

A. Introduction to Victimology

I. How Should Victimology Be Dealt With?

1. Victimology Strictly and Broadly Speaking

It is still not quite clear how far-reaching the field of criminology should be; merely a theory about actual crime, a theory about criminality's victims in a broader sense, or a comprehensive theory applicable to victims in general. (F1) Undoubtedly, the police are primarily interested in victims of felonies and of misdemeanors. Therefore, in criminology, the simplified "crime victim" has now become the accepted term. (F2)

It is to be expected that in the near future, more and more general theoretical research which is also applicable to the situation of crime victims will be carried out; for example, research on victimogenic communication patterns.

It is conceivable that in the general police practice of questioning victims, the latter may also include information about non-criminal occurrences. For example, a given degree of psychological harm suffered by victims of violence could be compared with an equivalent degree of harm suffered by victims of traffic accidents, in order to create and cross-compare a hierarchy of comparable injuries. (F3) It might also be useful to compare the dimensions of the risks of children being killed as a result of various events, in order to arrive at a realistic appraisal of mortal dangers faced by children which is meaningful for purposes of prevention. (F4)

Thus for example in West Germany in the year 1982, the following numbers of children died as a result of these respective causes:

5 as a result of sexual victimization,
112 by premeditated murder,
727 in traffic accidents.

A total of 34,708 children were slightly or seriously injured in traffic accidents. (F5)

These figures can provide a valuable point of reference when one is seeking measures that will prevent the death of children. They indicate where any meaningful work must begin. The situation of the elderly as crime victims would appear to be a good example of why the more inclusive "victimology in the wider sense" might be the better construct. The elderly's role as victims of criminality cannot itself be discussed without including the structural, institutional, and individual victimizations of the elderly which occur in other areas. It is uniquely characteristic of the special problems of the elderly that many of the victimizations which they suffer are neither directly analyzed nor even criminalized. Naturally, this does not then mean that an intensified criminalization of such acts must be blindly pursued. A better solution to such problems could likely be found. (F6) Victimology certainly must -- in accordance with the circumstances -- expand its scope if it is to work.

2. Victimology's Status Among Related Disciplines

Discussions have been sparked as to whether victimology is currently a science in its own right, or merely a subcategory of criminology. Many authors see its method of questioning victims as its only contribution -- and merely a methodistic one -- to the field of criminology. This apparent problem (F7) itself has certainly been somewhat alleviated with the help of the establishment, in that criminology and criminalistics already routinely (albeit unconsciously) take into account the perspective of the victim. (F8) The perpetrator aspect has -- until now -- been overemphasized. Criminology/criminalistics without a victimological point of view would seem -- particularly within the framework of the modern, interactionist statement -- to no longer be tenable, "for the overall criminological analysis, thus concerning crime, criminality, perpetrator personality, and crime control, no longer even permits the derogation of victimological questioning, because one does not want to risk a possible loss of insight." (F9)

3. The Perpetrator-Victim Relationship

Oddly, even now, the public rarely hears that violent offenses are typically committed by persons related to the victim (F10), whereas criminologists and (especially)

criminalists have long been familiar with the reality of the situation. (F11) This data has frequently been applied to murder victim criminalistics and finding possible perpetrators.

In the early works of criminology, Exner, Mezgers, Sauers, and Seeligs no doubt attempted to combine the criminological data available at that time; however, at first, neither the crime victim nor the perpetrator-victim relationship were attributed much importance. (F12) Then later on, as these insights were incorporated into victimology, a misunderstanding developed that victimology was a science which concerned itself only with perpetrator-victim relationship itself. The fact that this misunderstanding can then lead to a narrow construct, which continuously and inevitably pushes aside both the victim and perpetrator's interactions with one another as well as with their environments, must be considered. More recent works, however, have pointed out that a focus on either the individual or a selected group of homogeneous individuals (e.g., observing teenage skirmishes in isolation) can lead to false inferences. The social sphere, and the interactions of those within it, must be illuminated. Through their multi-dimensionality, these more recent social science emphases have undoubtedly lead to a better assessment of social reality, even if they also complicate goals such as the establishment of hypotheses and the clear elucidation of statistical procedures.

II. Victimology Within the Field of Social Stress

Recently, one frequently encounters the opinion that criminology and social control authorities have for too long been exclusively concerned with the perpetrator. Protection and re-socialization of victims happened far too seldom. This is certainly correct. But it nonetheless is surprising that this way of thinking is then used to torpedo any talk of re-socialization on the perpetrator side, as if this would somehow preclude any re-socialization of the victim.

Victimology is, at times, at a problematic stage, in which it attempts to be a member of as well as occupy a fixed ideological position which emphasizes -- consciously or unconsciously -- that there are but two possible approaches to abuse: victim-hostile, or victim-friendly. Quensel even speaks of the "obscuring victimologists," (F13) to whom this field has been entrusted.

Once the concept that criminals are a particular kind of people has been substituted for it, the original idea of criminality as produced by relationships between and among particular people falls out of favor. In contrast with the interactionist thesis of results -- which the following attempts to be in accord with -- the terms "culpable," "irresponsible," and "provocative" describe criminogenic (as opposed to victimogenic) victim behavior. There, the efforts of some sectors of modern victimology to take the focus off of "the criminal" support an assignment of fault to the victim which is analogous to the strategy of a criminal defendant in a rape case. Weis puts the understandable confusion this way: "One saw a broader scientific fascination with -- as well as personal compassion for -- the criminal perpetrator than for the victim in interactionist processes of analysis. In this sense it does proceed within a perpetrator-oriented framework -- this still-existing paradox strives...for a genuine victimological, and therefore victim-oriented, perspective." (F14) This has been carried so far, that Ryan speaks of [>E] "the art of blaming [the]victim" [<E] (F15), and Weis senses within victimology/criminology trends which are hostile to victims. (F16)

Confusingly, advocates of this position work in concert with advocates of a self-described progressive position, in a posture of apparent solidarity with the victim, in order to call for more severe punishments for perpetrators. (F17) This partnership does not recognize the contradiction in their arguments; despite their agreement that victim and perpetrator behaviors are socially-inspired, they nevertheless amplify both the perpetrator's personal liability as well as the requirement that he atone for his act. (F18)

Lastly, there is a broader alliance of those with greatly differing political backgrounds, who nevertheless agree upon -- as a matter of shared principle -- ideas regarding fault and atonement which use the suffering of victims for purposes of criminal-political demagoguery. (F19)

(F20)

At times this also produces a victimological^V slant which pretends to be victim-friendly, but in fact is victim-hostile because it works against the re-socialization of the victim and/or the perpetrator.

This is not merely a question of personal priorities, requiring discussion on this level only, but is also a legal-political as well as practical legal question, because our legal system has itself established the goal of protecting potential victims from the primary injuries caused by a criminal act (preventive aspect), as well as the analogous re-socialization concept that actual victims should be protected from secondary or subsequent injuries (caring-for aspect). (F21) Admittedly, we are all to blame for the fact that the caring-for aspect has gotten the short end of the stick. One often gets the idea that nothing is actually happening in this area, that the public is presented with victims' suffering merely so that this might contribute to the enhancement of criminal sentences. Later on, the victim is frequently left to deal with his/her suffering on his or her own.

III. The Victim

1. The Victim-Concept

On the perpetrator side, distinctions are undoubtedly made between suspects, the accused, the guilty, the defendants, the convicted, and the imprisoned; and yet, on the victim side, no analogous distinctions are made. But distinctions between merely supposed, ostensible, actual, and other victims is necessary because the 'victim' label is all too hastily applied, immediately after the labeling process on the perpetrator side has begun.

To clarify this point, it will be necessary, in the following, to systematically and sequentially show that punishable sexual contacts comprise four basic and mutually distinguishable constellations, which are based upon the people participating in them. (F22) Nevertheless, the distinct role of the victim must be considered in wider treatments of these themes.

First Constellation

Thirteen-year-old Martina lives in a protected upper-class milieu, has had an overprotected upbringing, and receives no sexual education of a positive nature whatsoever. Instead, sexuality is not spoken about at all in the house.

On the way home from school, Martina was asked for directions by a man sitting in a car. Martina willingly provided the information. The man drove past her, but then began following her, aggressively and unnecessarily asking over and over again which way he should go. This strikes her as odd. She doesn't understand the man's behavior.

Martina had not realized that she was (no perception) -- and thus could not self-identify as -- a victim (no definition), and therefore cannot announce her victim status (no declaration).

Second Constellation

Shortly afterwards, Martina discussed the story about the "funny car-driver" with her friend Heike. No more enlightened than Martina, Heike feels simply that something is not right.

A bit later, Heike spoke with her father about this encounter. Her father very quickly concludes that he must personally take action against this "flasher."

He presumes that the "flasher" is involved in additional mischief. On the following day after school has ended, he ~~walk~~ followed the girls in order to keep an eye out for this man. He ducks around the corner, now on foot. Heike's father holds the man's ears in order to keep him from getting away. The two girls stand nearby. The father ascertains the man's name.

Heike's father calls up Martina's father and tells him about the incident.

Back at the house, Martina has an intensive discussion with her father about the event. This is the first time that father and daughter have had a conversation relating to sexuality. Accordingly, the interrogation is embarrassing and anxiety-producing -- probably for both parties.

Nine years later, as a 22-year-old, stated: "This was a completely terrifying interrogation. With this discussion it came to me all of a sudden at that time, that anything having to do with sexuality must be completely dirty; with this 'interrogation' there also came a feeling of guilt, because I was not quite sure whether I myself had or had not, in some way or another, done something wrong which had brought this on..."

The perception and declaration of victim status can also diverge when, for example, a love affair between a 13-year-old girl and a 16-year-old boy becomes known -- and is reported -- by someone looking at it from the outside. An analogous conflict is created in many nonviolent pedophilic contacts when they are reported by third parties.

Third Constellation

In a third constellation, the victim role may well be perceived, but not declared:

- the married woman who feels economically dependent on her husband, and feels forced because of emotional and/or physical violence into engaging in intercourse with him.
- or the case where daughter (= victim) and mother dare not report an incestuous relationship between father and daughter because, for one thing, they are afraid that the family bread-winner could slip away from them, and for another, because they fear that the daughter could get put into a [foster] home.

But as ever more damaging encroachments come to be expected, declaring one's victim status becomes less of a risk.

Fourth Constellation

Remarkably, the structure of this constellation is frequently and all too unconsciously simply carried over from the one previously described.

A man rapes a woman. Following intercourse, he resolves to "make everything right": He gives the woman a large sum of money, and soon after drives her to a bus stop.

In this case, both participants perceive the woman's victim status. The woman declares her victim status via an ensuing announcement [to her attacker]; the perpetrator declares his own status as such by, for example, giving her money.

In due course in cases like Martina's, ensuing sexual ~~contact~~ contact occurs, which is publicly reported; the person then becomes known as a victim without ever having made such a him or herself. For better differentiation, a distinction might be made between a person who declares him/herself to be a victim ([>E] person, who declares to be a victim) [<E], (F23) and a person who is declared to be a victim

[Back to shortly following the original events:] The father pressed on with the case. The police interrogation Martina receives is like a repetition of the conversation she had with her father.

Martina had not perceived herself as a victim in the incident with the man. Her father had confronted her with the victim-definition. It was then -- and also via the official report itself -- that Martina was declared to be a victim. Today, nine years after the incident, Martina does not perceive herself to have been victimized as a result of the information which the man requested (exhibited?). Rather, she sees herself as the victim of a poorly-managed criminal prosecution.

([>E] person, who is declared to be a victim) [<E]: A self- or intrinsically-declared victim, and an assumed or extrinsically-declared victim. The term "declared victim" has come to mean merely a person who has, in some way, come to be known as a victim. But herein, "intrinsic" is meant to signify that the perception of being a victim is truly and actually internally felt, whereas "extrinsic" means that the role has been externally assigned as the result of a determination made by someone else. The customary and generally-understood concept of the "declared victim" has to be abandoned; these persons should be able to decide for themselves whether they are to be self- and/or other-declared victims.

Persons who are reportedly on the "victim" end of sexual contacts therefore must be explicitly categorized as self-declared and/or other-declared victims (respectively, intrinsically- and/or extrinsically-declared victims). This applies, for example, to the gathering of criminal statistics by the police.

3. Victim-Labeling

Victim-labeling presents itself partly as an analogy to, and partly in association with, perpetrator-labeling. Whenever one person is assigned the role of the perpetrator, a corollary victim role-assignment is generally made. In particular cases, this can stigmatize victim and perpetrator alike. Furthermore it can happen especially easily in other-declared victims -- as in the above-reported case of Martina -- that following the actual criminal act, improper environmental responses cause them to be initially -- or additionally -- harmed (secondary victimization; see below, pg. 39 f and Footnote 44, pg. 41).

Even more tragic are the cases in which a person only turns into a victim of a criminal act because that is what their environment expects of them. This is a startling statement; and such a constellation is scarcely imaginable. What is meant here are situations where, by the application of victim typologies or via ascriptive processes, social settings or partisan groups are absolutely determined to promote the victim role. Many people who in this way get labeled as victims then behave in actual risk-situations in accordance with this prophecy and thus do, in fact, become victims, though obviously they had not necessarily been so prior to that. In social psychology this phenomenon is called [>E] "[a] self-fulfilling prophecy;" [<E] a self-fulfilled prophecy, which itself alone, because of the fact that many people have internalized it, impels them to act in accordance with it. (F24)

Another factor which contributes to the victim-risk situation is that, because potential perpetrators also have internalized the victim-labeling schema, they will thus choose as well as treat their victims -- consciously or unconsciously -- in accordance with this prophecy.

Others who are labeled victims respond by consciously behaving contrary to the victim-label, in an attempt to protect themselves from risk-situations. But they thereby limit both their sphere of activity and potential for social experiences -- which in and of itself constitutes of kind of victimization -- and their lives thus become increasingly "untenable." It is then observable that such people become completely helpless and unsophisticated regarding how victimogenic situations may be avoided, and finally become victim themselves. (F25)

3. Victim Becomes Perpetrator, Perpetrator Becomes Victim

The distribution of roles between victim and perpetrator are frequently not as clearly-demarcated as one might expect.

Thus the "swindled swindler" which results from a criminal interaction is well-known, whereby the potential perpetrator becomes the actual victim. Sometimes it seems as if the distribution of roles occurs purely randomly. On the other hand, it is observable in the criminal sphere that the victim sometimes become the perpetrator, when for example teenagers who suffer physical injury at the hands of their peers thereby learn how to "put up a fight." Finally, it has been demonstrated again and again that in the course of -- and as a result of -- the criminal prosecution, the perpetrator is victimized. (F26)

From the victimological perspective, the incestuous relationship is an especially complicated constellation. A case example will help to illustrate the overall roles, role changes, and role diffusions. Misleading, such situations are generally circumscribed and considered as merely sex of incest offenses, which neglects the central aspects of authority and control.

Thirteen-year-old Kerstin has four siblings; two sisters, ages ten and nine, and two brothers, ages eleven and six. Kerstin's father is a skilled worker at a small factory. He is dissatisfied with his vocation. At one time he had begun an automobile mechanic apprenticeship, had become boss, and later on wanted to venture out on his own. But then he broke off the apprenticeship, because the pay at the factory was better. Today he is irritated with himself about the decision he made back then. The mother is a housewife and cleans by the hour at a builder's cooperative association. Money is tight. The family is lower-middle class.

The relationship between the parents is an indifferent one. It is indifferent insofar as their emotional interest in one another has dropped off precipitously. Sexually the relationship had always been rather satisfactory, but lately it had slackened even further. Today the wife realizes that, over the years, she had permitted the sexuality between herself and her husband -- along with her own need for tenderness -- to be curtailed. She has no conception that a different kind of sexuality is even possible. She almost never speaks with other women about this, and thinks that perhaps she herself has contributed to this curtailment, in that she rarely experiences either sexual desire or orgasm.

Lately, her husband has been having a few beers too many. When late in the evening he does return home, he is lustful, and wants to sleep with his wife. She tries to refuse; there is an argument, the husband becomes irate, yells so loudly that he can be heard at the other end of the house, awakens the children, and then, as they come running toward him, strikes them. Sometimes he also hits his wife. Meanwhile, she herself has grown accustomed to the fact that in such situations, she must simply place herself at his sexual disposal. This saves her a lot of aggravation, she believes. The husband first began doing this as a way of satisfying his urges, when there began to grow within him the vague sense that his wife was rejecting him. He feels vaguely dissatisfied, doesn't know why, but doesn't want to become preoccupied about it either. All in all, he thinks that because his wife is so frigid, he simply has to take her, by hook or by crook. Sex with her thus produces a sense of self-loathing within him. He mounts her roughly; he believes that, of course, women actually want to be taken in this way. At any rate this is what he tells himself. But the wife still feels forced. Nevertheless, it had never occurred to her that she was actually being raped by her husband. She simply experiences this as normal sexuality.

As an eight-year-old, Kirsten was "enlightened" by her mother. When an exhibitionist was seen close to the school, the mother unleashed a horror story, telling the daughter that bad men who wanted to touch girls "down there" would offer them car rides, and then kill them. Therefore at eight Kirsten was obliged to stay away from -- and never to go along with -- such strange men. Kerstin thus became very afraid of these strange men, who were nowhere apparent and yet somehow ever omnipresent. The mother was of the opinion that by telling this moral tale, the required sexual education had now been accomplished. What else was she supposed to tell such a child?

But it was by other means that -- rightly or wrongly -- Kerstin had already received her sexual enlightenment by that age.

Recently Kirsten had her first period. She was terribly frightened. She couldn't work up the courage to discuss this with her mother until the following day. The mother took her to buy tampons, and told her that it was normal. She was now a woman. These bleedings would occur once a month. She then found out more about the monthly bleedings from her friends at school.

Whenever the father comes home drunk, the children know that they must not be conspicuously disagreeable. They behave timidly and gently. Given his quick temper, the slightest provocation is frequently enough to incite the father to hit one of the children. One time already Kirsten had had to miss a day of school because her father had

given her a black eye. Another time she had been so badly by her father that she had an ear ache for two days. She had dropped a plate. Her eleven-year-old brother was even more frequently thrashed by the father. This had already happened once too often. Another time the mother was called to the school for a conference because Kirsten was having difficulties there; really meaning the father, she was obliged to say that now and then she had to punish Kirsten "for her shortcomings." "Which she needs, and which has never done her any harm."

On one occasion, the mother had to go to the hospital for abdominal surgery. It was expected that Kirsten, in addition to her schoolwork, would also take on the mother's responsibilities, such as looking after her little brothers, cooking, and washing and rinsing, for the duration of the hospital stay. One evening, the father again came home drunk. Of course he awakened Kirsten, in order to ask her to sleep with him in the marital bed. When Kirsten replied evasively, he pressured her: Of course she has already slept in the marital bed many times. It is very cozy in the large bed and of course there is plenty of room. As if she had something against her father; as if she didn't like her father, in the way that one is obliged to like his/her father. Kirsten knows that her father can become very angry in this drunken state, if he is refused and thus feels disrespected. So she lies down in mother's bed. During the night, the father comes in sexual contact with Kirsten, guiding her hand to his erect penis. He wants her to masturbate him. Though the situation is unpleasant for her, the daughter knows that there is no escape. The contact is repeated on subsequent nights, and eventually Kirsten is forced to engage in intercourse. The situation is equivalent to rape, though Kirsten can scarcely risk taking any defensive actions. Afterwards it is impressed upon her that she was not allowed to tell anyone about it, or else she would have to be raised in a [foster, etc.] home. Out of a peculiar sort of jealousy, the father furthermore attempts to prevent her from having contact with her peers. She is not supposed to hang out with boys on the playground or at the youth center, and of course there is to be no flirting. At the same time, however, he himself is courting the daughter frequently and anxiously. He intends to buy her silence with gifts of money.

When the mother returns from the hospital, she soon realizes that sexual contact has been taking place between her husband and her daughter. The mother reacts jealously, punishing the daughter. The problem certainly is not spoken of. In family quarrels the father often takes Kirsten's side, against the mother. The father hopes that Kirsten will keep the sexual experiences to herself, and that she will try to reap some benefit from the situation. Recently, albeit suspiciously, she has been accepting gifts from -- and is thus sometimes also protected from -- her father. Although the mother is

jealous and feels that she is now facing a young, attractive, virginal rival, she nevertheless took advantage of the opportunity to withdraw from her husbands disagreeable sexual practices, which she feels lack tenderness, and are genitally-fixated, brutal, and unsatisfactory.

Eventually, the fact that the father is pushing or forcing Kirsten to engage in intercourse causes the mother to make even fewer visits to her sister's than she would like.

At that point, the real problem has become that the environment between the marital partners has turned into an endless

argument, during the course of which the wife is actually ensuring that the connection between husband and daughter will continue. She threatens reporting as well as divorce, goes to her sister's for a few days, and tells all. The sister also becomes angry. She notified the police. The daughter is perceived and described as being under the strong influence of the father in that relationship. She wonders where she stands in the overall conflict.

After a while, they again realize that they are, in fact, the parents. To be sure, legal intervention is no longer avoidable. Eventually, both parents convince Kerstin to recant her statement at trial. Kirsten's situation is desperate:

- The mother is jealous and at the same time afraid of her; Kerstin could destroy the family's financial foundation by depriving its primary breadwinner -- the father -- of his freedom. From the mother's point of view, Kirsten is close to destroying everything.
- The father is angry, because she has "betrayed him" and will eventually "send him to prison." Kirsten has put him in a difficult position.
- The siblings are on the parents' side, as they have come to feel that Kerstin has brought problems onto the entire family.
- Finally, Kerstin fears that, if she does still make a statement, she will be banished to a foster home. She has been raped by her father, and is now socially isolated.

In court, Kirsten does not give a statement.

In the above case example, the term "victim" cannot be lightly applied. Anthropologically, the family itself might be considered to be the victim of cultural taboos. Sociologically and socio-pedagogically, the family could be seen as the victim of certain national and legal practices, as well as of the authoritative environment from which they developed.

The father feels that, on the basis of the sexual ideology he was raised with, perhaps he was himself a victim of his own urges; in this way, he attempts to abdicate his responsibility. Later on he sensed that maybe he was a victim of his daughter's extortion tactics. And finally, he is afraid that, because of his daughter's "betrayal" as well as the legal system, he will lose his job and his income. And yet, the father surely does embody the role of the perpetrator.

The cheated wife is the victim of the husband having broken his vow of fidelity. Additionally she is a victim of male sexual ideology. Furthermore she has gone and gotten herself raped in the marriage, and yet, could not even once bring herself to report it as rape. Here, the criminal law is inadequate protection for her. Her toleration of the brutal sexual acts between father and daughter also makes her "complicitly" responsible herself. She became the "accomplice" because she feared that if she did make a statement, her family would be shattered.

Kerstin, the daughter, does perceive herself as a victim; however, her victim status was initially declared upon the advice of her mother. She personally, out of fear of the different

parents' possible reactions and because of anxiety regarding the threatened foster home placement, had not risked making a declaration. But due to an declaration stemming from a marital argument, her new image was that of a violated ("defiled") girl, as well as the ensuing isolation from her family, have now caused Kerstin to become repeatedly, secondarily victimized. Lastly, the daughter continues to bear the mark of a victim because her parents treat her as if she were the seducing perpetrator, and because she is forced to: 1) keep her self-perception of victimhood hidden, and, 2) retract her victim status.

Thus, this not at all unusual example of brutal familial behavior was intended to drive home the point that a naively-applied victim-concept does not do justice to the situation, and could possibly even cloud the issue.

4. Victim Typologies

Because of its reliance upon other sciences, for a long time criminology was preoccupied with the investigation of deviant behavior and with the establishment of perpetrator typologies. The idea was tempting, to be able for example to detect a perpetrator based upon the shape of his head. Thereby one hoped to be spared from actually having to do criminalistic work in the search for perpetrators, and would speak of help with prevention and even selection. Such processes were carried on largely unconsciously, probably often originating from a desire to classify as well as to establish a firm consensus within a complicated, difficult, and unexamined social system. In recent years, a renaissance of such thinking can be observed in some quarters.

"The realization that the victim is of central importance for the origination and analysis of criminal acts was first stated by Von Hentig, who attempted to establish an exhaustive classification system for victims and potential victims. (F27) Therefore historically, victimology largely originates from the first attempts at an establishment of a common typology." (F28) This victim typology met a need for education in this still young branch of science, and was constructed in the context of the observation that people do not become crime victims purely by chance. Typologization enhanced the effectiveness of prevention programs and replaced earlier ways of thinking.

Whenever such victim typologies are applied, there is a danger that the victim's fault or complicity in the offense will be manufactured, and

the blame will be placed on him or her unfairly. Again, such a criticism touches on an analogous critique that the older typology was concerned merely with the personality of the perpetrator:

- a) Isolating a single personality factor never succeeds in clearly distinguishing victims from non-victims. Thus non-victims frequently have the same selection characteristics, yet nevertheless do not become victims.
- b) Many authors fall into the methodological trap that the victim (this is also seen again and again in perpetrator-oriented research) will, alone, be able to establish the following:

When the life course of a group of declared victims is analyzed, this will eventually establish that a majority of the declared victims have a common personality feature or a common characteristic in their life paths. But even if this is true, it still does not necessarily mean that this characteristic has a causal relationship with these people having become victims.

Thus, for example, for a long time it was believed that child abuse was more frequent among the lower classes. Today, it is understood that such cases are simply more likely to be discovered when they occur among the lower classes, where formal and informal controls are more intensive.

Furthermore, some authors believe that curious children are more likely to become sex victims, and that they choose ~~this~~ this as a way of to learn as well as satisfy their curiosity. And yet, it is quite unclear whether these "curious" children should be considered victims, or non-victims. This "preventive" solution is obviously precluded within the educational setting, where dangerous childlike "curiosity" must be kept strictly under wraps. Instead, the educational setting is used as a forum for warning against sexual victimization.

- c) Typologies are deterministic, in the sense that they neglect any interactions between the individual and the environment. Therefore, such typologies also fail in practical social analyses; i.e., in criminal situations. Moreover, typologies make firm role assignments, and consider them to be unchangeable. Perpetrators remain perpetrators, victims remain victims. Particular groups of people get the victim-label stamped onto them, thereby perhaps becoming victims for the very first time.

Thus for example the certainly well-intended advice given to particularly attractive women and girls that they should

they can nevertheless feel themselves to have all along been victimized by these restrictions.

- d) Until now at least, victim typologies have only been helpful insofar as they attempted to explain (only) the primary victimization. The secondary victimization, caused by environmental reactions to the offense, was, from such beginnings, obviously completely ignored by the system of care that had been set up. (F29)
- e) In developmental psychology, educational psychology, pedagogy, and psychopathology, it has in the last several decades become clear that any attempt to pigeonhole people into typologies is useless for general practice, because;
- with the immediate assignment into categories, the establishment and retention of overall patterns will be neglected, and,
 - it itself has shown over and over again that unexpected changes in an individual who at first was placed into one category later require that he be placed in another.

The potentiality of a prototypical classification system has overall been shown to be more the exception than the rule. (F30) However, every typology is in fact arbitrary and/or artificial as applied to any particular case, because it is far removed from practical experience; thus, it is not useful for general practice, and moreover, runs the risk of stigmatization. "Victim typologies in their classic form are no longer suited to the present-day knowledge base of the social sciences. As far as questions of the victim's complicity and his/her reported injuries are concerned, the typologies themselves often all too easily conflate moral valuation with the more troublesome process of scientific analysis. In order for a finding to be consistent with a social science-based analysis, and in order for people to be deemed to be victims, it is by no means acceptable to overlook the fact that the victim-concept is always a particular kind of valuation, the definition of which is situationally dependent upon whether it originates from the 'victim' him/herself, from the perpetrator, from the agent of social control, or from the researcher." (F31)

IV. The Victimization Process

1. Victim Behavior as Selection Factor

"Inasmuch as the crime victim participates in the investigation, prosecution, and sentencing of perpetrators, this decisively shapes his/her adjustment as well as his/her attitude towards and

refrain from hitchhiking -- because this would increase their chances of being raped -- could have three problematic consequences:

- Women, who for example are so traumatized by bad traffic jams (or believe themselves to be so traumatized) that they are obliged to rely upon others, and are then further traumatized by an even stronger feeling of fear and anxiety. Eventually, they do begin to behave in a manner that is, in fact, victimogenic.
- Men, who have also heard this preventive piece of advice, do, nevertheless, eventually become friendly towards them, characterizing these women stopped at the side of the road as careless. Many men take it for granted that of course such women are probably expecting a sexual advance -- or even desire it -- when they accept a ride in spite of these warnings.
- When women stop engaging in certain behaviors -- for example accepting rides -- out of a fear of being raped, but then do not in fact ever become rape victims,

image of the criminal and of criminality. Undoubtedly, the social construction of the reality of crime does not originate from this exclusively; however, it is of course largely determined here. The victim situationally and temporarily assumes some degree of limited power as an agent of criminal-legal social control." (F32)

The victim of criminality thus functions in many ways as a selection-factor (among several) for the origin and understanding of criminality. On the basis of behavioral learning (for example, learned helplessness (F33)), as well as because of more concrete conditions (like for example disability, disease, old age, constitution, etc.), victims, through their conduct, do contribute to their selection for victimization. (F34) Following victimization, the victim him/herself is placed in particular categories which, based on his/her reporting of the facts of the case, is intended to and in fact does once more function -- as 'dark number' research indicates -- as a selection-factor, the mutual influences in the course of which must not be overlooked. If for example the victim fears stigmatization, or when due to a lack of harm the effort of filing a claim does not appear "to be worth it" (F35), or if the probability of being taken seriously is presumed to be low (lack of confidence in the work of the police), then fewer incidents will get reported. Thus the overall quality of police lags behind the attitude demonstrated by the general public. An improvement of police work could, on the other hand, lead to a doubling of the criminality figures (more effective work, more trust, more reports).

One must hasten to say, however, that an overall societal failure to report criminal incidents can be quite reasonable, because better possibilities for conflict resolution may be found in the informal sphere. An increase in willingness to report should not always and in every case be sought.

2. The Process of Victimization

When studying an incident of victimization, it is necessary to analyze its many dependent variables, along with its chronological course, in finer detail than has until now been accomplished.

The interaction between perpetrator and victim appears to until now have been too seldom investigated, for the purpose of finding a useful and suitable victim-situation "point of reference." Until now, it is only in the area of spectacular plane hijackings that concrete, demonstrably meaningful advice has been given as to how victims might cope. (F36) Likewise, in the self-defense arena, police officers have made similar efforts. (F37) But this is predominately based on standardized advice regarding warding-off as well as de-escalation; the situation of violence between perpetrator and victim remains otherwise unexplored. It was important for example that the potential victim be helped to be able to immediately recognize potentially violent situations as well as to reliably ascertain a "point of reference" by which they could safely conduct themselves. Miller, Galanter, and Pribram's (F38) computerized TOTE-Model likely lends itself to successful applications of individual prevention strategies against -- as well as the psychological investigation of -- violent situations. However, for a necessary analysis of the social situations which foster victimization, there are other, more suitable ways in which to proceed. (F39)

It is assumed for example that a violent situation between two people would function as a sort of ongoing, high-speed feedback loop. Because this loop operates at such a fast pace, it is difficult to spot, document, and analyze.

In Fig. 1, an attempted rape is schematically represented as a TOTE-function. The man begins the sexual assault ~~XXXXX~~(a_1 = situational INPUT). Simultaneously, perhaps the woman takes this to be an as yet very muted manifestation of the man's true level of sexual aggressiveness (= a_2). In the TEST-phase, the man tries to judge how the woman is reacting to the sexual attack. It is possible that in the OPERATION-phase, the woman later gives in to victim-behavior (= a_n , then herein a_3), or conversely, avoids any display of victim-behavior (= b_n , then herein b_3). She then immediately goes into her own TEST-phase, checking the aggressor's reactions to her own behavior (a_3 or b_3 , respectively). For his part, the aggressor responds to the woman's behavior (a_3 or b_3) following the TEST-phase with yet another OPERATION-phase; that is, with either increased aggressiveness (= $a_n + 1$, herein a_4) or with retreating behavior (= $b_n + 1$, herein b_4).

This path from TEST to OPERATE and from OPERATE to TEST passes from one person to the other over and over again, continuously bringing about changes. Within a given person the course of the TOTE-function is comparable to a spiral, in which the violence can escalate, or de-escalate. In addition, further parallel TEST-OPERATE spirals -- possibly involving additional people -- can exist within, and affect, the rape-situation in the short- as well as long-term.

After several TEST-OPERATE iterations, eventually either the rape occurs (= a_x ; then a_y), or the sexual attack is broken off (= b_x ; then b_y).

A detailed analysis of the escalating as well as de-escalating steps taken within the TEST-OPERATE Model would likely provide a decisive contribution to the improvement of individual prevention. It should have the potential for the discovery of concrete OPERATIONS on the victim side which could prompt the perpetrator to withdraw.

Stages of Victimization

In contrast with Wolfgang (F40), today an important differentiation is made between primary and secondary victimization -- itself now generally accepted -- which is analogous to Lemert's distinction between primary and secondary deviance. (F41)

Therefore today, one understands **"primary victimization"** to mean the effect which the criminal act, in and of itself, has on the victim.

"Secondary victimization" is generally understood to mean those influences which are somehow related to or alongside the primary victimization, which in and of themselves cause harm to the victim. These influences are only indirectly connected to the actual criminal act. Secondary harm is frequently caused by close friends and relatives of the victim, as well as by formal control authorities such as, for example, police officers, judges, and attorneys. Consequently, in addition to the original traumatic experience, the victim is often further victimized -- no doubt paradoxically -- if he/she decides to declare his/her victim status. The victim then "pays for it," because his/her role as a victim becomes well-known.

Until now, the dimensions of secondary harm resulting from the victim's environment have, essentially, remained unknown. But even today, statements with regard to this are based largely on conjecture and reports of personal experiences.

In secondary victimization strictly-speaking, people or institutional agents themselves act -- following the primary victimization -- in such a way that they inflict additional upon the victim; this secondary victimization generally occurs unintentionally, frequently unconsciously, and sometimes negligently.

Beyond secondary victimization strictly-speaking, there are in this area two additional types of indirect victim injury, which are usually overlooked and thus also seldom investigated.

In the first type, though the perpetrators do not act in a manner that is by any means unconscious or unintentional, they nonetheless do behave in ways which are generally crude and negligent. Researchers and functionaries who think of victims in terms of objects, through which they might be able to achieve their own particular goals (i.e., careers), abuse and moreover do harm to the particular victims or groups of victims who have to put up with them. (42) Here, a better distinction, "**tertiary victimization**," could be made, because it can occur alongside of the secondary victimization strictly-speaking.

In 1973 the [>E] American Psychological Association [<E], in association with Herbert Kelman, set up new [>E] "Ethical Principles" [<E] for the field of social science research. (F43) Moreover, one of its primary requirements is so-called [>E] "informed consent" [<E], which means that the research subject must be treated as a partner in the social science research process. Particularly if there is a risk of the research subject becoming a victim of the study itself -- for example by suffering physical or psychological pain or injury -- it is absolutely required that the research subject be fully informed of what the research entails, and has indicated his/her consent to participate in it. A very significant problem arises when deceptive experiments are carried out on subjects who receive neither a briefing beforehand nor a debriefing afterwards. When the risks have been precisely described to the research subject beforehand, and he/she then elects not to participate, it is unlikely that the research setting itself will have caused him/her to be harmed in any way. Furthermore they must be able, at any time, to freely determine whether they will participate further in the research process. But such ethical rules are totally abrogated when, out of a sense of duty to the experiment, a second person off to the side with a (seemingly) strong inclination towards punishment, pressures the research subjects. Moreover, social pressure forces such research subjects into carrying out the researcher's instructions.

With regard to the United States, one immediately conjures up a sort of labor union of research subjects, designed to protect them from being involuntarily victimized. Victimological research should strive to develop methods by which victims can themselves describe their situations and problems.

Finally, there is still one more group of indirectly-harmed victims. When victims are treated harshly by particular groups of people, we can say that they have been harmed by the social structure itself. Thus rape victims are frequently reproached both with the charge that their allegations are usually false, and the accusation that their allegations will lead to considerable problems not only for those women who really were raped, but even for those who have never been raped. Although such false allegations of rape are obviously rare, women are, nevertheless, reproached regarding them over and over again. This causes many women to develop a guilty conscience following the rape,

thus making them wonder if perhaps they themselves had done something wrong. Many women don't even make a report, for fear that they will be criticized for unfairly making up such allegations.

Marital rape and forced oral-sexual contacts are not punishable as rape. But if many groups of people were to speak out against them, this would open up legal possibilities whereby these violent sex offenses could also be handled as rape, which in turn would lead to these victims being seen simply as rape victims. In the penal code, this kind of victim is protected merely by a matter-of-fact statements which makes it seem as if he or she really isn't a victim at all. The victim is told: "We do not consider what you experienced to be rape."

This so to speak "**quartary victimization**," which likewise can -- but does not always -- appear together with the aforementioned victimizations, is nonetheless distinct from them and -- unlike the preceding -- is consciously, or even deliberately, initiated. It is usually conditioned upon -- and predominately affects the victim via -- the social structures themselves.

4. Dimensions of Victimization (F44)

When we speak of someone having become a victim, we usually think of "**individual victimization**" [German: "Victimisation"] (or more accurately: "**individual victimization**" [German: "Victimisierung"]) of a particular person: A man rapes a woman or a youth robs an old woman of her handbag.

In many social spheres there are institutions which are known, in particular instances, to inevitably harm people. The following might be considered examples of this: Child maltreatment as negative corollary of educator privilege, the victimization of the old and infirm in nursing homes, and marital rape resulting from a still widespread expectation of "marital duty." Here, one speaks of "**institutional victimization**."

Last to be spoken of is the yet higher-order, "**structural victimization**." By this it is meant that either entire groups of people (for example, Jews, Blacks, Gypsies, women, etc.), or individuals, become victims of victimogenic

structures. (For example: In a youth-oriented culture, as a result of prevalent elderly-hostile attitudes, old people become easy victims. (F45)

This led to the call for a strong victim-protection authority, such as the oft-demanded victim ombudsman (F46); thus, even as of today, these problems have already become apparent to everyone, thus yielding more promising initiatives for the protection of victims. (F47)

V. Criminality Without a Victim (F48)

The question as to whether there really is such a thing as criminality without a victim has not, up until now, been definitively answered. In 1965, Schnur believed that:

"The elements which constitute a victimless crime are:

- (1) an exchange of goods or services which is socially disapproved-of as well as illegal, which
- (2) does not involve injury to others, and,
- (3) there is a low probability of prosecution due to a general failure to report." (F49)

The "missing report" component of this definition relates, for the most part, to the 'dark number.' There is, however, the general feeling that the 'dark number' represents acts regarding which people really do feel they have been victimized; and furthermore, that a punishable act has (by definition) been committed. (F50) On the other hand, within the 'dark number' there are, presumably, cases in which no one perceives him/herself as a victim,

even though a legally-defined victim is indeed present (for example: prohibited gambling); and vice-versa, where a victim self-perception does in fact exist, and yet, a legally-defined victimization has not actually taken place (for example: the emotional abuse of children, and marital rape).

It is difficult to represent an unperceived and undefined victim-status, because of course a a victim-definition still has to be derived either internally (historically) or externally (socially). An example: An particular slave has perhaps accepted the role he has been given in his social system. And later on, or looking at this from the outside, his condition may be considered to be a victim-situation.

Any consideration of victimless crimes necessitates a critical discussion of the definition of the term "victim." Generally, victim-definitions contain a harm component. But then, the definition of harm is just as problematic, because this merely replaces the original problem with another. When for example the abstract damage caused by the moral or legal order is included without qualification, (F51) then the definition of harm -- and consequently of victim as well -- becomes too amorphous.

In the above-mentioned example, one could -- through a change in the moral and/or legal order causing the abolition of slavery -- come to view him/herself as having been harmed. The victim triumphed over the legal order. Moreover, only then had it become clear that such an order had depended upon prevailing ideology. Historically, such ideologies change, and to be sure, we ourselves must get accustomed to the fact that harm- and victim-related concepts are in fact altered by social changes; indeed, we should be eager to continuously re-evaluate our definitions of what constitutes a victim. Obsolete victim-definitions lead to structural victimization, such as the surveillance to which sexual offenses are subjected today.

These viewpoints seldom satisfy Schneider's victim-definition, because their undefined harm-concept merely shifts the problem:

"A victim is a person, organization, or moral or legal order, which is jeopardized, harmed, or destroyed by the criminal act." (F52)

Therefore, the question as to whether or not there is such a thing as criminality without a victim hinges on the prevailing victim-definition, (F53) as well as the harm-definition to which it is related. It makes sense that the subjective victim-perception should be informed by a clear victim-definition, and that the scope of abstract victimhood should be broadened only with great caution.

The concept of [>E] "crimes without victims" [<E] is itself at a difficult crossroads; until now, they could not be clearly delineated, such that fluid transitions in the degree of victimization -- ranging from "not present" to "clearly present" -- could be observed.

Thus because of his previous perpetrator-status -- or at a due to his socially unacceptable conduct -- one can become vulnerable to blackmail. Through this "power-sharing" arrangement, the victim's extortion activities cause his/her victim-status to be thrown into doubt.

In a shoplifting incident, obviously the store owner is harmed; and yet on the other hand, it is well-known that self-service stores encourage potential customers to "grab ahold of" (an advertising slogan); but when they do so, they are liable to be brought in for questioning. Here the victim has -- to no small degree -- become the perpetrator.

There are a whole series of acts which disturb public order, yet do not necessarily cause actual persons to be victimized: public drunkenness, disturbances, exhibitionism, driving without a license, exceeding the speed limit, selling contraband, distributing pornography, engaging in prostitution within and outside of prohibited areas, and so on.

Furthermore, there are deviate behaviors which the "victim" agrees to participate in, or even -- depending on the type of perpetrator -- even helps to initiate them: (F54) euthanasia, abortion, homosexual acts, child sexual abuse, (F55) drug abuse with or without concurrent drug-dealing, (F56) and religious prohibitions which have been transformed into social ones -- for example suicide, youth gangs, gambling, (F57) and so on.

Lastly, Kaiser himself described the dimensions of a "vaporizing victim-status" (F58) in the criminal underworld, which is also observable in more or less legitimate business ventures.

At this point, arriving at more or less clear and all-encompassing definitions for "victim" and "victimization" is not possible. Basic -- and actually, political -- problems have yet to be ironed out.

These are areas which are problematic for victimological research, where, due to a frequently absent subjective victim-perception, an entire group of people remains uninvestigated, and therefore, ignored.

FOOTNOTES

F1. "Victimology," in this more expansive sense, is believed to have been coined by B. Mendelsohn, in 1956. (Mendelsohn: [the following two titles are in French:] "A New Branch of Social Science: Victimology," International Review of Criminology and Police Technique, 1956.) In 1975, Schneider coined the phrase, "Victimology in the Wider Sense" (Schneider: Victimology, pg. 11 ff), which he distinguishes from "Victimology in the Strict Sense." Compare with Weis' intermediate point of view (Weis: "Victimology: Science or Opinion," in: Kirchhoff/Sessar (Eds.): The Crime Victim, pp. 15-37.

F2. See, for example, Kaiser: Criminology, pg. 109, and Kirchhoff/Sessar (Eds.): The Crime Victim.

F3. In 1964 Burton constructed the first hierarchy, when he psychodiagnostically compared child accident victims, child asthmatics, and child sex victims with one another. See Burton: [E] Three Studies of Deviant Child Development [E], and Burton: [E] Vulnerable Children [E].

F4. Such a comparison for the year 1977 appears in Baurmann: "Advice of the Criminal Police to Potential Victims of Criminal Acts Against Sexual Self-Determination," in: BKA (Eds.): Criminal Police Consultation, pg. 190 ff.

F5. Compiled from: BKA (Eds.): Police Criminal Statistics 1982, and, Federal Bureau of Statistics (Eds.): Children Involved in Traffic Accidents 1982. The Statistics Bureau's figures count 14-year-olds as "children". By contrast, the BKA lists 14-year-olds in the older category, "youth."

F6: For further details, consult: Baurmann: "Elder as (Criminality) Victim," Journal of Gerontology, 1981, pg. 245 ff, and the collected volume by Goldsmith/Goldsmith (Eds.): [E] Crime and the Elderly.

- F7. Compare with Weis: "Victimology: Science or Opinion?," in Kirchhoff/Sessar (Eds.): The Crime Victim, esp. pg. 19.
- F8. "The conduct of victims is relevant in many ways...the the various components are partly -- more naive thinking when faced openly -- still there even as they get older." (Kaiser: Criminology, pg. 105).
- F9: "Victimology Against Those Approaching Eighty Years of Age," in: Kirchhoff/Sessar (Eds.): The Crime Victim, pg. 484; also compare with the "Model Criminological Structural Analysis" in Kaiser: Criminology, pg. 104.
- F10. This cognitive dissonance is certainly compensated by the fact that it will spur closer examination. See the related Baurmann: "Reported and Sentenced Sexual Contact from the Victimological Perspective," in: Albrecht-Désirat/Pacharzina (Eds.): Sexuality and Violence, esp. pg. 108 f.
- F11. See for example: Hamacher/Braun: Crime Scene Germany, pg. 53; compare also with Sessar: "On the Various Views Regarding Victims of Violent Murder," in: Kirchhoff/Sessar (Eds.): The Crime Victim, esp. pg. 305 ff; also see Kaiser: Criminology, and, Schneider: "Perpetrator-Victim Relationship as Key to the Act." Noted critics of the warnings given regarding the stranger "villain": Meyer/Ventzke: "Victim Experience, Self-Protection, Prevention: An Unsolicited Contribution to the Establishment of a Realistic Picture of the State of Domestic Safety," Journal of Criminology, 1980, pg. 179 ff.
- F12: Compare with Kaiser: "Victimology Against Those Approaching Eighty Years of Age," in: Kirchhoff/Sessar (Eds.): The Crime Victim, pg. 481.
- F13: Quensel: "On Fritz Sack's Double-Bind Situation: An Attempt at a Review," Criminology Notes, 1979, pg. 48; also see Weis: "Victimology: Science or Opinion?," in: Kirchhoff/Sessar (Eds.): The Crime Victim, pg. 15 f.
- F14. Weis: Ibid., pg. 16.
- F15. Ryan: [>E] "The Art of Savage Discovery," [<E] in: Drapkin/Viano (Eds.): [>E] Victimology [<E], pp. 149-160.
- F16. Weis: Ibid., pg. 18.
- F17. Kirchhoff/Sessar: Introduction, to: Kirchhoff/Sessar (Eds.): The Crime Victim, pg. 5. Also critical: Degler: "The Nearly Perfect Crime," in: Degler (Ed.): Report on Violence Against Women.
- F18. Sometimes this can be heard in discussions regarding the proper handling of the problem of the criminal perpetrator or rapist. This certainly does not mean that the treatment of

every individual perpetrator must be justified; that is to say, independent of the criminal framework of general way of dealing with him or her. One example of this is Helmken: "Marital Rape: Plea for a Criminal Law Protection for Married Women": "...who were suddenly left out, when others were included." "Marital Rape," in Degler (Ed.): Report on Violence Against Women, pg. 29 ff.

F19. Recently in West Germany, groups have formed backing citizen initiatives which would support and enhance victims' rights. Calls for law and order from within their ranks cannot be ignored. However it is hoped that these "law-and-order factions" will not prevail, primarily because victims would be the least to benefit. Compare also with Wittenhagen: "Social Change and Child Protection," in Kirchhoff/Sessar (Eds.): Ibid., pg. 5; Baurmann: "Violence in the Family," Trial Assistance, 1980, pg. 347 f.

F20. or rather, victimistic.

F21. The problem of legal protections relating to property, and its historical origins re: child victims of/witnesses to sexual offenses in court, is described by Störzer: "Indecent Offense Proceedings and Young Victims," in: Hess/Störzer (Eds.): Sexuality and Social Control, pg. 101 ff.

F22. Compare with Baurmann: "Foundations and Hypotheses for a Research Project Concerning Injuries to Persons Who Have Become Sexual Victims, in: Kirchhoff/Sessar (Eds.): The Crime Victim, pg. 245 ff.

Names and other details in case examples have been changed in order to render particular cases unidentifiable.

F23: Using the English phrase [>E] "to declare" [<E] here would seem to be more emphatic than the German word "deklarieren."

F24. Rosenthal and Jacobsen have, for good reason, collected comprehensive research results regarding the [>E] self-fulfilling prophecy [<E] in the field of pedagogy: Rosenthal/Jacobsen: Pygmalion's Lessons: Teacher Expectations and Pupils' Cognitive Development.

F25. The problem of older people as victims makes this problem especially apparent. Compare with: Baurmann: "Elder as (Criminality) Victim," Journal of Gerontology, 1981, pg. 245 ff.

F26. "The defendant as victim...faced with an almost twenty-minute-long flurry of flashbulbs, the defendant hides behind his jacket." (Frankfurt Newsbrief, No. 232, 1979). The dual roles of perpetrator and victim also became clear in the female suspects of the so-called "lesbian proceedings," as the gutter press dubbed them. Lastly, we must consider the

pedophilic or exhibitionistic recidivist who -- when he has not personally caused any discernible harm -- without a doubt will not be helped as a result of being convicted and sentenced.

F27. Von Hentig: [>E] The Criminal and His Victim, pg. 404 ff.

F28. Stephan: "Victim Typologies and a Proposal for a Social Psychology-Based Alternative: Toward a Taxonomy of Victimogenic Situations," in: Kirchhoff/Sessar (Eds.): The Crime Victim, pg. 219 ff.

F29. Compare with Hess: "The Career Pattern and the Pattern of Careers," in Hess/Störzer/Streng (Eds.): Sexuality and Social Control, pg. 1 ff.

F30. "Yet, like nearly all typologies, this described phenomenon too leads to no further insights. Moreover, it suffers from a lack of empirical validation." (Kaiser: Criminology, pg. 107).

F31. Stephan: supra, pg. 237 ff. Also similar: Scheulen/Schubert: "Therapeutic Family Strategies in Trial Assistance," in: Trial Assistance, 1979, pg. 219: "A radical reappraisal of the long-predominant characteristic-centered assessment (for example, unilinear causal assessment), towards a consideration of the responses of interconnected structures," is needed.

F32. Kaiser: Criminology, pg. 109.

F33. Seligman: [>E] Helplessness [<E], cited in Weis: "Victimology: Science or Opinion?," in: Kirchhoff/Sessar (Eds.): The Crime Victim, pg. 23.

F34. Hence the conclusory inference frequently encountered in scientific discussions that the victim participates in ([>E] "victim precipitation," [<E] according to Emir: [>E] Patterns of Forcible Rape [<E], pg. 229 ff) or, even generally instigates rape and similar acts, positions which the women's movement has quite understandably challenged as attempts to legitimize sexual violence. In the scientific sphere for example this conclusion was denounced by Weis/Borges ([>E] Victimology and Rape: The Case of the Legitimate Victim [<E]), and the Amirs have further distanced themselves from this point of view (see for example Amir/Amir: "Crisis Centers for Rape Victims -- An Arena for Ideological Conflict," in: Kirchhoff/Sessar (Eds.): The Crime Victim, pg. 441).

"When Victims Become Perpetrators and Perpetrators Become Victims: A Criticism of Schneider's Coining of the Term 'Victimology'" is an article by Stein, in which she sharply criticizes Schneider's statements as hostile to women. She accuses him of attempting to shift the blame onto the rape victim, in order to justify negative male-role behaviors.

F35: Compare for example with Stephan: The Stuttgart Victim Survey, or, Schwind et al.: Empirical Criminal Geographics.

F36. Compare with Salewski/Schaefer: Hostage-Taking and Extortive Kidnaping.

F37. Sessar/Baumann/Muller: The Police Officer as Victim of Intentional Murder.

F38. Miller/Galanter/Pribram: [>E] "Plans and the Structure of Behavior [<E]; Variations and Applications of TOTE-Models [>E] (TOTE = Test-Operate-Test-Exit)," [<E] in: Oerter: Modern Developmental Psychology, esp. pg. 68 ff.

F39. On structural victimization, see ibid., pg. 41.

F40. Sellin/Wolfgang: [>E] The Measurement [sic: Measurement] of Delinquency [<E], pg. 155 f.

F41. Compare with Harris: [>E] "Toward a Functional Theory of Deviant Type-Scripts" [<E], in: Farrel/Swigert (Eds.): [>E] Social Deviance [<E], 1978, pg. 47; Lemert: [>E] Human Deviance: Social Problems and Social Control [<E].

F42. As one of many examples of this, the following quotes persons who are in perhaps the kind of disturbed relationships which are presumably the ones most likely to admit examination: Orthner: "On the Independent Influence of Sexual Disturbances On the Anterior Hypothalamus, as Manifested ~~XXXXXXXXXXXXXXXXXXXX~~ by the Inpatients of the Göttingen Stereo-Tactical Working Group, in: Nass (Ed.): Biological Causes of Abnormal Behavior, pg. 83 ff.

[>E] [<E]
F43. Kelman: "Human Use of Human Subjects," in: Psychological Bulletin, 1967, pg. 1 ff; American Psychological Association: [>E] "Ethical Principles in the Conduct of Research with Human Participants," in: American Psychologist, 1973, pg. 79 f [<E]; also note: Schuler: "On the Ethical Problems of Deception and Harm to Experimental Subjects," in Tack (Ed.): Report of the Thirtieth Congress of the German Psychological Society, pg. 407 ff.

F44. Regarding that, Kirchhoff and Sessar point out that the English term "victimization" does not always translate exactly as [German:] "Victimisation" or "Viktimisierung." Whereas "Victimisation" means becoming a victim in an abstract sense, "Viktimisierung" means the actual experience itself. (Kirchhoff/Sessar: Introduction, to: Kirchhoff/Sessar (Eds.): The Crime Victim, pg. 8).

F45. Compare with Baurmann: "Elder as Criminality Victim," supra. In the field of rape there clearly are publications which are critical of the social conditions that foster these offenses. Regarding this, see for example: Brownmiller: Against

Our Will: Rape and Male Domination; Butzmühlen: Rape: The Oppression of Victims by Rapists and Society; Metz-Göckel: "Structural and Personal Violence Against Women and the Difficulties Involved in Their Recovery," in: Kirchhoff/Sessar (Eds.): The Crime Victim, pg. 415 ff; Rosen: "Violence Against Women -- a Statement of Theory," in: Albrecht-Désirat/Pacharzina (Eds.): Sexuality and Violence, pg. 31 ff.

F46. In Sweden, since the beginning of the nineteenth century, the "Ombudsman" has been a "fact-finder and trustee" appointed by the citizenry, with the authority to guarantee that the rights of citizens will not be infringed. (Compare with Dussich: [>E] "The Victim Ombudsman: A Proposal" [<E], in: Drapkin/Viano (Eds.): [>E] Victimology: A New Focus [<E], Vol. II, pg. 11, Footnote a). Using the term "ombudsman" seems inappropriate when working with rape victims, in that it is women who really have to deal with this problem. Here, the terms "ombudswoman" (sing.) and "ombudswomen" (pl.) would be more suitable.

The editorial staff of Frankfurt Newsbrief advised in their August 22nd, 1981 edition -- as they were reporting on the newly-named Norwegian Intercessor for Children's Affairs -- that in order to resolve this linguistic dilemma, the term "ombudsperson" should be used; and yet, their own byline failed to use it: "'Ombudswoman' for Children."

F47. Information privacy is already considered to be one element of a fully-functional system of victim protection. Undoubtedly, many social scientists would complain about the protection of information law and its impact, and have the experience that in many respects, the protection of information functions merely as an excuse for blocking research proposals, thereby causing extra work for them. All things considered, however, the protection of information law is a positive component of overall victim protection.

F48. Schur: [>E] Crimes Without Victims: [<E] Unique in the Field of Non-Violent Sexual Offenses; Lautmann: "Sexual Offenses -- Criminal Acts Without a Victim?," in: 3RP, 1980, pg. 44 ff.

F49. Schur: [>E] Crimes Without Victims [<E], cited in Wolfgang/Singer: "Victim Categories," in: Kirchhoff/Sessar (Eds.): The Crime Victim, pg. 47.

F50. Ibid., pg. 25 ff.

F51. Compare with Schneider: Victimology, pg. 22.

F52. Ibid., pg. 11.

F53. The resolutions of the First International Symposium on Victimology, in 1973 in Jerusalem, were also not very concrete. (Compare with, in: Kirchhoff/Sessar (Eds.): The Crime Victim, pg. 497).

F54. And yet, this repeatedly poses the difficult question of whether a truly free decision is even possible.

F55. Regarding this, compare for example with Lautmann: "Sexual Offenses -- Criminal Acts Without a Victim?", in: ZRP, 1980, pg. 44 ff; and; Schorsch: "Paralyzed by Sexual Fear: Irrational Criminal Law Harms Pedophiles and Traumatizes Children," Sexual Medicine, 1975, pg. 358 ff.

F56. From the victimological viewpoint, as far as Germany is concerned, the areas of soft and hard drugs, and alcohol and medication abuse, constitute quite different problem-situations.

F57. A person does thereby feel that he/she has been overtaken (in Latin: "victim"), and yet is much more likely to be classified as -- and thus to feel like -- a perpetrator, rather than a victim.

F58. Kaiser: "Victimology," in: Kaiser/Sack/Schellhos (Eds.): Dictionary of Criminology, Abridged, pg. 384; Kaiser: "Victimology Against Those Approaching Eighty Years of Age," in Kirchhoff/Sessar (Eds.): The Crime Victim, pg. 486.