

# **A Critical View on Victimological Theories**

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# Let's try interactivity - but predominantly only with “students”

Who cares about theory? Why does theory matter?

Which is your favorite victimological theory?

Which theories do you know? → Collection of  
victimological theories

Analysis: strengths and weaknesses

Language and Concepts in the context of victimology

# Early („classical“) “theories”

Edwin **Sutherland** 1924 "Criminology"; Willem **Nagel** 1930 Meso-level: city as victim.

Hans **von Hentig** (1948) and Benjamin **Mendelsohn** (1956): Typologies according to the victim's contribution to the outcome = complicity (see Stringer 2024).

However, **Mendelsohn** opted in favor of a “general victimology”!

Marvin **Wolfgang** (1958) "victim precipitation" → victim provocation?

# Consequence of “Big” Data Collection

Hindelang et al. (1978): Lifestyle

Cohen & Felson (1979): routine activities

→ only descriptive

# (No) solidarity with victims

Lerner's (1980) attribution theory: The belief in a just world

VS.

"rape(-supportive) culture"(Brownmiller 1975).

# Feminist theories

Diana Russell (1976 + 2012) created the term „femicide“

Robert/Raewyn Connell's theory of hegemonic masculinity (1987).

However, "carceral feminism" (Terwiel, 2020) places too much trust in criminal law (see Law, 2022).

"in-vivo-Code" by Gisèle Pelicot: "Shame must change sides" (see Darian 2025)

# Concept or theory?

Secondary victimization as theory (→ who invented it? Martin Symonds, Ann W. Burgess?)

crime vs. conflict / problematic situation (Hulsman)  
social peace vs. peace of law (Restorative Justice)  
hegemony vs. anti/counter-hegemony (Gramsci)

# Victim labelling, scapegoat theory and moral panic

Jan van Dijk (2020) associates the concept of victimization with the cultural context of Christianity  
→ wo/man is guilty; Jesus as a sacrifice/victim for all human sins

Erich Fromm's (psychoanalyst) "cyclist-character" (1993, p. 149)

Stanley Cohen's moral panic (2002).



# Subjectivity, fluidity and dynamics of the victim/survivor status

Hagemann (1993): victimization as an attack on a person's integrity and identity (cf. Petzold & Mathias, 1982, p. 175).

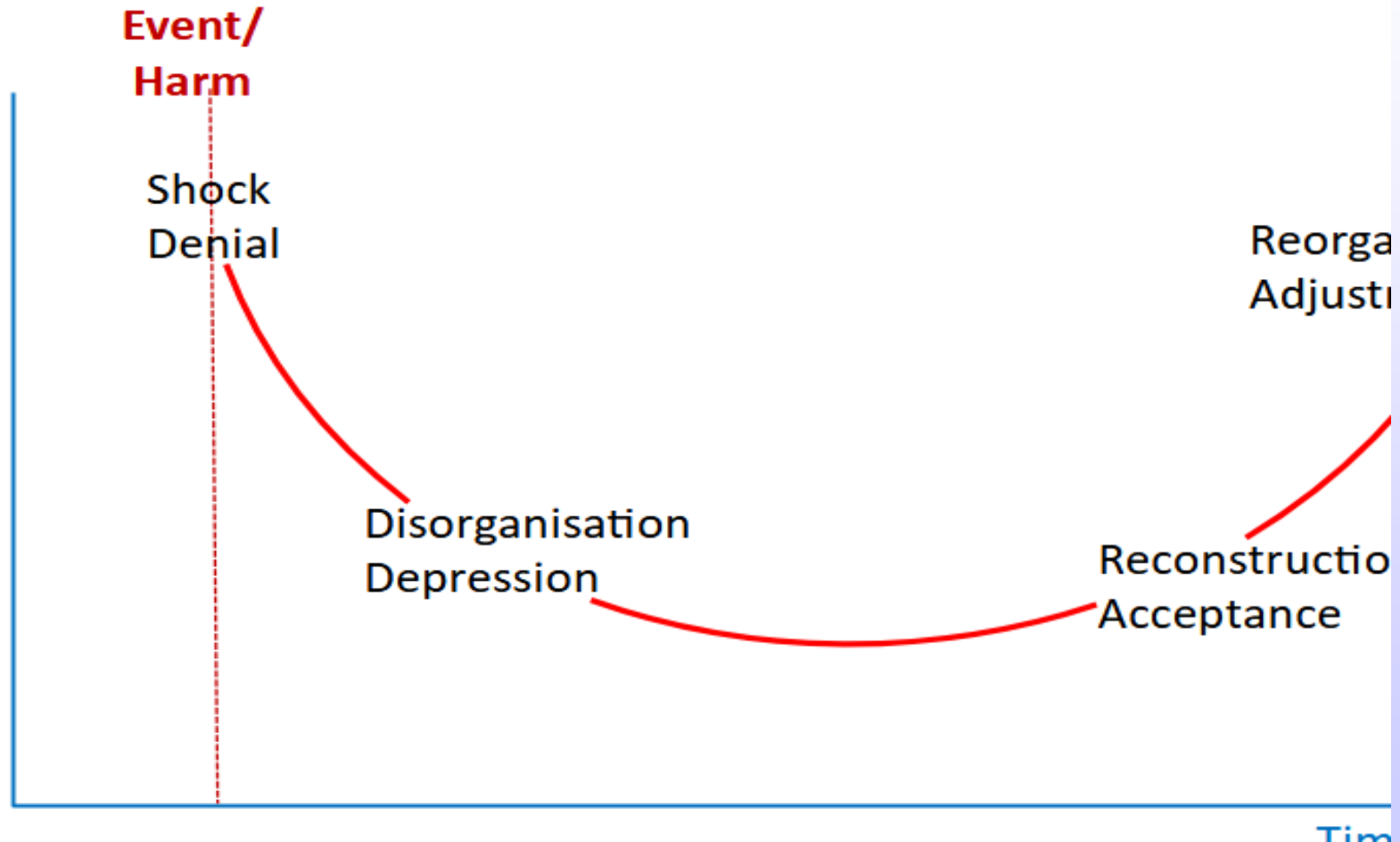
→ subjectivity of victimization experience (cf. Strobl, 2004, p. 296); Strobl clarifies, too, that some victims do not see themselves as such. Agency denied!

Need for coping; self-assessment might change over time.

Narrative victimology (see Pemberton et al. 2019; Erez yesterday)

# Theory of Loss/Recovery (1)

## 4 Stage Model

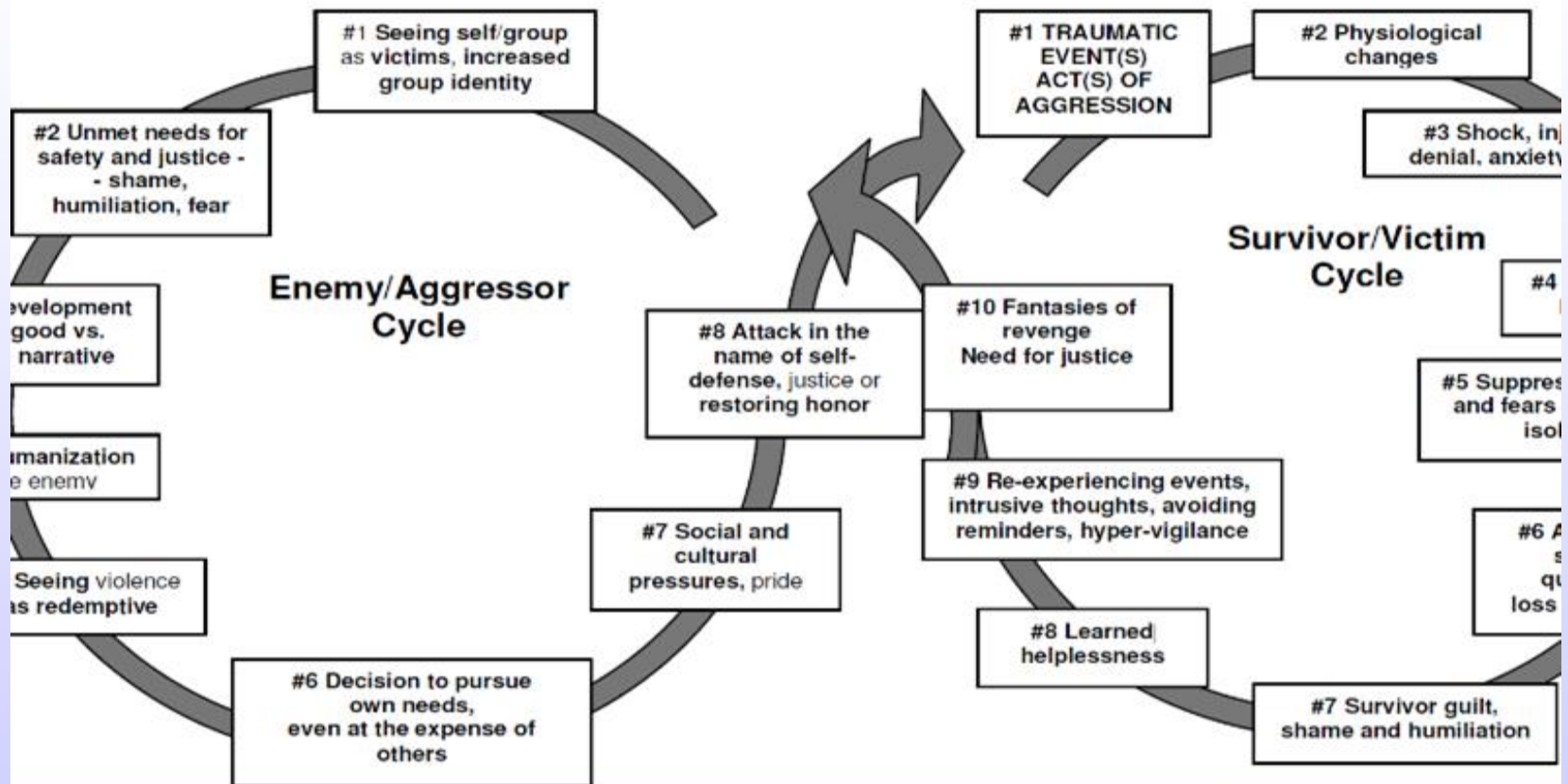


# The fluidity of victimhood

Shpungin (2014): The fluidity/volatility of victimhood or victim status, including the "ripple effect".

She sees "victimization" as a social construct and advocates standing by not only official victims, but all those who become victims of harmful acts and harm events caused by people ("all those who experience victimization when acts of harm occur").

In my opinion, "acts of harm" goes beyond crime (cf Davies et al. 2001), will include abuse of power, war and man-made disasters → zemiology (Vanhamme 2010)



Howard Zehr: Doing Justice, Healing Trauma – The Role of Restorative Justice in Peacebuilding, S. 11  
 in: South Asian Journal of Peacebuilding, Vol. 1, No. 1: Spring 2008

# A relatively recent perspective

Campbell and Manning (2014; 2018) Victimhood Culture: Microaggressions as the basis of identity politics.

The term "Victimhood Culture" contains the paradox that victim status is desirable in a competition between the supposedly disadvantaged or discriminated against because it promises social recognition.

Problem: → victim playing (pretending to be a victim – but who decides?).

# Assessment of theories

Restricted to criminal justice  
and law

Other concepts, e.g.  
victimology

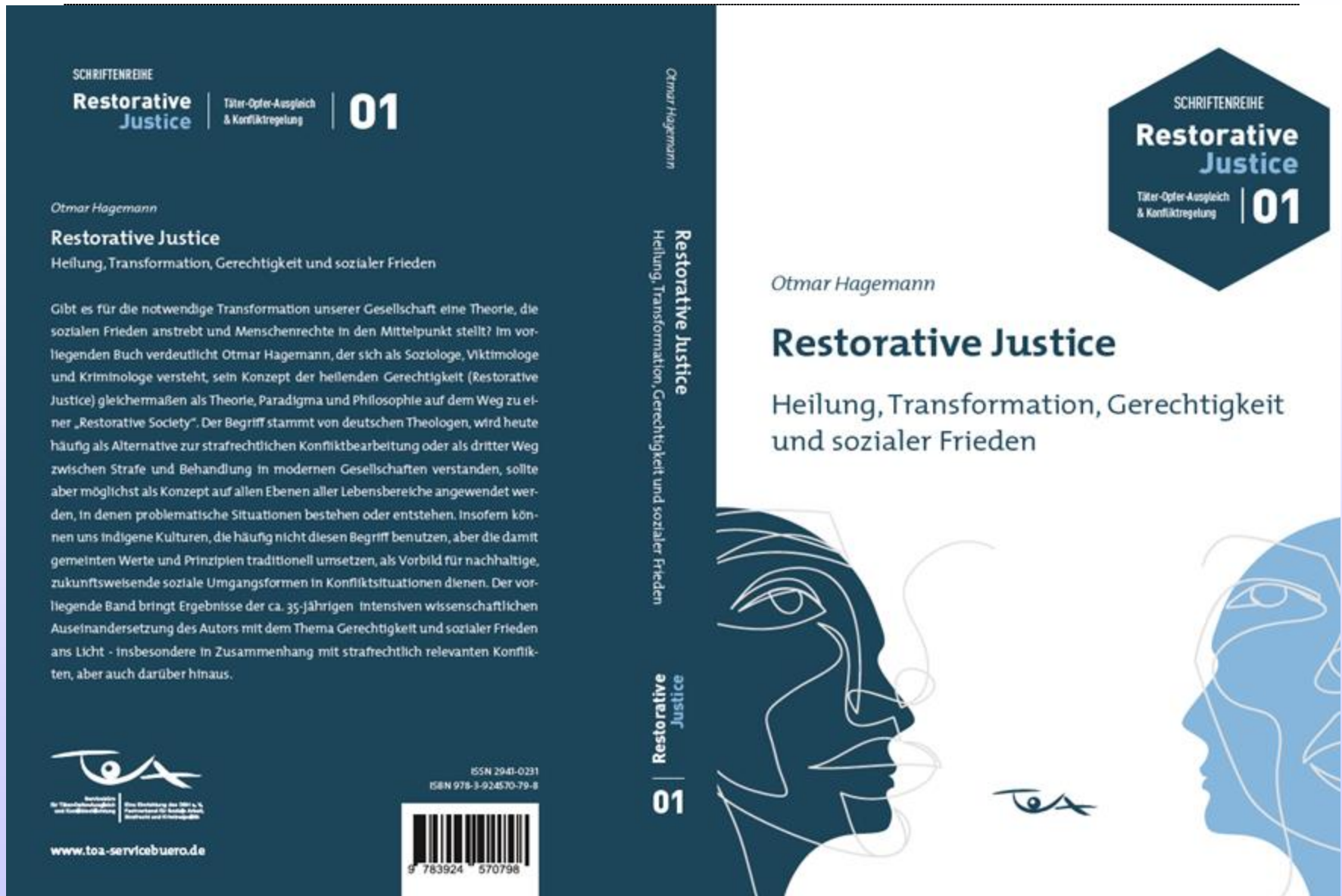
# Definition Restorative Justice (RJ)

- Restorative justice forms an innovative approach to responding to both criminal and challenging behaviour that places the healing of damage done to relationships and people ahead of and above the need to assign shame and impose punishment (cf. Hopkins 2002: 144 quoting Wright 1999).
- Is RJ sufficiently transformative? Should we speak of "transformative" rather than "restorative" justice? (Zehr 2011)
- Walgrave (2008) argues that RJ does indeed seek to change unhealthy relationships and forms a pathway for wider social transformation.

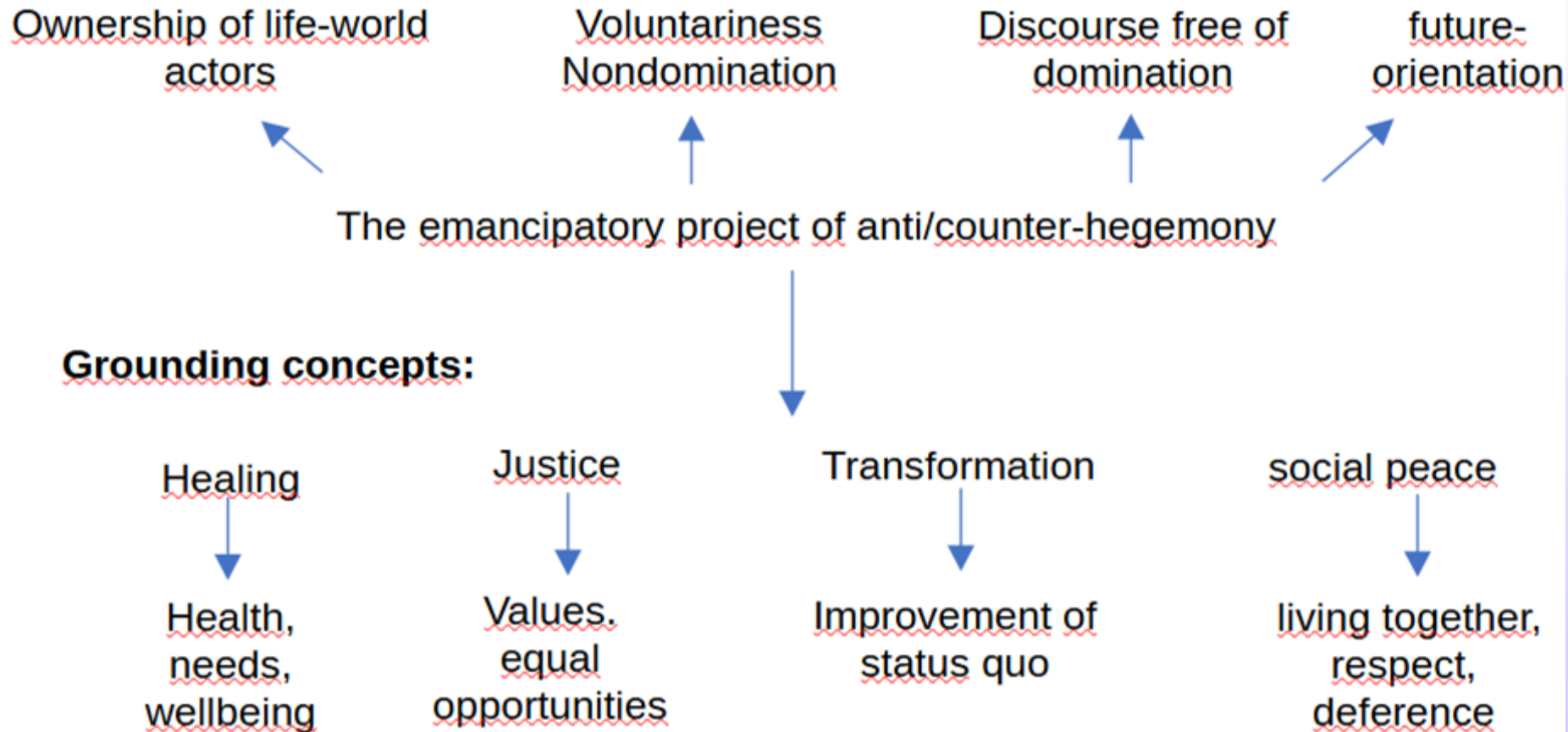
# Restorative Justice

- Jonathan Boston (2007) proposes like Martin Wright (2010) a „Restorative Society“ as an organisational principle for finding answers to conflicts within society.
- It links the developments in restorative justice and restorative practices to build a **good society**, which  
"will be one where there is a genuine quest, across the many and varied fields of human endeavour, to restore or rebuild positive relationships and sound social structures, whenever such relationships or structures have been harmed or damaged in some way ...".





## Elements of Restorative Justice Theory



# Motto / guiding principle of RJ

Since harm is the central problem in a restorative framework, restorative justice requires a response that does no further harm.

Howard Zehr

- Bauman, Zygmunt (2000). *Liquid Modernity*. Cambridge: Polity Press.
- Becker, Howard S. (1973) [EN:1963]. *Außenseiter. Zur Soziologie abweichenden Verhaltens*. Frankfurt/Main: Fischer
- Becker, Howard S. (1967). *Whose Side Are We On?* *Social Problems*, 14, S. 239-247.
- Boston, Jonathan (2007). *Towards a Restorative Society*. In: Maxwell & Liu (Eds). *Restorative Justice and Practices in New Zealand: Towards a Restorative Society*. Wellington (321-326).
- Brownmiller, Susan (1975). *Against Our Will: Men, Women and Rape*. New York; Simon & Schuster.
- Campbell, Bradley and Manning, Jason (2018). *The Rise of Victimhood Culture: Microaggressions, Safe Spaces, and the New Culture Wars*. Palgrave Macmillan.
- Cohen, Lawrence E. & Felson, Marcus (1979). *Social Change and Crime Rate Trends: A Routine Activity Approach*. In: *American Sociological Review*, 44, S. 588-608.
- Cohen, Stanley (2002). *Folk Devils and Moral Panics: the creation of the mods and rockers*. 3. Aufl. London u.a.: Routledge.
- Connell, Robert/Raewyn W. (1987). *Gender and Power*. Sydney a.o.
- Darian, Caroline (2025). *Und ich werde Dich nie wieder Papa nennen*. Köln: Kiepenheuer & Witsch [Et j'ai cessé de t'appeler Papa, 2022]
- Davies, Pamela; Leighton, Paul & Wyatt, Tanya (Eds.) (2021). *The Palgrave Handbook of Social Harm*. Cham: Springer Nature Switzerland.
- Dussich, John P. J. (2016). *Blue Victimology and Femicide: The United Nations' Response to Victims and Female Victims of Gender Killings*. In: Kury, Helmut; Redo, Slawomir & Shea, Evelyn (Eds.). *Women and Children as Victims and Offenders: Background – Prevention – Reintegration. Suggestions for Succeeding Generations*. Vol. 1. New York: Springer. 47-65

- Elias, Norbert & John L. Scotson (1990). Etablierte und Außenseiter. Frankfurt a. M.: Suhrkamp.
- Elias, Robert (1996). Paradigms and Paradoxes of Victimology. In: Sumner, Chris; Israel, Mark; O'Connell, Michael and Sarre, Rick (eds.). International Victimology: selected papers from the 8th international symposium. Canberra: Australian Institute of Criminology. Pp. 9-34.
- Freire, Paulo (1973). Pädagogik der Unterdrückten. Bildung als Praxis der Freiheit. Reinbek bei Hamburg: Rowohlt.
- Fromm, Erich (1983). Über die Liebe zum Leben. Rundfunksendungen, hrsg. Von H.J. Schultz. DTV
- Hagemann, Otmar (1993). Wohnungseinbrüche und Gewalttaten: Wie bewältigen Opfer ihre Verletzungen? Pfaffenweiler: Centaurus.
- Hentig, Hans von (1948). The Criminal and His Victim. Studies in the Sociobiology of Crime. New Haven: Yale Univ. Press. **Archon Books.-> davon 1979 Reprint in New York: Schocken Books.**
- Hindelang, M. J., Gottfredson, M.R. & J. Garofalo (1978). Victims of Personal Crime. An Empirical Foundation for the Theory of Personal Victimization. Cambridge: Balinger.
- Kölbel, Ralf & Bork, Lena (2012). Sekundäre Viktimisierung als Legitimationsformel. Berlin: Duncker & Humblot.
- Law, Victoria (2014). "Against Carceral Feminism," *Jacobin*, October 17, 2014, <https://www.jacobinmag.com/2014/10/against-carceral-feminism/>.
- Lerner, M.J. (1980). The Belief in a Just World. *A fundamental delusion* New York: Plenum.
- Mendelsohn, Benjamin (1956). Une nouvelle branche de la science bio-psycho-sociale – la victimologie. In: Revue Internationale de Criminologie et de Police Technique, 10, S. 95-109.

- Nagel, Willem Hendrik (1949). *De criminaliteit van Oss*. Groningen: Daamen.
- Russell, Diana (2012). *Defining Femicide*. <https://www.dianarussell.com/defining-femicide-.html> Accessed at 25.10.2022
- Serreels, Valerie Luna (2021). Radical Relationalism. Restorative Justice with the Earth. In: Lewis, Ted / Stauffer, Carl (Eds.). *Listening to the Movement: Essays on New Growth and New Challenges in Restorative Justice*. Eugene: Cascade Books. S. 95-117.
- Shpungin, Elaine (2014). The Fluidity of Victimhood. In: T. Gavrielides (ed.). *A Victim-Led Criminal Justice System: Addressing the Paradox*. London: IARS Publications.
- Stringer, Rebecca (2024). Rape Myths, Rape Law and Mendelsohn's Victimology. In: Law's 'Bio-psycho-social' Witness Feminist Legal Studies.
- Strobl, Rainer (2010). Becoming a victim. In: Shoham, S.G.; Knepper, P. & Kett, M. (Eds.). *International Handbook of Victimology*. Boca Raton u.a.: CRC Press, Pp.. 3-26.
- Sutherland, Edwin H. (1924). *Criminology*. Philadelphia: J. B. Lippincott.
- Terwiel, Anna (2020). What Is Carceral Feminism? In: *Political Theory*, Vol. 48(4) 421–442.
- van Dijk, Jan (2020). Victim Labeling Theory: A Reappraisal. In: Joseph, J. & Jergenson, S. (Eds.). *An International Perspective on Contemporary Developments in Victimology. A Festschrift in Honor of Marc Groenhuijsen*. Cham: Springer. Pp. 73-90.
- Vanhamme, Françoise (2010). Chronique de criminologie. La zémiologie: nouvelle discipline, extension du champ criminologique? In: *Revue de Droit Pénal et de Criminologie*, Pp. 1311-1326
- Wolfgang, Marvin E. (1958). *Patterns in Criminal Homicide*. Philadelphia: Univ. Press.
- Wright, Martin (2010). *Towards a Restorative Society: a problem-solving response to harm*. London: Make Justice Work.
- Zehr, Howard (2011). Restorative or Transformative Justice? Blog 10.3.2011 [www.emu.edu/now/restorative-justice/page/4/](http://www.emu.edu/now/restorative-justice/page/4/) 8.9.2024

# Conclusion: Core necessities

- If victimology is a science, it cannot rely on legal categories because they differ from country to country and from time to time
- One science shall not just import theories from another science (e.g. criminology), but at least adjust them to its own needs
- It seems that the core category of victimology is harm and suffering – what about the demarcation towards zemiology?
- We have to deal with subjectivity; the meaning of a term is in its use (beware of the powerful → power to the people!)
- We must take fluidity into account: Things & thoughts are changing during processes
- How justified is a human centric approach? Why not extend victim status to animals, rivers, mountains etc.?
- We should keep an ethnographic eye trained on the classed, religious, gendered, racialized and species-based forces



**Thank you for your participation!**

**Let's go to work now!**



# Central priorities according to H. Zehr

## **The predominant mainstream c.j.s.**

- Which norm / law has been violated?
- Who was the offender?
- Which sanctions are appropriate for him/her?

## **Restorative Justice**

- Who has been victimized?
- Which negative consequences must be addressed?
- How and by whom can the given situation be healed?

## **Be sure to think along**

- What social circumstances facilitated the harmful behaviour?
- What structural similarities are there between the event under discussion and comparable events?
- What measures can prevent future occurrence?

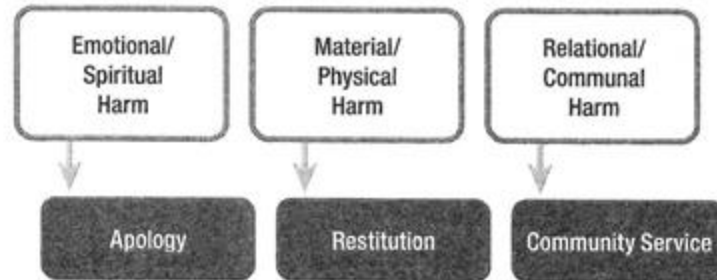
According to Karp (2013: 45) conflict settlement focuses on repairing the harm and building trust.

There are neither trust-building nor peace-building activities in court. → „blame game“ Garfinkel

On the contrary, RJ procedures involve actions that demonstrate commitment to the community.

Social harm and individual victimization of the actions in question are explored and discussed. Individuals are able to demonstrate understanding → Pointer + Braithwaite

# Three (six) forms of harm and possibilities for restoration / making good



## Apology guidelines

*"An apology is a good way to have the last word."*

*Author unknown*

Apologies are expressions of remorse and the willingness to take responsibility for a transgression. They must be sincere if they are to be taken seriously. Apologies are an important way to repair community relationships and restore trust between parties. When apologies are assigned as a sanction, they should be written (not verbal) and approved before sending to a harmed party.

Karp 2013: 40

# Five steps of restorative dialogs

1. Active listening, hearing the narrative: what happened?
2. Key moments, thoughts and feelings: what were you thinking? what were you feeling?
3. Ripples of harm: who has been affected? How have they been affected? What has been the hardest part for each person?
4. Needs: What do you need to feel better?
5. Ways forward: What needs to happen to move things forward?