FROM VICTIMOLOGY OF THE ACT TO VICTIMOLOGY OF ACTION
AND THE RESULTING IMPOVERISHMENT OF THE SCHOLARLY DISCIPLINE OF VICTIMOLOGY

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1. INTRODUCTION: WITHER THEORETICAL VICTIMOLOGY!

In 1960 Sutherland and Cressey (1960: 55) maintained that Lombroso and the Italian Positivist School delayed by 50 years the progress of research on the aetiology of crime by considering crime as an individual rather than a social phenomenon in contrast with previous schools (such as Guerry & Quetelet). A similar criticism could be made of those victimologists who delayed the progress of theoretical victimology by turning a fledging and promising scientific discipline into an ideological battle field. The fierce criticism they levelled at the theoretical research in victimology had an intimidating effect on the pioneers in victimology who ceased to study the functional role and functional responsibility of the victim for fear of being accused of being pro-offenders and anti-victims. Promising studies that analysed criminal events as interactions or situated transactions, the study of victim’s behaviour as a situational variable, the analysis of victim precipitation and other forms of victim’s contribution to the genesis of crime became almost taboo subjects! What else could the researchers do when they read Timmer and Norman’s (1984: 66) claim that “The ideology of victim precipitation blames neither the structure of society nor the individual offender for the crime. Instead it blames the victim who precipitates crime”? Their criticism was strikingly similar to what Franklin II and Franklin (1976) claimed, almost a decade earlier, when they argued that victim-precipitation reduces the offender to a passive actor who is set into action by the victim’s behaviour. It is easy to see that underlying those criticisms is a widely held misconception, namely the view that any attempt to explain victimisation at a micro level by reference to the behaviour of the victim is a deliberate attempt to blame the victim and to stress the individual rather than the structural causes of crime. The fallacy of this contention is clear. Victimology does not seek to explain crime but to explain victimisation. It does not seek to explain why some

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people become criminals but why some people (targets) become victims and others do not. Obviously, this cannot be done without examining the characteristics, the behaviour, and the life style of those who are victimised. The claim that by so doing attention is diverted from the structural causes of crime is unjustified. Explaining the differential risks and the differences in actual rates of victimisation requires an in-depth analysis, not only of the individual characteristics of the victims, but also of the structural factors that enhance vulnerability and proneness such as age, gender, minority status, unemployment, poverty, etc. Theoretical research in victimology attempts to shed light on the role structural factors play in the aetiology of victimisation. Macro explanations, however, need to be supplemented by others capable of explaining victimisation in individual cases: why this particular victim/target was chosen, why the victimisation occurred in this specific situation, at that specific time and place, and in the circumstances in which it did. Hence the need for a better understanding and accurate operationalisation of concepts such as victim vulnerability, victim-precipitation, victim participation, victim acquiescence, victim carelessness, negligence and so forth.

A good example of how researchers were thoroughly intimidated by the criticism aimed at victim-precipitation is Linden, Gibson and Johnson’s study of rape in Winnipeg (1980) in which the authors propose what they call “A Situational Theory of Rape” (See Fattah, 2004). The authors are critical of the ‘genetic’ explanations of rape and have no difficulty demonstrating the superiority of theoretical explanations that take into account ‘situational factors’. In reporting their findings and presenting their theory they discuss a number of rape-facilitating factors such as ‘facilitating times’; ‘facilitating places’; ‘facilitating circumstances’; ‘facilitating hardware’; ‘facilitating actors’. It is rather amusing that the authors dare not talk about ‘facilitating victims’. So when discussing the facilitating role some rape victims may play the word ‘victims’ is replaced by the words ‘facilitating others’. For reasons that are not hard to explain, the authors reject Menahim Amir’s (1971) definition of ‘victim-precipitated rape’. Yet instead of coming up with their own definition of the concept and then applying it to the cases they studied, they use the definition Wolfgang (1958) used for criminal homicide only to conclude that there were no rape cases in their data that could be qualified as victim-precipitated rape! They write:

In his study of Philadelphia homicides, Wolfgang defined victim precipitated homicides as those in which the victim had been the first to use physical force in the altercation, which ultimately led to the victim’s death. If rape is viewed as an act of forcible assault, in order to be consistent with Wolfgang’s use of the term, a victim-precipitated rape would be one in which the victim was the first to introduce the element of physical coercion. If one follows this definition, none of the rapes included in this study could be classified as victim-precipitated (Linden, Gibson & Johnson, 1980: 60).
So after rejecting Amir’s definition and having concluded that victim-precipitation, as defined by Wolfgang in cases of criminal homicide (!), does not exist, they later admit that certain rape cases cannot be adequately explained without taking into account the victim’s role. Here is how they formulate this seemingly basic reality:

While our data show that victims rarely, if ever, precipitate the offense of rape (at least in the sense in which Wolfgang introduced the term), the victim can be viewed in some cases as a Facilitating Other. In 9.2% of the Winnipeg cases, both the victim and the offender thought that the victim has been partly responsible for what had happened. These cases included situations in which the victim had enticed the offender, had agreed to have intercourse with the offender and later changed her mind, had been trying to get ‘picked up’, or had voluntarily removed her clothing prior to the rape. We do not feel that the victim is deserving of blame in such cases since, for example, a woman has the right to change her mind about having intercourse without being subject to an assault. However, in terms of the situational perspective being advanced here, the likelihood of rape being selected from a range of available acts is increased if the victim is, or is thought to be, initially compliant to the sexual advances of the offender (ibid, p. 60-61).

2. THE CLASH BETWEEN THE EMPIRICAL AND THE IDEOLOGICAL

A scientific, non-partisan, non-aligned victimology is an objective, neutral, research oriented and theory-focused victimology. It is a non-ideological, scholarly discipline that does not pass value judgements and does not take sides. It is a victimology that pays equal attention to crimes committed against individuals as to crimes committed against groups or entire populations. It is a victimology that is equally interested in victimisations perpetrated by the powerful as in victimisations committed by the powerless.

A scientific victimology is a gender-, race-, and class-neutral victimology. It is an egalitarian victimology that does not create a normative hierarchy of victims, does not consider certain victims as more deserving than others and does not offer preferential treatment to certain victims or groups of victims. In other words it is a value-free victimology.

The ideological transformation of victimology has been detrimental to the development and the progress of scientific victimology. It has created an almost unbridgeable gap between scientifically-oriented victimologists and ideologically-committed and action-guided victimologists. Their goals are different, their language is dissimilar and they are hardly on the same wave length. The clash between the scientific and the political, between the empirical and the ideological was well described by the late Donald Cressey in his address to the Fifth International Symposium on Victimology in Zagreb (August, 1985). Lamenting what many believed was an unfortunate development and unscholarly transformation of victimology, Cressey openly
declared that victimology is neither a scientific discipline nor an academic field (like criminology or ecology). He called it instead a non-academic program under which a hodgepodge of ideas, interests, ideologies and research methods has been rather arbitrarily grouped. He described the state of victimology in these rather unflattering terms:

More specifically Victimology is characterized by a clash between two equally desirable orientations to human suffering– The humanistic and the scientific. The humanists’ work tends to be deprecated because it is considered propagandistic rather than scientific, and the scientists’ work tends to be deprecated because it is not sufficiently oriented to social action (p. 43).

Cressey noted that in the United States of America at least a goodly proportion of all victimologists are political activists and social workers whose primary interest in victimology is in obtaining justice for persons who have been directly injured – physically, economically, or psychologically – by street criminals. Cressey added that no empirical research is needed to support the humanitarian custom of giving aid to the injured, including the direct victims of crime. He maintained that many of the ‘law and order’ victimologists who want to get tough on crime in order to reduce the level of crime victimisation are ideologues rather than scientists.

3. THE THEORETICAL POVERTY OF ACTIVIST VICTIMOLOGY

As Cressey pointed out in his previously quoted paper, “Humanistic victimologists are interested in establishing a condition as a social problem rather than in studying that condition scientifically”. Willingly or unwillingly, consciously or inadvertently, victim advocates and victim lobbyists play into the hands of conservative and neo-conservative politicians. They helped propagate the ideas, the philosophy and the policies of right-wing criminology. In such a climate, scientific inquiry into victim-offender interactions and into the victim’s role and contribution to the genesis of the crime are bound to be summarily dismissed as attempts to blame the victim.

The recent ideological transformation of victimology has not been without serious negative consequences. One of the results has been to refocus the notion of criminality on traditional crimes that have a direct, immediate, tangible and identifiable victim. White collar crimes, corporate crimes and actions causing grievous social and economic harm, whether or not defined as crimes, have once again been relegated to the background. Victim activists focused their attention and geared their endeavours to the so-called conventional and street crimes. Corporate and business crimes which victimise millions and millions of people still go largely unreported and unprosecuted. Despite the scope of white collar crime, which is largely responsible for the recent quasi collapse of the world’s economy, and although
its depredations far exceed those of street crimes, those victimised are totally left out of victims campaigns as are those victimised by other socially harmful actions such as the pollution of the environment, the production of hazardous substances, the disposal of dangerous materials or chemicals, the manufacture of unsafe products, the violations of health and safety codes, to mention but a few, and to say nothing of the victims of abuse of political and economic power or the victims of state terrorism.

Whether for ideological, political or pragmatic reasons, victim movements have been largely selective, even discriminating, in their focus, emphasis, and action. They have been very selective in the victim groups they adopt, and in the types of crimes they choose to fight against. As a result, the vast majority of crime victims are left unprotected, unassisted and unheard.

4. THE SHAKY FOUNDATIONS OF CURRENT VICTIM POLICY

Genuine interest in alleviating human suffering requires that research and action be geared to understanding, reducing and preventing victimisation, whether physical, sexual, mental or economic; whether by intention, deliberate action, or by accident, imprudence, carelessness, or negligence; whether in the home, in the street, or in the workplace; whether by individuals, organisations, corporations or by the government itself.

Despite its noble objective, humanistic victimology is for the most part unscientific, dominated by ideology and plagued by the bandwagon phenomenon. It opens the door for politics to enter and dominate a field that previously was trying hard, through scientific inquiry, to advance knowledge and enhance understanding of the dynamics of crime. Victimisation studies aside, the new victimology has added little to existing criminological knowledge. While victimisation research has led to some interesting theoretical formulations such as the lifestyle model (see Garofalo, 1986), the new ‘applied’ trend has hindered and slowed down the progress of victimological theory. Ideological postulates have replaced scholarly notions and hypotheses and attempts to shed light on the dynamics of victimisation are being challenged not on scientific but on ideological and philosophical grounds.

As an emerging discipline, ‘old’ victimology had its deficiencies and its shortcomings, but its aim was to provide the scientific foundations for a dynamic criminological theory and an effective victim-based prevention policy. The ‘new’ victimology is calling instead for more of the same ineffective remedies and worn-out solutions. A return to the noose, longer prison sentences, and restrictions on release on bail or parole are not likely to make a dent in crime. These measures have not been effective in the past, and they are not going to be effective in the future. They simply divert attention and funds from what could and should be done to change the socioeconomic conditions that breed crime and that transform certain individuals into
ruthless, merciless victimisers. Yet these worn out remedies are the policy demands made by victim advocates and by the official committees and task forces that were asked to make recommendations to improve the lot of crime victims. President Reagan's Task Force on Victims of Crime, for example, recommended abolition of the 'exclusionary rule' which renders inadmissible in criminal trials any evidence gathered illegally. It recommended longer prison sentences, the abolition of parole, and the development of a generally 'get tough' policy toward street criminals.

Slogans such as 'Justice for Victims' are invariably interpreted by the general public as meaning more punishment for offenders. A social climate is thus created in which the ideal of humane, fair, and non-retributive justice is bound to be lost or abandoned, a climate in which the old notions of punishment and retribution are revived, gain momentum, take on a new significance and are actively pursued. This is what has been happening these past few decades. Though research is lacking, there are reasons to believe that the belligerent posture taken by victim groups has been largely or partially responsible for the unmistakable trend towards more severe sanctions, a wider use of imprisonment, and lengthier terms of incarceration (Fattah, 2011: 24-25). The irony is that few victims are helped by sending more offenders to prisons for ever-increasing periods of time. Money that could be positively spent on helping and compensating victims is thus being wasted on unproductive incarceration. And restitution by the offender, which is the only hope for redress available to uninsured victims of property crime, is hampered not enhanced by imprisonment (Fattah, 1997a; 1997b).

5. THE DANGERS OF MISSIONARY ZEAL

The unanticipated and undesirable consequences of a one-sided and tilted approach

In his scholarly critique of the discipline of social gerontology, Smith (1989) warns against the danger of the 'missionary zeal' exhibited by some social gerontologists in the interests of those members of society who are older than others. Smith suggests that this missionary zeal could easily endanger the researcher's 'scholarly stance' and his/her potential contribution to social policy of research on old age. Having outlined the many dangers for gerontologists of over-identifying with older people, Smith goes on to advocate the search for a rigorous way of thinking about the relationship between that identification and scholarly research in social gerontology.

Reading Smith's paper, one cannot fail to see the striking parallels between the situation in social gerontology and recent developments in the field of victimology. The ideological transformation of victimology from the study of the victim into the art of helping victims, the over-identification with crime victims, and the missionary zeal with which the 'interests' of those victims are defended and pursued are quite manifest in victimology conferences and
symposia. Those concerned about the lost neutrality and objectivity of the discipline could not be but distressed to witness dispassionate, unbiased and impartial scholarship being replaced by political advocacy and open partisanship (Fattah, 1992).

The missionary zeal exhibited by many victimologists on behalf and in the interest of crime victims is fraught with danger. First, as suggested above, it is jeopardising the quality of scholarship and the scholarly stance of the discipline of victimology. As a result, victimology is increasingly being regarded as a humanitarian and ideological movement rather than a scientific discipline (see Cressey, 1985/1992).

Secondly, missionary zeal and partisan stance are moving criminal law and the criminal justice system into a punitive, retributive direction. There is also a third danger. Since the victim lobby has chosen to focus on traditional crimes rather than white-collar crime or acts of abuse of power, there has been a distinct shift of focus in research to the former type at the expense of the latter. Victims of white-collar crime, corporate crime and abuse of power have once again been relegated to the shadow.

More serious still is yet another danger. In the diligent quest for victims’ rights there seems to be a manifest or latent willingness to sacrifice offenders’ rights. A false contest is created between the rights of both groups. Karmen (1990) cites those who assert that victims’ rights ought to be gained at the expense of offenders’ rights, and their claim that too much concern has been shown for the ‘rights of criminals’ and not enough for the plight of the innocent people they harm. Karmen (1990: 331) gives the following summary of the demands of victims’ advocates:

To restore some semblance of balance to the scales of justice, which have been tipped in favour of criminals’ some of the ‘anti-victim’ opportunities and privileges offenders have accumulated must be stripped away. According to this analysis, victims need rights to counterbalance, match, or even ‘trump’ the rights of criminals. In this context, reform means reversing previous court decisions and legal trends, shifting the balance of power away from wrongdoers and toward injured parties.

Certainly the report of the President’s Task Force in the United States (1982) and its recommendations can be read as a damning indictment of many of the legal safeguards that the American criminal justice system has established over the years to protect against the conviction of the innocent and to uphold the rights and freedoms so deeply cherished in a democracy (Fattah, 1992b).

It should be pointed out, however, that the emphasis on victims’ rights and the insistence on creating a contest between the rights of victims and offenders have been much more pronounced in North America than in the United Kingdom and many other countries. In tracing the development of the victim movement in both Britain and the United States, Mawby and Gill
(1987) concluded that while the British movement gained major impetus from those on the right of the political spectrum, the focus still remained on victims’ needs and how best to meet those needs. In contrast, the victim movement in North America has been more directly concerned with rights. Having explained how simplistic it is to suggest that victims gain far less from the criminal justice system than do offenders, Mawby and Gill opt for a carefully balanced stance. They make it clear that while victims’ rights should be acknowledged, this has to be done without caricaturing the state of law and order or the so-called ‘privileges’ accredited to defendants or offenders.

6. THE ONGOING CRISIS IN VICTIMOLOGY: THE SCIENTIFIC STERILITY OF POLITICS & IDEOLOGY

At the first National Conference on Victims of Crime in Toronto in 1985 the victim movement was called the growth industry of the decade. In the United Kingdom it was considered the fastest developing voluntary movement. It is quite true that in the last four decades victim groups and victim organisations mushroomed all over North America, Europe, and other parts of the world. Inevitably, this phenomenal growth has had a significant (and in my personal view a negative) impact on the fledging discipline of victimology. To a considerable extent, victimology meetings ceased to be scholarly gatherings where the findings of scientific research on victims are presented and discussed. Rather they became a forum for political and ideological rhetoric. They mirrored the transformation of victimology from an academic research-oriented discipline into a humanistic movement and the shift from scholarly research to political activism. Thus the best way to describe present day victimology is to define it as a political ideological movement and a helping profession, not very different from nursing or social work.

Active campaigning and lobbying on behalf of crime victims, even when motivated by the most noble of humanitarian concerns for the welfare of the victims, has nothing to do with science. Victimological ‘research’ conducted by activist victimologists and victim lobbyists is as objective as research carried out by the gun lobby on the issue of gun control. Pressure groups, by nature and by choice, lack the neutrality and the impartiality that are requisites for sound, objective, disinterested scholarship. Political activism and disinterested scholarship do not go hand in hand. This is not a plea for ivory tower idealism or for academic passivity. It is a call for separating science from politics, and for differentiating the role of the scholar from that of the lobbyist (Fattah, 2010).

7. WHERE IS VICTIMOLOGY HEADING?

So where is victimology heading? Is it heading for a clash between the humanists and the scientists? Is such a clash inevitable? Could it be avoided?
Would such a clash signal the end of victimology as a scientific discipline? These are all difficult questions, and the answers at present can only be speculative. Cressey (1985: 54) suggests a way to mitigate the potential clash between the humanists and the scholars. He feels that all should be encouraged to understand that victimology is a scientific research enterprise and that a society of victimologists is a society of researchers. This definition, he agrees, would leave the humanists out in the cold, but then they could readily find warmth in association with human rights groups and, for those engaged in practice, with social workers:

Alternatively, Victimology could be allowed to fade away. If this course were taken, humanistic victimologists could be encouraged to ally themselves with other champions of human rights and scientific victimologists could be encouraged to ally themselves with the social scientists who call themselves criminologists. Indeed, if the concern of Victimology were restricted to the victims of crime... there would be no compelling reason why it would be separated out from criminology (p. 54).

8. CONCLUSION

Science and partisanship are incompatible. Once researchers take sides or become advocates they lose their neutrality, their objectivity and their credibility. This is a fundamental principle that should be seriously considered by those well-intentioned criminologists and victimologists who have adopted the cause of crime victims and who claim to speak on their behalf. It flies in the face of those victim advocates who are trying incessantly to separate victimology from criminology and to create a political and ideological enterprise that has nothing to do with science (Fattah, 2008, 2010 a, b & c).

The future of victimology will thus depend on its ability to return back to its original scientific mission, to shed its ideological mantle and to resume its role as a scholarly discipline as an integral part of criminology. It is the need to separate research from action and science from activism that dictates that victimology be separated from victim policy. To restore the neutrality of victimology and to regain and maintain its scientific integrity it has to detach itself from politics and ideology. It was precisely the need to affirm the non-normative and non-ideological character of criminology that led some of the most distinguished criminologists of the 20th century, such as Thorsten Sellin (1938) and Hermann Mannheim (1965), to name but a few, to call for divorcing criminal policy from criminology.

As early as 1938, Sellin suggested that the term ‘criminology’ be used to designate only the body of scientific knowledge and the deliberate pursuit of such knowledge. He then proposed that the technical use of knowledge in the treatment and prevention of crime be separate. As he could not find a
suitable term to designate this field, he hinted that it may be called ‘criminotechnology’.

Three decades later, Hermann Mannheim (1965: 13), suggested that criminal policy be treated as a discipline apart, rather than as an integral part of criminology. Affirming the non-normative character of criminology, Mannheim believed it is preferable that questions of what ought to be done to reform the criminal law and the penal system be treated as a separate discipline based upon the factual findings of the criminologist and the penologist. Criminology, he insisted, should remain a non-policy-making discipline which regards the ‘ends’ as beyond its province. Mannheim hastened to add that this does not prevent the criminologist from advocating a certain measure of legal and administrative penal reform, but he or she has to do so as a politician or an ordinary citizen and voter rather than in the capacity of criminologist.

In line with their thinking I am suggesting that the term ‘victimology’ be used only to designate the body of scientific knowledge related to victims and the pursuit of such knowledge. The advice Mannheim (1965) offered to criminologists applies equally to victimology. Victimology should remain a scholarly, scientific endeavour, a non-policy making discipline which regards the ‘ends’ as beyond its province. I would also hasten to add that the wisdom of such advice was never as evident as it is today.

A fact that is often ignored or overlooked in the social sciences is that the pursuit of knowledge and the practical application or implementation of that knowledge are two different, distinct and separate endeavours. The pursuit of knowledge for knowledge’s sake, as in anthropology, archaeology or history, is a laudable and worthwhile exercise, whether the knowledge has or does not have any practical applications. It is a more valuable pursuit because it is neutral and does not carry with it the danger that the acquired knowledge may be misused or deformed when applied (Fattah, 2008).

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