I FAKULTET
ZA EVROPSKE PRAVNO-POLITIČKE
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Some of us are completely determined only by the zenith of our scientific research work, while those that are already clearly marked by their first works are the rare ones. Aleksandar Matković bravely set out for this second path, completely alone, embarking on, to say the least, a challenging path of researching the complex multidimensional and heterogeneous phenomenon of crime associated with occult ritual activities. This young and promising author has been building his academic career at the Faculty of European Legal

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and Political Studies in Novi Sad for years, first as an assistant professor and then as an associate professor. He also serves as vice dean for science and Head of the Department of Criminal Law. The Monograph before us, based partly on a doctoral dissertation, is the result of many years of interest and thorough decade-long research work, in order to unravel and understand the complex phenomenon of “occult crime”, understood as a phenomenon where a lot is speculated on, and known almost nothing, as the author states.

With a skillful, integral, and comprehensive presentation, the author of the Monograph offered excellent legal and criminological scientific material that our region lacks. In addition, the results of a systematically conducted study should help legal practice, but also experts from many other scientific fields which are also related to this specific type of crime. Additionally, if we take into account that the general public is very interested in the occult and pseudo-occult content, often marked by numerous prejudices and unfounded allegations, it is clear that we have a work here that will help many people to more objectively and comprehensively understand the essential nature of crime related to occult ritual activities and the relationship between occultism – crime – law.

Structurally, the Monograph before us is divided into four thematic units which could with their scope, content and significance represent separate individual studies, as the author states. The first part, *Occultism, Crime and Law – Mutual Relations and Perspectives*, consists of three categories. The first category – *Occultism and the legal order* considered the issue of using the term “occultism,” with reference to the general issues of modern occultism and its connection with the law. Regarding this, the author considered the manner in which the issues of religious affiliation of individuals and guaranteed religious freedom are generally regulated within the legal order. The second category of the first chapter, entitled *Crimes with occult-ritual elements*, addresses the issue of research of this type of crime and the justification of separating specific “occult crime” as a separate category of crime. Here, in addition to assessing the existing definitions present in the literature, the author offered a new, expanded definition of crime with an occult element, taking into account the need for a multidisciplinary study of this phenomenon. Within the third category of the first chapter entitled *Occultism and Moral Panic*, the author dealt with this phenomenon in detail, given that unfounded allegations lead to many crimes without valid argumentation and objective facts are being linked to occultism. Overemphasizing existing elements of the occult in a certain crime and their inadequate interpretation happens frequently. As the author notes, the level of knowledge and awareness, personal attitudes that are often

shaped by the strong influence of different social circumstances, frequent presence of prejudice are just some of the reasons that relativize the possibility of a unified criterion for determining crimes within the occult domain. In order to make the theoretical consideration of the relationship between occultism and moral panic more understandable, the author gives an overview of several cases concerning proven unfounded allegations of "satanic ritual abuse" of children. These include: 1) the publication of *Michelle Remembers* book and accompanying controversies, 2) Cases of alleged sexual abuse of children in Kern County, California, and 3) Charges of sexual abuse of children at McMartin Preschool in Manhattan Beach, California. Since satanic moral panic has strongly influenced various aspects of popular culture, the author pays special attention to satanic content in literature and comics, as well as the presence of occult content in film, animated film, video games, role-playing games and toys. A prominent place within the third category of the first chapter have the analyzes of the relationship between music and satanic moral panic, i.e. issues of occult aesthetics in popular music, subliminal messages in music, as well as activities of the PMRC (*Parents Music Resource Center*) to strengthen the influence of parental control over children's access to music of inadequate content. The author's focus was also on some cases of adolescent suicide which had a court epilogue, and were characterized by the general public as a result of the harmful influence of popular, especially heavy metal music on young people. Furthermore, the author deals with the phenomenon of satanic moral panic in Serbia, which, although it has many points of contact with global trends, also hides significant local specifics. The most characteristic example of this phenomenon in our region is the myth of the existence of extremely destructive activities of the satanic organization *Black Rose*, whose activities are attributed to numerous crimes based on local and unfounded allegations.

The second chapter, entitled *Legal Regulation*, is intended to review and analyze current international legal acts relating to the activities of sects and cults, as well as national legal sources that generally regulate the issue of religious freedom and rights and the activities of religious communities, given that there are still no specialized regulations related to occult activities in our state and in most European countries. Through a comparative legal review, the author first interprets the regulations of certain American federal states, as anti-cult regulations first appeared there, with an emphasis on Idaho, California and Illinois. As a key general objection in the analysis of the regulations of the mentioned countries, in addition to a number of shortcomings in terms of legal, technical and content nature, the author emphasizes the fact of their creation

and adoption under the strong influence of anti-cult propaganda and spreading satanic moral panic as a social phenomenon. Regarding the regulation of the “destructive religious communities” issue in Europe, he sees a difference between countries that do not have specialized legislation dedicated to this area and countries with “anti-sect” legislation or with bodies in charge of monitoring the situation in this area established at the national level. Thus, the author analyzed the regulation of France, the European state that took the most radical measures to suppress the activities of certain minority religious communities. In addition, the author gives a review of the legal order of Luxembourg, where in 2013 two new laws were adopted, the texts of which do not contain the explicit term “sects” (religious and other). Austria, Belgium, Germany and Switzerland are taken as examples of countries in Europe where there is a system of organized activities at the state level in order to prevent the harmful effects of religious sects and cults.

The third chapter – *Cases from judicial and criminal practice* analyzes numerous interesting examples. According to the author, care was taken to establish an optimal balance between different crimes related to occult or pseudo-occult content, as well as between different forms of the same type of crime, all to investigate the characteristics of these crimes. Thus, the first part of this chapter deals with some cases of crimes and self-destructive acts in our country, including crimes against life, body and sexual freedom, crimes of ritual killing and abuse of animals, crimes against religious monuments, religious buildings and other related movable and immovable property, crimes of destruction and damage to graves and endangering the peace of the deceased, as well as certain specific criminal offenses that do not fall into the aforementioned categories. The second part, divided into several units according to the territorial principle, contains numerous examples from foreign practice. It includes a review of the world’s most famous and the most serious incidents, which included illegal or self-destructive behavior associated with minority religious communities such as the *Peoples Temple*, the *Branch Davidians*, the *Order of the Solar Temple*, *Aum Shinrikyo*, the *Heaven’s Gate*, the *Movement for the Restoration of the Ten Commandments of God* and the *Divine Light Mission*. As far as Europe is concerned, numerous examples of the most serious crimes against life and body have been processed, with the analysis of cases from a total of twenty-six European countries (not counting the Republic of Serbia). With regard to North America, among the large number of “satanic” crimes in the United States, the author pointed out primarily to those that are considered to have had the greatest impact on the initial formation and spread of satanic moral panic. Latin America and the

islands of the Central American region, due to their colonial history, have significant features in the field of religious-magical doctrines and rituals, and are also areas of Santeria, Brujeria, Palo, Voodoo, cult of the Holy Death, and local religious-magical systems based on traditional pre-Hispanic culture. In this regard, the author points to some various illegal acts that include the theft of mortal remains, animal sacrifices, mutilation of people, as well as the performance of ritual murders. The author also focused on particularly serious crimes registered in Asia, as he analyzed various examples that have been recorded in different Asian countries in very diverse religious and cultural environments present in this continent, which, as the author shows, directly affects the type of occult content, as well as the characteristics of crimes related to them. When it comes to the African continent, the author divides the analyzed cases of crimes with occult ritual elements and local specifics into two categories. The first consists of cases of ritual killing and ritual mutilation, related to traditional local magical rites and customs of the people of Africa, while the other examples are related to modern occultism. Similarly, from Australia and Oceania, the author singled out some cases of crimes related to traditional folk magic rites on the one hand, and some examples with elements of modern occultism, on the other.

The last, fourth chapter of the Monograph, entitled *Criminal Law, Criminological and Criminalistic Aspects*, is divided into five narrower thematic units. The first gives a division of criminal acts related to occult ritual activities according to several criteria. Thus, the author, relying on the results of the conducted research, offered his proposed classification as a supplement to the already existing typologies, and in the desire to shed light on certain specific aspects of different types of crime. In that sense, he formed three basic models of division. These are: 1) Crimes with occult-ritual features and crimes with pseudo-occult elements; 2) Crimes related to traditional folk occultism and crimes with features of modern occultism; 3) Division according to the type of object of protection (which includes criminal offenses against life, physical, sexual integrity, freedoms and rights of citizens, criminal offenses against property, criminal offenses against public order and peace, criminal offenses against public safety, criminal offenses against health and criminal offenses against animals). The second part considers the issues of sanity, age of perpetrators, as well as certain components of their voluntary action. Within the third part, the author reviews the objective circumstances in the commission of crimes related to occult activities, i.e. the perspective of complicity in the commission of certain types of crimes, the issue of criminal association, then the issue of the passive subject and

object of the act of execution, among other issues. The latter is reviewed in several thematic areas adapted to the different types of crimes and objects of protection covered by them. Also, the author separately analyzed the topic of typical occult-ritual acts, the use of occult symbols and other relevant circumstances in the commission of a crime. The fourth part of the fourth chapter contains an analysis of the spatial and temporal manifestation of the phenomenon of occult-related crime. In the last, fifth part, the author focuses on the specific issue of relationships between crimes with elements of occult and certain subcultures and countercultures, such as music, the subculture of fans of movies with occult content, and "gaming" subculture.

From the presented structure of the Monograph, it can be stated that the research field of study is very wide. Its backbone consists of criminal law and criminological aspects of the phenomenon of crime associated with occult ritual activities. However, this starting point is significantly supplemented by considerations from other legal branches, as well as research in the field of sociology, social psychology and pathology, criminology, security science and knowledge from other, very heterogeneous spheres, which certainly cannot belong to the author's narrow academic orientation. Aware of the many risks that come with processing very complex matter in an integral way, in places where he resorted to a more general approach in processing certain issues, the author always referred to specialized papers and studies. This significantly paved the way for further research endeavors in the field of occult and pseudo-occult.

Having certainly overcome numerous difficulties in conceiving the work itself, based on an extensive multidisciplinary research study, the young but extremely erudite author can be completely satisfied with the way he presented the complex issue of crime with occult elements, primarily from a legal perspective, but also its connection with various social fields. Thus, in the era of specialization in all fields, fragmentation of science and strengthening of various divisions, the fast pace of life, and frequent absence of extensive and comprehensive studies, one created a work that bravely opposes all modern tendencies and challenges. It will certainly affect the improvement of practical action of state bodies when faced with problems such as crime with elements of the occult. In addition, it will become a place where one can find the answers to many often controversial questions, from the domain of occult and pseudo-occult, but also a lobby from which many researchers from different social fields will start focusing on further studies.