

## Victimology: Past, Present and Future

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Volume 33, numéro 1, printemps 2000

La victimologie : quelques enjeux

URI : <https://id.erudit.org/iderudit/004720ar>

DOI : <https://doi.org/10.7202/004720ar>

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Éditeur(s)

Les Presses de l'Université de Montréal

ISSN

0316-0041 (imprimé)

1492-1367 (numérique)

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Citer cet article

Fattah, E. A. (2000). Victimology: Past, Present and Future. *Criminologie*, 33(1), 17–46. <https://doi.org/10.7202/004720ar>

### Résumé de l'article

Malgré la popularité acquise par la victimologie, il est surprenant de constater qu'il n'existe pas de compte rendu exhaustif de l'histoire de la discipline, ni d'évaluations systématiques de son état actuel ou de l'orientation probable de ses développements futurs. Le présent article se propose de remédier à ces lacunes. La victimologie est un domaine jeune et prometteur, ainsi qu'un sujet d'étude fascinant. Bien que le fait de victimiser soit aussi vieux que l'humanité elle-même, ce ne fut qu'après la Deuxième Guerre mondiale que l'étude scientifique des victimes du crime apparut comme étant un complément essentiel aux recherches criminologiques sur les auteurs d'actes criminels. Du fait même qu'elle naquit afin de combler une importante lacune théorique, il ne lui fallut pas longtemps avant de devenir une partie intégrante de la criminologie. Mais, en dépit du fait qu'elle constitue désormais un domaine de recherche important en criminologie, sa nature, son importance et son statut continuent à susciter un grand nombre de commentaires et de controverses. L'étude des victimes du crime et du phénomène de la victimisation criminelle possède le potentiel de pouvoir remodeler la criminologie en tant que discipline, et pourrait bien être le changement de paradigme tant attendu. À l'instar de la criminologie, la victimologie n'a pas évolué de la même manière partout dans le monde. Comme toutes les disciplines, elle est plus avancée et plus développée dans certains pays que dans d'autres. Son développement présente certaines similitudes mais aussi d'importantes différences. Malgré tout, les récents développements en victimologie ont transformé radicalement la discipline. Des réalisations majeures dans le domaine de la pratique sont venues éclipser les approches théoriques des débuts de la victimologie. Cette phase remarquable de son évolution fut caractérisée par des activités de consolidation, de cueillette de données, de formulation de théories et surtout, de création de nouvelles lois axées sur les victimes ainsi que de mise au point de mesures visant à améliorer leur situation. Sur le plan théorique, divers modèles furent élaborés afin d'essayer d'expliquer la grande variabilité des risques de victimisation, la concentration des risques de victimisation dans certains secteurs et au sein de certains groupes, ainsi que pour tenter de lever le voile sur le phénomène particulier de la victimisation répétée. Suite à l'adoption par les Nations Unies de la Déclaration de principes fondamentaux de justice relatifs aux victimes de la criminalité et aux victimes d'abus de pouvoir, plusieurs États réagirent en élaborant des lois accordant des droits aux victimes. Les développements dans le domaine de la pratique furent encore plus spectaculaires. On doit souligner notamment la création de systèmes étatiques d'indemnisation des victimes de crimes violents, la réémergence de l'obligation pour le criminel de réparer les dommages causés à la victime, ainsi que l'établissement et la prolifération de programmes de médiation entre victimes et agresseurs. Le secteur des services d'aide aux victimes, en particulier, connut une formidable expansion. La thérapie devint la voie privilégiée pour les victimes de contrer les effets traumatiques de la victimisation. C'est sur la base de cette évolution dynamique, ainsi que sur celle des tendances passées et actuelles, que le présent article essaie d'identifier certaines voies que pourrait emprunter la victimologie dans le futur. Il émet l'hypothèse que l'on verra s'effectuer une transition d'un idéalisme utopique vers un réalisme intransigeant, mettant de plus en plus l'accent sur la recherche scientifique et en particulier sur la recherche qualitative. L'article prévoit également que le besoin de promouvoir et de défendre les droits des victimes ira décroissant, et qu'il en sera de même pour le recours systématique à la thérapie pour les victimes. Les développements futurs en victimologie sont perçus comme étant intimement liés à l'acceptation et à l'implantation du modèle de justice restauratrice. On en conclut que la victimologie se transformera vraisemblablement en une discipline véritablement scientifique et en une pratique véritablement humanitaire.

# Victimology: Past, Present and Future

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**RÉSUMÉ** • Malgré la popularité acquise par la victimologie, il est surprenant de constater qu'il n'existe pas de compte rendu exhaustif de l'histoire de la discipline, ni d'évaluations systématiques de son état actuel ou de l'orientation probable de ses développements futurs. Le présent article se propose de remédier à ces lacunes. La victimologie est un domaine jeune et prometteur, ainsi qu'un sujet d'étude fascinant. Bien que le fait de victimiser soit aussi vieux que l'humanité elle-même, ce ne fut qu'après la Deuxième Guerre mondiale que l'étude scientifique des victimes du crime apparut comme étant un complément essentiel aux recherches criminologiques sur les auteurs d'actes criminels. Du fait même qu'elle naquit afin de combler une importante lacune théorique, il ne lui fallut pas longtemps avant de devenir une partie intégrante de la criminologie. Mais, en dépit du fait qu'elle constitue désormais un domaine de recherche important en criminologie, sa nature, son importance et son statut continuent à susciter un grand nombre de commentaires et de controverses. L'étude des victimes du crime et du phénomène de la victimisation criminelle possède le potentiel de pouvoir remodeler la criminologie en tant que discipline, et pourrait bien être le changement de paradigme tant attendu. À l'instar de la criminologie, la victimologie n'a pas évolué de la même manière partout dans le monde. Comme toutes les disciplines, elle est plus avancée et plus développée dans certains pays que dans d'autres. Son développement présente certaines similitudes mais aussi d'importantes différences. Malgré tout, les récents développements en victimologie ont transformé radicalement la discipline. Des réalisations majeures dans le domaine de la pratique sont venues éclipser les approches théoriques des débuts de la victimologie. Cette phase remarquable de son évolution fut caractérisée par des activités de consolidation, de cueillette de données, de formulation de théories et surtout, de création de nouvelles lois axées sur les victimes ainsi que de mise au point de mesures visant à améliorer leur situation. Sur le plan théorique, divers modèles furent élaborés afin d'essayer d'expliquer la grande variabilité des ris-

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**ABSTRACT** • As popular as victimology has become, it is surprising that no comprehensive history of the discipline has ever been written and there are no systematic assessments of its present state or of likely future developments. The present paper is an attempt to remedy this situation. Victimology is a young, promising discipline and a fascinating subject. And although victimization is as old as humanity itself, it was not until after the Second World War that the scientific study of crime victims emerged as an essential complement to criminology's well-established research on offenders. Because it emerged to fill a serious theoretical void, it did not take long for victimology to become an integral part of criminology. And although victimology has by now affirmed itself as a major research area within criminology, its nature, importance and standing continue to generate a great deal of comments and controversy. Be this as it may, the study of crime victims and of criminal victimization has the potential of reshaping the entire discipline of criminology and may very well be the long awaited paradigm shift that criminology desperately needs. Like criminology, victimology has not followed the same path in every part of the globe. And as with any other discipline, it is more advanced and more developed in certain countries than it is in others. And while there are certain similarities and commonalities in the way victimology developed here and there, there are also significant qualitative and even quantitative differences. Despite this, recent developments in victimology have been both emphatic and dramatic, and the discipline has undergone a radical transformation. The theoretical approaches that characterized early victimology were eclipsed by major achieve-

ments in the applied field. This remarkable phase in the evolution of victimology was one of consolidation, data gathering, theory formulation, and above all new victim legislation and sustained efforts to improve the victim's lot and alleviate their plight. In the theoretical field various models were developed in an attempt to explain the enormous variations in victimization risks, the clustering of victimization in certain areas and certain groups, and to unravel the intriguing phenomenon of repeat victimization. On the legislative front there was a flurry of victim bills in a large number of countries. Following the adoption of the UN Declaration of Basic Principles of Justice for Victims of Crime and Abuse of Power by the General Assembly of the United Nations, Victims Bills of Rights were passed by the legislative bodies in several countries. The developments in the applied field were even more spectacular. Among those developments was the creation of state compensation to victims of violent crime, the re-emergence of restitution by offender, and the establishment and proliferation of victim-offender mediation programs. One sector that saw great expansion was that of victim services. Victim therapy became a popular and acceptable way of dealing with the traumatic effects of victimization. Based on this dynamic history and on past and present trends, the paper makes an attempt to identify some likely future developments in victimology. It suggests that a transition from utopian idealism to hard realism will occur, accompanied by growing emphasis on scientific research, particularly qualitative research. It foresees that the need for advocacy and partisanship will decline, and predicts the demise of victim therapy. Future developments in victimology are seen as intimately linked to the acceptance and implementation of the restorative justice paradigm. The conclusion is that victimology will likely develop into a truly scientific discipline and a truly humanistic practice.

**RESUMEN** • No obstante su popularidad, es sorprendente que la victimología carezca en la actualidad de una historia del alcance de la disciplina y que se ignoren evaluaciones sistemáticas sobre su estado actual o sobre sus posibles desarrollos futuros. El presente trabajo constituye un esfuerzo dirigido a cubrir esta laguna. La victimología es una disciplina joven y promisorio a la vez que representa un campo de estudio fascinante. Aún cuando la victimización es tan antigua como la humanidad, no fue sino después de concluida la Segunda Guerra mundial que el estudio científico de las víctimas del delito emergió como un complemento fundamental de las ya bien establecidas investigaciones sobre los delincuentes en materia criminológica. Dado que la victimología surge con la finalidad de llenar un importante vacío teórico, no pasará mucho tiempo para que este conocimiento llegue a constituir una parte integrante de la criminología. A pesar de que la misma se ha afirmado hasta ahora como un área de importancia para la investigación criminológica, su naturaleza, relevancia y ubicación continúan generando extensos comentarios y debates. Sea lo que fuere, el estudio de las víctimas del delito y de la victimización criminal ha mostrado la potencialidad de replantear la criminología como disciplina. Al igual que ha ocurrido con la criminología, la victimología no ha seguido la misma evolución en todo el mundo y tal como puede observarse en otras disciplinas, la victimología parece más adelantada y más desarrollada en algunos países en comparación con otros. No obstante ciertas similitudes y aspectos en común en cuanto a su desarrollo en diferentes regiones, se pueden indicar también diferencias importantes tanto cualitativas como cuantitativas. A pesar de ello, los

recientes desarrollos en su campo han sido dramáticos, de manera que la victimología ha sido objeto de transformaciones radicales. Los enfoques teóricos que caracterizaron los primeros tiempos del conocimiento victimológico habrían de ser eclipsados ante los importantes logros que se alcanzaron posteriormente en el campo aplicado. Esta trascendente fase en la evolución de la victimología habría de caracterizarse por su consolidación, la recolección de información empírica, la formulación teórica y sobre todo por la creación de nuevas leyes y esfuerzos dirigidos a mejorar la condición de la víctima y a solucionar sus carencias. En el campo teórico, se han desarrollado diversos modelos en un intento por hallar explicación a las enormes variaciones en cuanto a los riesgos de victimización, la concentración de la victimización en ciertas áreas y entre ciertos grupos, así como para aclarar el curioso fenómeno de la victimización repetitiva. Por lo que respecta a la dimensión legislativa, se ha podido comprobar una proliferación de leyes en materia de víctimas, en numerosos países. Posteriormente a la Declaración de la Asamblea General de las Naciones Unidas sobre los Principios Básicos de Justicia para las Víctimas del Delito y del Abuso de Poder (1985), fueron promulgadas numerosas leyes sobre derechos de las víctimas por parte de los organismos legislativos de diferentes países. Los logros alcanzados en el campo aplicado han sido aún más impresionantes. Entre ellos pueden citarse la instauración de la compensación estatal en el caso de las víctimas de delitos de violencia, el resurgimiento de la reintegración por lo que respecta a los transgresores, así como la aparición y multiplicación de diferentes programas dirigidos a la mediación entre víctimas y victimarios. Un sector particular en el cual se ha experimentado una enorme expansión ha sido el de los servicios a las víctimas. La terapia ofrecida a la víctima para enfrentar los traumáticos problemas generados por la victimización, se ha convertido en una medida popular y a la moda. Basados en esta dinámica histórica sobre aspectos pasados y actuales de la victimología, el presente ensayo intenta identificar algunos desarrollos probables en este campo. Consideramos que la transición de una forma de idealismo utópico a otra de sólido realismo habrá de ocurrir como consecuencia de un énfasis creciente en la investigación científica, en particular la de carácter cualitativo. Se prevé que tanto la reivindicación de los derechos de las víctimas así como el partidismo irán gradualmente disminuyendo y se predice la desaparición progresiva de la terapia victimológica. Los futuros avances en el campo de la victimología se proponen como una cuestión íntimamente ligada a la aceptación e implementación del paradigma de la justicia restaurativa. Nuestra conclusión es que la victimología se desarrollará en un futuro como una auténtica disciplina de nivel científico, al mismo tiempo que como una práctica genuinamente humanista.

## Introduction

It is certainly a happy coincidence that the Xth International Symposium on Victimology is being held in the first year of a new millennium. What more appropriate moment to make a critical assessment of this fascinating discipline and see where it stands today and where it is going? There could be no better time to analyze its evolution, take stock of past achievements, and prepare for the problems, the hurdles, and the chal-

lenges that lie ahead. Surprisingly enough, no comprehensive history of the discipline has ever been written, and there are no systematic assessments of its present state or its likely future developments. The reasons for this are not quite clear. It could well be that the strong applied orientation that has dominated victimology in the last two decades has obscured the need for such important historical and theoretical analyses. The present paper is a modest attempt to fill the gap by tracing victimology's history, reviewing its present state, and making some plausible forecasts about its future. While it would be too difficult to accomplish such an ambitious task in a single article if the subject were an old discipline such as medicine, chemistry or biology, the task is not impossible in the case of victimology, a young, developing discipline which emerged in the second half of the XXth century.

Being one of victimology's early pioneers, having closely followed its growth and progress, having actively participated in its development, and having regularly contributed to its advancement, I find myself in the position of being able to present a global, yet concise, overview of the discipline, to offer the insights of a keen observer, and the perceptions of a concerned insider. I consider it a privilege that I have never been on the sidelines of the major debates in victimology. And yet, even for someone like myself, who has such a long association with this fascinating discipline, among its living pioneers, the task is a daunting one. What prompted me to tackle this formidable challenge is that I have recently completed an identical overview of victimology's mother discipline: criminology,<sup>1</sup> and the result, I believe, was well worth the effort.

Like criminology, victimology has not followed the same path in every part of the world. And as with any other discipline, it is more advanced in some countries than in others. While there are some similarities in the way victimology took off and moved ahead, there are also significant qualitative, and even quantitative differences. Although victim legislation is quite developed in some countries, it is non-existent in most. Victim assistance programs have flourished in some societies, but are still unheard of in many parts of the world. Victimization surveys have been conducted on a regular basis in some places and are conspicuous absent in others. Victimological therapy is being encouraged and practiced in some cultures but is frowned upon in others. Courses and

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1. Fattah, Ezzat A. 1997a. *Criminology: Past, Present and Future*, London: Macmillan, N.Y: St. Martin's Press.

seminars in victimology have been in existence for several decades in some universities but have been totally lacking in others. Such huge differences, however, should not make it impossible to provide a more or less unified picture of the discipline's evolution or an insightful analysis of its current state and its future developments. However as with all global and concise overviews, generalizations are inescapable and oversimplifications unavoidable.

## **Victimology's Past**

### *A Brief History of Victimology*

Early victimological notions were not developed by criminologists or sociologists, but rather by poets, writers, and novelists. Thomas de Quincey, Khalil Gibran, Aldous Huxley, the Marquis de Sade, Franz Werfel, are only a few of those writers who can be described as literary victimologists. The first systematic treatment of victims of crime appeared in 1948 in Hans Von Hentig's book *The Criminal and His Victim*. In the fourth part of the book, under the provocative title *The Victim's Contribution to the Genesis of the Crime*, Von Hentig criticized the static unidimensional study of the offender that had dominated criminology until then. In its place he suggested a new dynamic and dyadic approach that pays equal attention to the criminal and the victim. Von Hentig had treated the topic earlier in a paper published in the *Journal of Criminal Law and Criminology* in 1940/41. In it, he noted that:

It is true, there are many criminal deeds with little or no contribution on the part of the injured individual... On the other hand we can frequently observe a real mutuality in the connection of perpetrator and victim, killer and killed, duper and dupe. Although this reciprocal operation is one of the most curious phenomena of criminal life it has escaped the attention of socio-pathology.

In his book Von Hentig points out that:

The law considers certain results and the final moves which lead to them. Here it makes a clear-cut distinction between the one who does and the one who suffers. Looking into the genesis of the situation, in a considerable number of cases, we meet a victim who consents tacitly, co-operates, conspires or provokes. The victim is one of the causative elements. (p. 436)

Von Hentig insisted that many crime victims contribute to their own victimization, either by inciting or provoking the criminal or by

creating or fostering a situation likely to lead to the commission of the crime. Other pioneers in victimology, who firmly believed that victims may consciously or unconsciously play a causal role, outlined many of the forms this contributions can take: negligence, carelessness, recklessness, imprudence, and so forth. They pointed out that the victim's role could be a motivational one (attracting, arousing, inducing, inciting, enticing) or a functional one (provoking, precipitating, triggering, facilitating, participating) (Fattah, 1991).

Von Hentig's book was followed by a number of theoretical studies that dealt with victim types, victim-offender relationships, and the role victims play in certain kinds of crime. The book also provided an impetus for several empirical studies that paid special attention to the victims of specific offences such as criminal homicide, (Wolfgang, 1958; Fattah 1971), rape (Amir, 1971), robbery (Normandeau, 1968), aggravated assault (Pittman and Handy, 1964; Curtis, 1974), fraud (Padowetz, 1954), blackmail (Hepworth, 1975), among others.

The term victimology was coined in 1949 by an American psychiatrist, Frederick Wertham, who used it for the first time in his book *The Show of Violence*, in which he stressed the need for a science of VICTIMOLOGY.

During the early years of victimology, literature on crime victims remained relatively small when compared to that on criminology. During the 1980s, however, a great wave of important books and articles marked the coming of age of victimology (Rock, 1994). At present, it is fair to say that the study of crime victims has become an integral part of criminology.

Today, the need for criminology to thoroughly study the victims of crime may appear obvious and axiomatic. It may seem surprising, therefore, that such an obvious need has escaped the attention of criminologists for over a century. But it is not rare for social scientists to miss the obvious. This point is well made by Rock (1994: xi) who points out:

Even criminology and the sociology of deviance – disciplines concentrated most squarely on the analysis of crime, criminals and criminal justice – tended somehow to obliterate the victim for a very long while, failing to see what, in retrospect, should probably have been evident all along. Such omissions occur continually. They are an ineluctable part of any discipline, a consequence of the truth marked by Burke when he said that “a way of seeing is always a way of not seeing.” The price of organising, specialising and accumulating knowledge



about any area is a systematic neglect of the other matters thrown out of focus and beyond the margins. Precisely because criminology is an empirically-driven discipline, it has tended to ignore those things that do not bear the name of crime, criminals and criminal justice.

Although victimology has by now firmly established itself as a major research area within criminology, its nature, importance and standing continue to generate a great deal of comment and controversy. Rock (1994: xi) describes victimology as a "relatively amorphous discipline". And at the Fifth International Symposium on Victimology (Zagreb, August 1985), Cressey openly declared that victimology is neither a scientific discipline nor an academic field. He called it instead "a non-academic program under which a hodgepodge of ideas, interests, ideologies and research methods have been rather arbitrarily grouped".

Be that as it may, the study of victims and victimization has the potential of reshaping the entire discipline of criminology. It might very well be the long awaited paradigm shift that criminology desperately needs given the dismal failure of its traditional paradigms: search for causes of crime, deterrence, rehabilitation, treatment, just deserts, etc.

### *Recent Developments in Victimology*

#### *From Micro Victimology to Macro Victimology*

In the 1970s, individual studies of the victims of specific crimes, popular in the early stages of victimology, were overshadowed by large scale victimization surveys which transformed the micro approach into a macro approach. The primary purpose of these surveys was to determine the volume of victimization, to identify the victim population, and to establish the socio-demographic characteristics of crime victims. While this macro approach proved to be quite useful to the study of trends and patterns in victimization, and to the analysis of the social and spatial distribution of some types of crime, it revealed very little about the social and personal settings in which these crimes took place. It was of limited value in understanding the psycho and sociodynamics of criminal behaviour, the process of victim selection, victim-offender interactions, the victim's dynamic role in various crimes, and so forth.

#### *From Theoretical Victimology to Applied Victimology*

In the last twenty-five years, victimology has undergone a major transformation. Early victimology was mainly theoretical, concerned almost exclusively with causal explanations of crime and the victim's role in

those explanations. It focused mainly on characteristics of victims, their relationships and interactions with their victimizers, and the analysis of victim behaviour as a situational variable, as a triggering, actualizing or precipitating factor. This theoretical framework, proposed by Von Hentig, guided the pioneering research carried out by Ellenberger, Wolfgang, Amir, Normandeau, Curtis, Silverman, and Fattah among others (see above). Concern for the plight of crime victims could be found primarily in the modest state compensation programs to victims of crime that were set up in some countries such as New Zealand, England, Canada and the U.S. The rediscovery of crime victims, spearheaded by the feminist movement, a movement that championed the cause of victims of rape, sexual assault and domestic violence, generated a great deal of empathy and sympathy for a largely disenfranchised group (Fattah, 1978, 1994a).

Theoretical victimology became the object of unwarranted attacks and unfounded ideological criticism. It was portrayed by some (Clark and Lewis, 1977) as the “art of blaming the victim”. A new focus for victimology was taking shape: helping and assisting crime victims, alleviating their plight and affirming their rights. A political movement was born and victimology became increasingly defined and recognized through its applied component. Victimology meetings mirrored the transformation of victimology from an academic discipline into a humanistic movement, the shift from scholarly research to political activism. These meetings were often turned into platforms for advocacy on behalf of victims.

This transformation of victimology had serious implications. One of the consequences was to refocus the notion of criminality on conventional crimes that had a direct, immediate, tangible victim. White-collar crime, corporate action causing grievous social harm, whether legally defined as crimes or not, were once again relegated to the background. The metamorphosis also had a negative impact on criminal policy. It helped reinforce primitive vengeful reactions to crime and provided much needed ammunition to conservative politicians, thus enabling them to implement their punitive agenda.

### **Victimology Today**

Victimology today is very different from victimology in the 1950s or the 1960s. Scientific disciplines undergo constant evolution, though the pace of change may vary from one discipline to another. Victimology

has undergone not only a rapid but also a rather fundamental evolution in the last two decades. The decades of the 1980s and 1990s could easily be described as a period of consolidation, data gathering and theorization, with new legislation, victim compensation, redress and mediation, help, assistance and support to enable victims to recover from the negative effects of victimization.

### *Consolidation*

In the last few years, the discipline of victimology has firmly become established on the academic scene. There has been a substantial increase in the number of universities and colleges offering courses in victimology and related subjects. Numerous books and articles have been published in different languages, and, in addition to several periodicals published in local languages, an *International Review of Victimology*, in English, was put out by AB Academic Publishers in Britain. A number of national and regional societies of victimology have been established. Japan has been a leader in this respect, thanks to the tireless efforts of the world-renowned victimologist, Professor Koichi Miyazawa, and a dynamic group of his students and followers. The World Society of Victimology continues to hold its international symposia once every three years. The last one, the ninth in the series, was held in Amsterdam in August 1997 and drew a record number of participants. All in all, victimology is no longer a subject of bewilderment or idle curiosity, but is slowly becoming a household word. This is being facilitated by the extensive coverage crime news and victim issues are receiving in the mass media, by the wide publicity victims' programs are getting and by the proliferation of victim services and victim assistance programs in many countries.

The last twenty years have seen the creation and extremely rapid expansion of victim services. Victim assistance programs, totally nonexistent a couple of decades ago, have mushroomed all over the globe from Australia to Europe, from South America to Asia, and from the large Islands of Japan to the relatively small Canary Islands.

One of the most important developments in the field of victimology in the last twenty years has been the formal approval by the General Assembly of the United Nations on November 11, 1985 of the "UN Declaration of Basic Principles of Justice for Victims of Crime and Abuse of Power". In adopting it, the General Assembly stated that it was "*Cognisant* that millions of people throughout the world suffer harm as a result

of crime and abuse of power and that the rights of these victims have not been adequately recognised”.

### *Data Gathering and Theory Formulation*

One of the primary tasks of theoretical victimology is to collect empirical data on crime victims. The main instrument used at present to collect this information is victimization surveys, conducted at a local, regional, national and international level. Worthy of notice among these surveys are the ones carried out on a regular basis, at regular intervals, in England and the U.S.: the British Crime Survey, and the National Crime Survey (United States). Each of these surveys yields a wealth of information on crime victims. Both of them allow for a thorough analysis of the temporal and spatial patterns and trends in various types of victimization. The original goal of these surveys, namely counting victimization, has been largely expanded. Several new questions have been added to the instrument in recent years, in order to explore previously uncovered areas such as the levels of fear of crime, the levels of satisfaction with police action, the reasons for not reporting the incident to the police, the consequences of victimization, etc. The surveys further examine the measures taken by the respondents to prevent certain types of offences, or to minimize the chances of future victimization. Some surveys have tried to establish whatever link may exist between offending and victimization by including questions requesting respondents to self-report acts of delinquency they might have committed. These latter questions have revealed a strong interrelationship between offending and victimization. In their London, England, survey, Sparks, Genn, and Dodd (1977) found victims of violent crime to be significantly more likely than non-victims to self-report the commission of violent crimes. Gottfredson (1984) analyzed the 1982 *British Crime Survey* data and was struck by the relatively strong interrelationship between offending and victimization. For persons with at least one self-reported violent offence, the likelihood of personal victimization was 42 per cent, or seven times that of persons reporting no self-reported violent offences. The *British Crime Survey Scotland* (Chambers and Tombs, 1984) revealed that 40 percent of respondents admitting an act of assault were themselves assault victims during the same period.

Despite the methodological and practical problems of victimization surveys, and despite their limitations, they have allowed researchers to collect a huge amount of data on victims of crime that is extremely rich

in variety and detail. Thanks to victimization surveys, we now know that criminality and victimization are clustered within certain groups and certain areas, and that there is much greater affinity between offenders and victims than has been commonly believed. This is not to say that **all** victims of crime share the attributes of their victimizers. It is only to stress that the two populations have several common characteristics. Whether in Europe, the U.S., Canada or Australia, research has shown that offenders involved in the types of crimes covered by victimization surveys are disproportionately male, young, urban residents, of lower socio-economic status, unemployed (and not in school), unmarried, and in the U.S., black. Victimization surveys have revealed that victims disproportionately share these characteristics and that the demographic profiles of crime victims and of convicted criminals are strikingly similar (Gottfredson, 1984).

Several researchers (Hindelang *et al.*, 1978; Singer, 1981) discovered that, particularly in crimes of assault, victims and offenders were related in their demographic characteristics and in terms of certain shared responses to perceived situations of physical or psychological threat. It is understandable that the frequency with which some individuals become involved in violence-prone situations will affect both their chances of using violence and of being recipients of violence, of attacking and being attacked, of injuring and being injured, of killing and being killed. Who will end up being the victim and who will be legally considered the offender depends, quite often, on chance factors rather than deliberate action, planning, or intent. Thus, victim/offender roles are not necessarily antagonistic but are frequently complementary and interchangeable (Fattah, 1994b).

An important step on the road to comparative victimology was reached with the International Crime Victim Surveys. The surveys were a useful attempt to collect standardized victimization data from a number of countries using the same questionnaire in each country. Their main purpose was to avoid the problems of comparing data collected by means of different instruments using different methodologies. Field data for the first international crime survey were gathered in January 1989 using the computer-assisted telephone interviewing method (CATI) and the results were published in 1990 (Van Dijk *et al.*).

A second round of the International Crime Survey was carried out in 1992. Some of the countries that participated in the first survey, such as Switzerland, Norway and Northern Ireland, did not take part in the

second. But the second survey included some countries from Eastern Europe that did not participate in the first one, such as Poland and the former Czechoslovakia (see Del Frate *et al.*, 1993).

The third sweep of the International Crime Victim Survey was carried out in 1996-97 in twenty countries in transition. These were the former socialist countries of Eastern Europe, from Poland to Mongolia in the East, and from Albania, Bulgaria and Macedonia in the South to the Baltic countries, Estonia, Latvia, and Lithuania in the North. The national reports from this survey were published in 1998 by the United Nations Interregional Crime and Justice Research Institute (UNICRI) (Hatalak *et al.*).

Despite the proliferation of victimization surveys and their unquestionable utility, it is not yet clear what they do measure exactly and what their long-term objectives are. Victimization is an individual, subjective and culturally relative experience (Fattah, 1993b). The feeling of being victimized does not always coincide with the legal definition of victimization. So what exactly are victimization surveys trying to measure? Is their objective to count those criminal victimizations that meet the criteria set by the criminal code, or is it to measure the subjective victimization experiences of the respondents? These, needless to say, are two different realities. Are the surveys designed to measure crime or victimization? The titles 'crime survey' and 'victimization survey' continue to be used interchangeably (Fattah, 1997a) and the last international survey was called The International Crime Victim survey.

#### Theoretical Models

The wealth of data collected mainly through victimization surveys has led to various theoretical formulations. Models have been developed to offer plausible explanations for the variations in victimization risks, and for the clustering of victimization in certain areas and certain groups. They have also helped to unravel the intriguing phenomenon of repeat victimization. The different models are presented and summarized in my book, *Understanding Criminal Victimization* (Fattah, 1991).

One of the first and most important models explaining the differential risks of victimization is the *lifestyle model* developed by Hindelang, Gottfredson, and Garofalo (1978). This model posits that the likelihood an individual will suffer a personal victimization depends heavily on lifestyle. Using lifestyle to explain variations in risk is neither a novel nor a unique approach. It has been known for a long time that the proba-

bility of accidental death or injury is in many respects related to people's lifestyle and the kind of activities in which they are involved. Physicians have repeatedly stressed the close link between lifestyle and routine activities and the risk of suffering certain diseases such as lung and skin cancer, high blood pressure and cardiovascular ailments, liver cirrhosis, AIDS, etc. As a matter of fact, the lifestyle concept permeates the explanations given for higher or lower susceptibility to a wide variety of diseases. The belief that lifestyle can influence the probability of victimization by increasing or decreasing people's chances of becoming victims of certain crimes may be seen as a logical extension of this concept to the social sphere.

Another explanatory model is the *Routine Activity Approach* developed by Cohen and Felson (1979). The focus in Cohen and Felson's approach is on "direct-contact predatory violations", which are those "involving direct physical contact between at least one offender and at least one person or object which that offender attempts to take or damage". (Cohen and Felson, 1979: 589). They argue that the occurrence of this type of victimization is the outcome of the convergence in space and time of three minimal elements: motivated offenders, suitable targets, and absence of capable guardians. The central factors underlying the routine activity approach are opportunity, proximity/exposure, and facilitating factors.

The lifestyle and routine activities models are by no means the only ones. There is also the *opportunity model* (Cohen *et al.*, 1981) and the *Dutch model* (Van Dijk and Steinmetz, undated). The opportunity model incorporates elements from the previous two and posits that the risk of criminal victimization depends largely on people's lifestyle and routine activities that bring them and/or their property into direct contact with potential offenders in the absence of capable guardians.

The Dutch model was developed by Van Dijk and Steinmetz and suggests three main factors: proximity, attractiveness, and exposure as the most important determinants of differential victimization risks.

In an attempt to integrate the various models into a comprehensive system I grouped all the seemingly relevant factors into ten different categories (Fattah, 1991). These are:

- 1) *Opportunities*, which are closely linked to the characteristics of potential targets (persons, households, businesses) and to the activities and behaviour of these targets.

- 2) *Risk factors*, particularly those related to sociodemographic characteristics such as age and gender, area of residence, absence of guardianship, presence of alcohol and so forth.
- 3) *Motivated offenders*. Offenders, even non-professional ones, do not choose their victim/targets at random but select their victims/targets according to specific criteria.
- 4) *Exposure*. Exposure to potential offenders and to high-risk situations and environments enhances the risk of criminal victimization.
- 5) *Associations*. The homogeneity of the victim and offender populations suggests that differential association is as important to criminal victimization as it is to crime and delinquency. Thus individuals who are in close personal, social, or professional contact with potential delinquents and criminals run a greater risk of being victimized than those who are not.
- 6) *Dangerous times and dangerous places*. The risks of criminal victimization are not evenly distributed in time or space – there are dangerous times such as evening, late night hours and weekends. There are also dangerous places such as places of public entertainment where the risks of becoming a victim are higher than at work or at home.
- 7) *Dangerous behaviours*. Certain behaviours such as provocation increase the risk of violent victimization while other behaviors such as negligence and carelessness enhance the chances of property victimization. There are other dangerous behaviours that place those engaging in them in dangerous situations where their ability to defend and protect themselves against attacks is greatly reduced. A good example of this is hitchhiking.
- 8) *High-risk activities* also increase the potential for victimization. Among such activities is the pursuit of fun, which may include deviant and illegal activities. It is also well known that certain occupations such as prostitution carry with them a higher than average potential for criminal victimization.
- 9) *Defensive/avoidance behaviors*. Since many risks of criminal victimization could be easily avoided, people's attitudes to these risks may influence their chances of being victimized. It goes without saying that risk-takers are bound to be victimized more often than risk-avoiders. This also means that fear of crime is an important factor in reducing victimization since those who are



fearful, for example the elderly, take more precautions against crime, even curtailing their day and night time activities thus reducing their exposure and vulnerability to victimization.

- 10) *Structural/cultural proneness*. There is a positive correlation between powerlessness, deprivation and the frequency of criminal victimization. Cultural stigmatization and marginalization also enhance the risks of criminal victimization by designating certain groups as 'fair game' or as culturally legitimate victims.

### *New Legislation*

There has been a flurry of victim legislation in recent years in a large number of countries. Following the adoption of the *UN Declaration of Basic Principles of Justice for Victims*, so-called victims' Charter of Rights or victims' Bills of Rights were passed by legislative bodies in various societies.

In the United States, there was an unsuccessful attempt by the victim lobby to bring about a change to the Sixth Amendment of the U.S. Constitution which would have provided a legal basis for protecting the rights of crime victims (Dolliver, 1987). However, as Karmen (1990: 339) reports, since 1980 in almost every American state, legislatures passed various statutes acknowledging basic rights for victims. Among those are the right to be notified about and to participate in judicial proceedings, to promptly get back stolen property that was recovered, to be protected from intimidation and harassment, and to receive restitution or compensation.

Similar legislation was passed in Canada, Australia, Britain and other European countries. In Europe, "victims received a considerable boost from a number of important initiatives in the mid-1980s, including a Convention and two important Recommendations by the Council of Europe in 1983, 1985, and 1987 on, respectively, state compensation, the position of the victim in the criminal justice system, and assistance to victims" (Maguire and Shapland, 1997: 212).

While legislative initiatives and/or changes acknowledging victims' rights were generally well received and encountered little or no opposition in Parliaments and legislative assemblies, they are not without critics. In a seminal article entitled *The Wrongs of Victim's Rights* Lynn Henderson (1985, 1992) outlined many of the weaknesses inherent in the notion of victim's rights and many of the dangers of victim's rights legislation.

One particular initiative that received a great deal of criticism is the *victim impact statement*. VIS, designed to allow victims some input in the court's decision in their case by providing a statement of the impact the victimization has had on their lives and their families, was singled out for particular criticism, and encountered a lot of resistance particularly from those anxious to preserve the objectivity of the judicial process. In Australia, for example, after reviewing the arguments for and against VIS, and after noting that many victims do not wish to be involved by giving evidence on the impact of offences on their lives, the Victoria Sentencing Committee concluded that the case against the introduction of VIS is more compelling than the case for it. Consequently, the Committee (1988) recommended that VIS not be adopted in Victoria (p.545) (Fattah, 1992a: 416; see also Kelly and Erez, 1997: 236-237).

In the U.S., the Supreme Court barred victim impact testimony in capital cases as violating the *Eighth Amendment of the American Constitution* (Booth v. Maryland, 1987, and South Carolina v. Gathers, 1989). But a couple of years later, in *Payne v. Tennessee* (1991), the court upheld the use of victim impact testimony at the sentencing stage of a capital case (Kelly and Erez, 1997: 235-236).

### *Victim Compensation*

Redress to crime victims in the form of monetary compensation by the State was the first attempt in recent history to alleviate the plight of victims and to improve their lot. In the 1960s, a British magistrate, Margery Fry, and others called for State compensation to crime victims. Their pleas led to the creation of government indemnification programs in New Zealand, the United Kingdom, North America, Europe and elsewhere. These programs have been operating for more than a quarter of a century and many have been subjected to varying kinds of assessments and evaluation (Doerner, 1978; Miers, 1978; Burns, 1980; Elias, 1983b).

This is without doubt an area where action has not matched political rhetoric. Economic hardships and budgetary restraints have greatly limited the scope of compensation as well as the number of victims who receive help. The evaluations suggest that the sums victims get from the schemes are, for the most part, token amounts, and that the programs in reality fulfil no more than a symbolic function. Only a very tiny proportion of victims end up receiving any compensation, and for those who do, it is more often than not too little and too late. Ironically, researchers (Elias, 1983a, 1983b) have found that among victims who apply for,

and go through the process of compensation, even those who end up receiving some funds are less satisfied than those who do not apply. In England, David Miers (1983, 1990), quoted by Maguire and Shapland (1997: 218), argued that state compensation is essentially a symbolic act by governments to show their concern for victims, but has little real intent of translating into hard cash.

Most victims of property crime who are excluded from state compensation schemes do not have and cannot afford private insurance. In four out of five cases of property crimes, the culprit is neither identified nor caught. And the few who are arrested, charged and convicted are, more often than not, so poor or insolvent that nothing can be obtained from them through a civil judgement. To make matters worse, in most countries the collection of criminal fines continues to have priority over the payment of civil damages or of restitution/compensation orders. (Fattah, 1999).

Victims of violence for whom the schemes are designed do not fare much better. The conditions of eligibility for state compensation are such that only a small fraction qualify. In almost all systems, eligibility is contingent upon reporting the offence to the police and the victim's willingness to cooperate with the criminal justice system. Many have a means test ensuring that compensation is given only to the poorest of the poor. Most exclude violence among family members, even though a good part of all violence occurs in domestic settings. Most also exclude (or drastically reduce the awards to) victims who provoked or otherwise contributed to their own victimization. One rule that renders the majority of victims of violence ineligible for state compensation is the high minimum limit that is usually set for compensation and below which victims do not qualify. In the UK, for example, the lower limit was initially set at £1,000 despite the recommendations made by victims groups to remove it. The burden of proof is upon the victim and very often it is difficult to prove that the injury resulted from a criminal attack when the attacker has run away and there were no witnesses. With the exception of sexual victimization, most schemes do not provide funds to compensate the victim's emotional pain and suffering. As a result of all these restrictions a large number of victims do not qualify. Furthermore, many are deterred from applying by the lengthy bureaucratic procedures and the investigative process. More distressing still is the fact that many victims are simply unaware of the existence of the programs. And since in many jurisdictions the budget is determined in advance and cannot be exceeded, the more applications the

program receives, the lower the awards. As the schemes are poorly funded in the first place, successful applicants usually end up receiving ridiculously low amounts as compensation for their victimization. It is easy to understand, therefore, why it is that in some countries there is a deliberate attempt not to publicize these state compensation schemes (Fattah, 1999).

In spite of the lip service that politicians pay to crime victims, several governments have decided in recent years to transfer the financial burden of victim compensation to offenders through a levy called a *victim fine surcharge*. This surcharge is imposed on those who are sentenced to a fine, even when the sentence is for so-called victimless crimes (Fattah, 1999).

### *Offender Restitution*

Restitution by the offender to the victim was one of the earliest forms of redress given to those who suffered injury or harm through the actions or negligence of others. This was the composition or *wergeld* paid to the victim or the victim's kin. Since State compensation programs are often strictly limited to victims of violence, restitution by the offender has re-emerged as a means of redress in property offences as well as in violent crimes. The problem is that the vast majority of offenders are either unemployed or do not have the financial means that would make it possible for victims to collect restitution. Added to this problem is the above-mentioned fact that in many countries the collection of the penal fine takes priority over restitution orders.

Although there are different models of offender restitution it is doubtful that it will become, at least in the near future, a viable alternative to state compensation as a means of redress to the victim. After reviewing the results of the evaluation of a number of local schemes conducted in different countries, Maguire and Shapland (1997: 221) wrote:

The conclusions seem universal. Financial restitution figures in only a small proportion of the cases sent for mediation (the majority ending with an apology or in some contract concerning the offender's behaviour). Mediation cases themselves remain very much a minority disposal in terms of the flow of criminal justice cases overall. The dominant model is still prosecution, or some form of discontinuance (such as a formal caution in England and Wales), sometimes accompanied by work with the offender – but rarely involving the victim.

*Victim-Offender Mediation*

Another important development in recent years has been the rediscovery of *restorative justice*. Restorative justice, widely practiced in small, agrarian, rural societies, has a long and rich history in the aboriginal communities in Australia, Canada's First Nations and the Inuit communities of the Canadian North. The quasi-universal disenchantment with the punitive/retributive justice system was bound to force those calling for justice reform to seek alternatives to the current system of punishment. A turning point was the publication of a seminal article by Nils Christie in 1977 entitled *Conflicts as Property*. In it, Christie explained that the root problem of the system is that conflicts were stolen from their legitimate owners, the victims, and became the property of professionals rather than people. Christie's ideas provided a strong impetus to those who were calling for the replacement of the destructive, unproductive and ineffective system of punishment with the constructive practices of dispute settlement, conflict resolution, mediation, reconciliation and reparation. Advocates of restorative justice pointed out that in addition to its devastating effects on offenders, their families and the larger society, the system of punishment acts to intensify the conflict rather than solve it. And instead of bringing the feuding parties closer to one another, it widens the gap that separates them (Fattah, 1997b: 259).

Spearheaded by the Mennonite Church, victim-offender reconciliation programs were set up in Canada and the United States in the mid 1970s, and then spread to many other countries. Writing in 1983, Dittenhoffer and Ericson (1983, 1992) noted that the notion of VORP rapidly grew in popularity. They pointed out that at the time, in Ontario alone, there were 24 VORP centres operating, with similar programs in others across Canada. The early programs have now been in existence for over twenty years and the restorative justice movement is expanding at a fast pace. Aside from North America, it has established strongholds in Germany, the United Kingdom, Belgium, France, among others. Three years ago, the *Council of Europe* in Strasbourg set up an *Expert Committee on Mediation in Penal Matters*. The Committee's report and its recommendations were released in 1999.

Despite the appeal and popularity of the notion of victim-offender reconciliation, the goal of "reconciliation" proved to be difficult to achieve in practice. In most programs the primary objective was to

ensure restitution by the offender to the victim and to see to it that the offender fulfil the obligations agreed upon in the mediation agreement. The programs then changed their names from *victim-offender reconciliation* to *victim-offender mediation*.

### *Victim Services*

The last twenty years have witnessed an unprecedented development in the field of victim services. Victim services have been called the growth industry of the decade. The expansion of service programs for victims of crime in the United States, Canada, the United Kingdom and many other countries has been nothing short of phenomenal (Fattah, 1992b: 260). In 1990, Davis and Henley estimated the number of victim service programs in the United States to be in excess of 5,000, whereas 20 years earlier there had been none (p.157).

Most assistance programs, particularly those housed in police departments, refer victims, according to their needs, to existing services within the community. Some also provide victims with urgently needed help: replacing a broken window, a damaged lock, fixing a vandalised car, driving, cleaning, shopping, helping with children and so forth. There are also various programs that provide special assistance to certain categories of victims, for example, victims of rape, child victims of sexual assault, victims of family violence, etc. Rape crisis centres and shelters for battered women are currently operating in many places. Overall, however, the two most important services provided to crime victims by victims assistance programs are information and moral support.

Despite enormous strides, a great deal remains to be done. Maguire and Pointing (1988: 37) note that victim support remains essentially a "grassroots", low budget enterprise that relies upon the good will and hard work of volunteers. Shapland, Willmore and Duff (1985: 178) maintain that the major projects aimed at fulfilling victims' needs were set up without regard to, or even investigation into, victims' expressed needs. Rock (1990: 408) insists that victims' interests were never the motivating or mobilizing force behind the new initiatives to help victims. Mawby and Gill (1987: 228) detected a right wing, law and order focus among victim support scheme volunteers. They expressed concerns that crime victims might become "the victims of political expediency". While Elias (1983a: 120) affirms that victims' services really serve official needs, not victims' needs.

## The Future of Victimology

### *Towards a Realistic Approach*

Based on the above review of victimology's past and its present state, it should now be possible to identify some likely future trends.

#### A Transition from Utopian Idealism to Hard Realism

As people grow older they become wiser and more pragmatic. A certain realism sets in, brought about by the harsh realities of their life experiences, by disappointments and setbacks, by a better understanding of what is possible and what is not, by what can and cannot be achieved. Gradually, they learn to abandon utopian dreams and opt instead for more attainable goals. This transformation is likely to take place in victimology, once many of today's young activists realize that some of their well-intentioned demands are neither reasonable nor practical, and are likely to lead, if implemented, to an unfair, unjust, and one-sided justice system. Criminology has undergone a similar transformation. The 1960s and 1970s were the decades when romanticism and idealism in criminology reached their peak, spearheaded by the so-called "new criminologists". The dreams of that period were shattered with the advent of an era of conservatism brought about by the election of simple-minded, primitive-thinking heads of government: Reagan, Thatcher, and Mulroney, to name but a few. To no one's surprise, the idealism of the "new criminologists", their exaggerated optimism, gave way to what came to be called "left realism" or "radical realism". Realist criminology broke "with the romantic and idealistic conceptions which have been conveyed by radical criminology" (Matthews and Young, 1986: 1; see Fattah, 1997a: 265).

It seems not only possible but also quite probable that a similar development will occur in victimology. In their attempt to focus attention on the suffering of the victim, and to achieve their political and ideological goals, leaders of the victim lobby have steadily refused to acknowledge that victimization is a normal and natural occurrence, a fact of life, portraying it instead as a pathological and abnormal phenomenon. They have adamantly rejected any claim, even when supported by irrefutable empirical evidence, that the roles of victim and victimizer are interchangeable and that many incidents of violent victimization are the outcome of dynamic and explosive interactions rather than the deliberate and unilateral actions of a flawed perpetrator's personality.

The current dominant view in victimology of a bad offender and a good victim, of an innocent victim and a guilty criminal, will slowly give way to the more realistic and defensible view of two human beings caught in a web of intricate social relationships and human emotions.

Realism means that vindictiveness, which we know to be harmful and destructive, will make room for a more balanced view of victimization and for a community response where empathy, compassion, tolerance and forgiveness replace current calls for vengeance.

The dawn of this victimological realism could be easily seen in what Marc Groenhuijsen, one of the strongest victims' advocates, called "the victimologists' fallacy". In his address to the IXth Symposium (1999: 107) he warned against the erroneous belief that "the more victims rights, the better". He argued that claiming excessive rights for victims can and will be counterproductive simply because overreacting in this respect could easily jeopardize the implementation of the catalogue of basic victims' rights. The wisdom of these words will not be lost and is bound to influence the thinking and the actions of future generations of victimologists.

Realism will also lead to a redefinition of the subject matter of victimology. If victimology is not to lose its scientific character completely, if it is not to become a purely political and ideological movement, a redrawing of its boundaries and a retrenchment of its subject-matter seem inevitable. Thus realism will protect victimology against the real danger of being transformed into mere preoccupation with human suffering. Realism will make it abundantly clear that there is no such thing as a "science" of human suffering. Because, as Flynn (1982) pointed out at one of the earlier international symposia on victimology, if all pain and suffering (ranging, for example, from mental illness to neuroses) were to be defined as victimization, who would not be a victim?

The so-called "global victimology", preached by some, will give way to a "realist victimology", a truly scientific victimology that gathers its data using acknowledged research methodology, and bases its action on scientific theory, not on political ideology.

A Growing Emphasis on Research,  
Particularly Qualitative Research

While activism to affirm victims' rights and to improve their lot has been in full swing on many fronts, animated by political and ideological



considerations, research has been lagging behind, and in many instances totally lacking. Several areas, pivotal to the theory and practice of victim assistance, have hardly been investigated and are in dire need of solid empirical research. One has to wonder why it is that when the field of victim services is flourishing, research on the effects of victimization and on the impact of victim assistance is hard to come by. And yet it seems obvious that individualized care, individualized assistance, and personalized treatment or counselling require a profound knowledge of the differential impact of victimization and the differential needs of crime victims (Fattah, 1999: 193). Clearly, this is an area that offers golden opportunities for original empirical qualitative research, but it is not by any stretch of the imagination the only one. Being a young discipline, many areas of victimology remain virgin territory and have yet to be explored by inquisitive and adventurous researchers. The coming years will witness a growing realization that action not backed by research is a mere ideological exercise, and that practice not grounded in theory is dangerous and potentially harmful. An obvious need for solid empirical research will make itself felt, and such research will be indispensable to avoid serious errors similar to those brought about by mythological concepts such as satanic ritual abuses, and pseudo-theories like those involving repressed memories.

Quantitative victimological research, exemplified in local, regional, national, and international victimization surveys, will probably lose much of its popularity due to the law of "diminishing returns". The additional knowledge to be gained from the repetition of these surveys, particularly at short intervals, will not be sufficient to justify the mounting costs. The argument will be made that the large sums spent on national victimization surveys could be better spent either to fund much needed qualitative research or to add to the subsidies of poorly-funded victim assistance programs and victim services.

#### A Declining Need for Advocacy and Partisanship

The victim movement has achieved phenomenal success in many countries. It has focused attention on the plight of crime victims in modern, industrialized society, and has sensitized the general public, politicians, and the functionaries of the criminal justice system to the traumatic and long-lasting effects of certain types of criminal victimization. Victim groups have managed to raise public consciousness about certain harmful and traumatizing behaviours such as sexual victimization, child

abuse, family violence, and drunken driving, to mention but a few. The movement has been influential in changing social attitudes to victims of rape and domestic violence, among others, and in changing the practices of the criminal justice system regarding those victims and, in general, all crime victims.

On the applied side, the achievements of the victims' movement have been both emphatic and dramatic. These spectacular achievements, and the fact that the balance of justice has now tilted in some societies in favour of crime victims to the detriment of offenders, will reduce the need in the future for the politics of advocacy and partisanship that were characteristic of the 1980s and 1990s. Little remains to be done on the political front, and where Victims Bills of Rights have been passed, very little remains to be done on the legislative front. Efforts, energies and funds will gradually and slowly shift to the areas of victim assistance and victim support. Luckily, these are areas less tainted by advocacy and partisanship than those of victims' rights and victim legislation. Some of the political rhetoric will surely subside. There will be much less need to renew ideological battles that have already been won. It is to be expected, therefore, that victimology will cease to be overly political and will strive to become more scientific. The ideological fights of the past are bound to give way to sound, objective, non-biased, and non-partisan research. This research will be aimed at finding better and more effective ways of helping victims, alleviating their suffering, and preventing their future victimization.

#### The Demise of Therapy

Three years ago, in my keynote address to the IXth International Symposium on Victimology in Amsterdam, I highlighted some of the dangers of so-called "victim therapy". Several subsequent developments, which are beyond the scope of this paper, provided strong support to the concerns I expressed about the risks involved in therapy and to my concerns about the unintentional harm that could result. All this points to an almost certain development in victimology in the new millennium. Despite the vested interest and the enormous financial and professional benefits that a huge army of therapists currently reaps from "treating" victims, I can safely predict the demise of victim therapy in the not too distant future. Rehabilitation and treatment of offenders, extremely popular not too long ago, have fallen into disrepute. There are strong reasons to believe that a similar fate will befall victim therapy. The

natural healing powers of the human psyche that are being interfered with, and hindered by, professional therapies, are bound to reaffirm themselves. Alternative healing practices, which are currently competing with traditional medicine for treating physical and psychological ailments, will prove to be better, more effective, less harmful, and much less costly than professional therapy. Reinforcing the natural healing powers of the human psyche, strengthening the family and social networks of potential and actual victims, will be seen as preferable for alleviating victim suffering rather than the current "healing enterprise". Once this happens, it will be more difficult to exploit the traumatic effects of victimization and the psychological suffering of the victim in the furtherance of therapists' self-interest.

#### The Future of the Restorative Justice System

It seems axiomatic that the future of victimology will influence, and be influenced by, developments in the justice system. Because of this, the future of victimology will largely depend on the extent to which the paradigm of "restorative justice" is accepted and implemented.

Societies undergo perpetual change. Today's society is undergoing rapid and radical transformation. Justice paradigms have to change with social evolution in order to remain in harmony with prevailing belief systems and to take stock of whatever advances and discoveries are achieved in the fields of criminology and penology. The archaic goals of expiation and atonement will not be in harmony with the realities and beliefs of the secular, post-industrial society of the XXIst century. In modern secular societies the notion of risk and harm are gradually replacing those of evil, wickedness, malice, and are bound to become central concepts in the social and criminal policies of the future. Future policies of crime control will be largely based on risk assessment, risk management, risk coverage, risk reduction, and risk prevention. The measurement of harm: physical, material, and mental, will likely become the central component of social reaction to crime. The primary aims of such a response will be redress, reparation and compensation. My guess is that the arbitrary distinction between crimes and civil torts will disappear and that the artificial boundaries that have been erected over the years between criminal courts and civil courts will be removed. All harmful actions will generate an obligation to redress coupled with endeavors to prevent their future occurrence. This will be the era of restorative justice (see Fattah, 1999: 167).

Such a paradigm shift will have a profound impact on victimology of the future. In the past two decades, attempts to exploit the cause of crime victims for political gain, and conservatives' efforts to sell the policies of law and order under the pretext of doing justice to those victimized by crime often required the portrayal of victims as vengeful, vindictive, even bloodthirsty. Those claiming to represent and to speak on behalf of victims propagated the erroneous view that concern for crime victims invariably requires harsh, punitive justice policies. While the distress of some victims may be so overwhelming that they will demand the harshest possible penalty for their victimizer, this could hardly be said of the majority of victims of crime. Healing, recovery, redress and prevention of future victimization are the primary objectives of most crime victims (Boers and Sessar, 1991; Pfeiffer, 1993). And if the primary purpose of social intervention is to restore peace, redress harm, heal injury, and prevent repetition of the offense, then it is easy to foresee application of the restorative justice paradigm, with its constructive elements: mediation, reconciliation, restitution and compensation, as the way of the future.

It is thus to be expected that the policies advocated by victimologists in the future, as well as victimological practice and action, will be very different from those of yesteryear and of today. If there is a safe prediction to be made about victimology of the future, it is that it will become a truly scientific discipline and a truly humanistic practice.

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