

Sociology 4099: Victimology

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Overheads Class 1: Introduction to Victimology

* We will begin this course with a general overview of the discipline of victimology. This will include:

- The history of victimology
- Victimology today
- The future of victimology

I. The History of Victimology:

- * Early victimological notions developed by poets, writers and novelists.
- * First systematic treatment of crime victims was Hans Von Hentig (1948). Focused on victim-offender interaction.
- * Term “victimology” coined by U.S. psychiatrist Frederick Wertham (1948).
- * Studies followed of specific victim offender interactions (assault, robbery, fraud, etc.)
- * In 1970's victim surveys transformed micro to macro approach, detailing socio-demographic characteristics of crime victims/ victimization trends.
- * In 1980's many important books appeared, concurrent with rise of victims movement.
- * Gradual move away from theoretical explanation to practical, political concern for victims' rights (e.g. feminist movement).
- * Currently victimology firmly established academically and institutionally (e.g. university courses and victim services programs).

II. Victimology Today:

To discuss the current state of victimology, we have to cover the following 7 sub-topics:

(1) Data Gathering and Theory Formulation:

- * Chief research tool is the victimization survey.
- * Conducted at local, regional, national and international levels
- * Show patterns/trends of victimization, and associated variables.
- * Illustrate that offenders and victims share many characteristics (e.g. disproportionately male, young, urban, of lower SES, unemployed, not in school, & unmarried).
- * Surveys are now standardized internationally, beginning in 1989.
- * Still many problems in measurement (e.g. cultural variations in feelings of victimization and legal definitions of crime).

(2) Theoretical Models:

Data collected through victimization surveys lead to various theoretical formulations to explain victimization. Two major groupings:

- (i) Theories that emphasize power relations within society; and
- (ii) Situation-oriented theories.

In the *first* group we find theorists that emphasize:

- * Marginalization and disempowerment of minorities, forcing them to become victims (e.g. women, ethnic minorities); (Johann Galtung; Dorothy Smith)

- * Customs and traditions serving as legitimating stereotypes;
- * Institutions serving minorities reflecting this uneven power structure.

In the *second* group, we find theorists that emphasize:

- * The structure of criminal opportunities (e.g. Hindelang's lifestyle exposure theory; Cohen and Felson's routine activities theory pp.97-98).
- * Victim-offender interaction (e.g. Wolfgang's work on victim precipitation (pp.102-3; Luckenbill's theory of situated transactions involving stages of escalation pp.106).

Theorists in the first group argue that those in the latter implicitly blame the victim, while the latter maintain that the former are more concerned with politics than scientific explanation.

(3) New Legislation:

Research and theoretical development in victimology has had practical effects. New legislation includes:

- * The U.N. Declaration of Basic Principles of Justice for Victims of Crime and Abuse (1985).
- * The enactment of Victims Bills of Rights in many countries/ territories:
 - to be notified of, and participate (in various ways) in judicial proceedings;
 - to promptly get back recovered property;
 - to be protected from harassment; and
 - to receive restitution or compensation.
- * These initiatives have not been without their critics (e.g. do victim impact statements compromise judicial objectivity?)

(4) Victim Compensation:

- * Monetary compensation to crime victims by the state began in the 1960's.
- * This was the first attempt to alleviate their plight and improve their lot.
- * Assessments reveal that these do not “walk the talk”:
 - Budget constraints led to restricted eligibility/ few receiving compensation;
 - Token amounts awarded, if at all (compared to civil judgments);
 - Victims of property crimes often excluded;
 - Compensation contingent on reporting crime/cooperation with CJS;
 - Means testing excluding many;
 - Victim contribution to offence precluding eligibility;
 - Burden of proof on the victim;
 - Programs often don't compensate for pain and suffering;
 - Lengthy, bureaucratic procedures intimidate victims;
 - Programs often poorly funded/ unable to publicize;
 - Most applicants more dissatisfied than those who never apply

* Thus, it has been argued that programs serve a largely symbolic function.

* Nevertheless, recently some governments have increased resources available through victim fine surcharge (a levy on criminal fines to help pay for such programs).

(5) Offender Restitution:

- * One of the earliest forms of redress.
- * Has recently reemerged in both property offences and violent crime.
- * However, many offenders do not have the financial resources to do so.
- * Collecting criminal fines often takes precedence over restitution orders.

- * Unlikely to become a viable alternative to state compensation.

(6) Victim-Offender Mediation:

- * Disenchantment with punitive, retributive justice system lead to the return of restorative justice.
- * Nils Christie: conflicts have been stolen from rightful owners (victims/offenders) and become the property of professionals. This leads to intensification of conflict rather than solutions.
- * Increasing calls for the use of alternative dispute settlement, conflict resolution, mediation, reconciliation, and reparation.
- * Movement expanding, given theoretical appeal.
- * Nevertheless, practical problems in achieving reconciliation in practice. Instead, typically scale back expectations to ensuring restitution and ensuring offender fulfill agreed obligations.

(7) Victim Services:

- * Unprecedented growth in victim services over the last 25 years.
- * Most public programs refer victims, according to their needs, to existing community services.
- * Some provide more specialized assistance to certain categories of victims (e.g. sexual assault; victims of family violence).
- * Most significant for victims are information and moral support.
- * Many problems exist with programs:
 - Typically low budget, grassroots enterprises relying heavily on

- volunteers;
- Major projects often set up without consulting victims;
 - Other interests being served? (e.g. right wing 'law and order' constituency; program officials receiving grants)

This concludes our brief overview of the state of victimology today.

III. The Future of Victimology:

To review this topic, we again look at a series of 5 interrelated sub-topics, largely based on the opinions of victimologist Ezzat Fattah (2000):

(1) Towards a Realistic Approach:

- * Fattah argues that victim activists will become less dogmatic and more pragmatic;
- * The implicit view of an innocent victim and guilty offender will give way to a more balanced community approach towards crime (i.e. "two humans caught in a web of intricate social relationships and human emotions");
- * Not claiming "excessive" rights for victims will not politically jeopardize the implementation of those that are more fundamental;
- * Victimology will move away from a political, ideological movement towards a scientific enterprise that collects data and bases its actions on science, not political ideology.

(2) A Growing Emphasis on Research:

- * Past political activism has left research behind, despite the rapid growth of victims' services.
- * Services require good research in order to develop and target programs most effectively.

* Since the broad trends revealed by victimization surveys have been well-established, and their cost subject to diminishing returns, the type of research that is most needed is qualitative in nature.

(3) A Declining Need for Advocacy and Partisanship:

* Fattah argues that the phenomenal success of the victims' movement has resulted in both consciousness-raising and widespread institutional reforms.

* This success will reduce the need for ideological partisanship. Energies and funds will shift to the practical areas of victim assistance and victim support.

* Research will focus on finding better and more effective ways of helping victims, alleviating their suffering, and preventing their future victimization.

(4) The Demise of Therapy:

* Fattah argues that "victim therapy" often risks unintentional harm.

* Good research will overcome the enormous financial and professional interests of therapists.

* Victim therapy will decline, just as the popularity of treating offenders has fallen into disrepute.

* Instead, there will be increased emphasis on:

- Reinforcing the natural healing powers of the psyche; and
- Strengthening family/social networks of potential & actual victims.

(5) The Future of Restorative Justice:

* Fattah concludes by predicting that the future of victimology depends on the extent to which restorative justice is accepted and implemented.

* Traditional goals of punishment/atonement out of touch with 21st century.

- * A practical focus on risk reduction will replace past focuses on an offender's evil, wickedness and malice.
- * Future policies of crime control will emphasize assessment, management, coverage, reduction and prevention of risk. Measurement of harm will feed into redress, reparation and compensation for crime. This all fits neatly with restorative justice.
- * While crime victims in the past few decades have been seen as vindictive, "law and order" types, such caricatures will give way to a more pragmatic approach based on healing, recovery, redress, and prevention.
- * Ultimately, if events unfold as predicted, the policies, practices and actions advocated by victimologists in the future will likely be very different.