

1986

The Politics of Victimization: Victims, Victimology, and Human Rights

Emilio Viano

Follow this and additional works at: https://digitalcommons.nyls.edu/journal_of_human_rights

Part of the [Law Commons](#)

Recommended Citation

Viano, Emilio (1986) "The Politics of Victimization: Victims, Victimology, and Human Rights," *NYLS Journal of Human Rights*: Vol. 4 : Iss. 1 , Article 17.

Available at: https://digitalcommons.nyls.edu/journal_of_human_rights/vol4/iss1/17

This Book Review is brought to you for free and open access by DigitalCommons@NYLS. It has been accepted for inclusion in NYLS Journal of Human Rights by an authorized editor of DigitalCommons@NYLS.

THE POLITICS OF VICTIMIZATION: VICTIMS, VICTIMOLOGY AND HUMAN RIGHTS. By Robert Elias. New York: Oxford University Press, 1986. Pp. 395.

Reviewed by Emilio Viano*

Western societies have in recent years been reminded of and rediscovered the concept of the victim and the reality of victimization. The Nazi holocaust, the horrors of the World Wars and of other regional wars, the ever present threat of atomic annihilation, international terrorism, the assassination of President Kennedy and Martin Luther King Jr. and the attempts on the life of the Pope and of President Reagan, strife in the Middle East, famine in Africa, daily crime and violence in our midst, volcanic explosions and other natural disasters, cancer, environmental pollution, the rapidly spreading threat of AIDS, and other problems have forced us to realize that there are victims, that we too can be victimized, and that society should take action about it.

There is no doubt that it is difficult for a society that values competition and prizes success over anything else to openly admit that defeat and powerlessness may be part of life, even for the innocent citizen who has faithfully followed the prescription that should lead to achievement.

There is another dimension that militates against making it easy for our contemporary society to accept victimization as part of life. Victimization brings chaos and crisis into our carefully planned days. It derails our tight schedules which reflect commitments and responsibilities. It dramatically alters our long term plans at the individual and collective levels. This constitutes a serious challenge to our view of the world as it should be. Denial, blaming, finger-pointing and calling the defeat a temporary setback that science will eventually successfully address are common mechanisms utilized to defuse the situation and avoid confronting the reality of human vulnerability.

Thus, it took considerable courage for academics, professionals, and practitioners to pioneer a movement that would fo-

* Professor, The American University.

cus on victims and make their existence known. Our rational and scientific society chokes at the intimation that we have not successfully purged from our lives suffering that is undeserved, and havoc that people have not somehow brought upon themselves. Like the messenger who brought the bad news and was executed, the first reaction to a sustained focus on the victim has been one of ridicule, dismissal, and patronizing, mocking concern.

In *The Politics of Victimization*, Robert Elias offers an excellent overview of the development of the field of victimization. He traces the roots of the field and analyzes victimology's scientific and political development, and its scope, considered both within and beyond its relationship to criminology.

First, Elias examines the politics of how we define and convey popular conceptions of victimization, and outlines the extensive findings to date on kinds of victimization, who victimizes, who suffers victimization, and where victimization occurs. He examines how cues provided by our laws, education, media, politics, political socialization, and culture create a "social reality" of victimization that only partially defines the victimization actually suffered. When it comes to victimization, just as for crime, we react to social meanings conveyed to us by preformulated ideas and definitions of which we are often not even aware. This leads us to overlook forms of victimization that do not fit into our daily experiences, or require a higher level of social consciousness and political sophistication. Elias states, for example, that by using human rights standards of "crimes against humanity," we could vastly enlarge our conception of "criminal" victimization.

To understand victimization, Elias asserts, we must examine the victimization level, the different kinds of victimization and their sources, where and by whom it is committed, who gets victimized, and under what circumstances. However, first and foremost, we must consider the limits on our perceptions of victimization, and what functions they might perform. This is crucial because it

might allow us to begin imagining broader, alternative concepts of victimization that we might adopt and start understanding victimization not as a series of discrete events, but as a social phenomenon with social sources

. . . as indicating social integration or disintegration, and reflecting broader social forces with a wider historical context than we have thus far considered. In other words, we cannot separate victimization from its social roots or functions.¹

Elias then considers what we know about crime's sources, and what or who we usually blame. He contrasts conventional explanations with controversial alternatives, stressing the political implications of each theory and the consequences for victims. He examines who suffers financially, physically, and psychologically from victimization, and who may profit in various ways from it. He also addresses victim motives for participating in the criminal process, and the victim's impact throughout the system. The dissonance between victim goals and official objectives is identified, with the victim more often than not losing out to the interests and convenience of the system. He also assesses law enforcement's impact on victims, and examines the special case of female sexual assault victims.

Elias then summarizes victim needs and problems. He examines the various approaches that have been utilized to offer victim assistance and evaluates their impact. Finally, he critically highlights what other functions these different approaches may have beyond serving victims.

He also considers victims of oppression, examining the evolution of human rights from a philosophical and historical point of view, the social reality, sources and impact of oppression, and the enforcement and advocacy of human rights as they relate to victimology. It is this section that represents the most original and valuable contribution of Elias to the understanding and development of the field.

Finally, Elias reviews the major implications of his political analysis and concludes by outlining a "new" victimology of human rights.

It is particularly in the last two chapters, "Oppression: Victims and Human Rights", and "The Politics of Victimization", that Elias offers his original contribution to the development of the field. What he advocates is a more explicit linkage between victimology and the human rights movement. The foundation

1. R. ELIAS, *THE POLITICS OF VICTIMIZATION* 28 (1986).

for such connection is the concept of oppression which encompasses not only violations of political and civil rights, but of economic, social, and cultural rights as well. In Elias' view, "crime and oppression share some strikingly similar trends and characteristics in their victimization level, who gets victimized, where, and even by whom."² He feels that both areas will be mutually enriched and strengthened by this merger. As he states,

[w]ith its emphasis on crime, victimology can help human rights inquiries more clearly theorize the "crimes against humanity" it now only partially operationalizes. For victimology, a human rights framework provides a broader conception of victimization and victim rights . . . Oppression produces the main conditions for personal and property crimes . . . Victimization may result primarily from adverse social, political, and economic conditions. If so, then a human rights analysis will detect those conditions.³

This analysis, Elias states, "will allow us to consider a 'new' victimology that transcends the 'old' victimology's criminological constraints."⁴ For instance, a human rights perspective could provide the foundation for victimology to decide which victims to include in its considerations instead of just accepting the official definitions.

Elias's approach, which is consistent with his previous work in the human rights, peace, and justice areas, represents an important contribution to efforts aimed at providing victimology with a credible and solid theoretical foundation. Another anchor concept often suggested by this reviewer to provide stability and linkages for victimology is that of "people in crisis", regardless of the immediate origin or cause of the situation at hand. The theme of oppression has already served a useful function in analyzing victimological themes like sexual assault and domestic violence. For example, oppression as patriarchalism was utilized, among others, by Susan Brownmiller in her analysis of rape, *Against Our Will: Men, Women and Rape*, (1975), and by R.E. and R.P. Dobash in their discussion of spouse abuse, *Vic-*

2. *Id.* at 226.

3. *Id.* at 194.

4. *Id.* at 195.

timology: An International Journal, (1977). Elias is the first, however, to propose that this concept be utilized as the common denominator for all approaches to the study and understanding of victimization and as a conceptual tool to advance the discipline and firmly establish it.

Some may, of course, reject Elias' proposal as just another thinly disguised argument by the "liberals" to provide more "rights" to minorities, the disadvantaged, the unemployed, and to justify more governmental intervention to rectify supposed wrongs. Elias himself accuses the "conservatives" of trying to exploit the concern for victims to justify the introduction of more repressive "law and order" measures.⁵ There is no doubt that some will interpret Elias's proposal within the framework of the ongoing liberal versus conservative controversy on what to do about the crime problem, and approach it with the same diffidence inspired by the excesses of both.

However, I believe that Elias's proposal, while still in need of refinement and further development, transcends those partisan controversies and represents a fresh and creative approach to solving the problem of crime and victimization. He states forcefully that our failure to prevent crime and victimization is due most of all to the particular social and economic choices we have made in our legal order. Thus, it is the central problems of American life—joblessness, economic and racial inequality, sexism—that contribute substantially to our crime rates and undermine all attempts to eradicate them. He calls for a new theoretical approach with far-reaching practical implications that attacks crime at its roots instead of just offering token help to heal the wounds of those ravaged by it.

The proposal advanced by Elias would be more convincing if he had developed it and documented it at greater length. While Elias lays a foundation for it throughout the book, the 35 pages of chapter eight do not seem sufficient to properly present a major thesis, outline its underpinnings and provide supporting evidence. More than a fault, though, this is a challenge for Elias or someone else to take up in a future work. The important contribution of this book is that Elias has made a statement that offers a useful perspective to unify and strengthen victimology

5. *Id.* at 19-20, and at 87.

and to guide its future growth.

In conclusion, this book offers an excellent review of the development of the field of victimology. The volume is well researched and documented. The notes for each chapter are a veritable mine of information and references to encourage further research.

The writing is clear and concise. Robert Elias writes well and interestingly. He is able to convey his message in a clear, succinct, and quite readable prose. The book is well organized with judicious use of titles and subtitles. Statements and excerpts from various publications are interspersed with the text and serve as introductory material to the different sections, setting the tone, stimulating the curiosity of the reader, and providing a glimpse of what is to follow.

This book offers an excellent synthesis of the field and will be quite useful for courses on victimology, criminology, criminal justice, law enforcement, civil liberties, urban studies, political economy, public policy, and human rights. Readers will find it to be a source of valuable information in this developing field. It is highly recommended reading for anyone with a serious interest in victimology and with the yearning to break through narrow disciplinary confines to more fully understand the linkages that can make victimology stronger, and truly "the science not only of *studying* victims, but also of *reducing* victims."⁶

6. *Id.* at 25.