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Ideological trends within the victims movement: an international perspective

Jan van Dijk

'Misery acquaints man with strange bedfellows', Shakespeare, The Tempest, 2, 2.

Introductory remarks

A recent paper on the 'victims movement' in The Netherlands (Soetenhorst 1987) was entitled: 'Between Doing Good and Doing Justice'. A less respectful, but equally fitting, title would have been 'Between Being Nice and Being Vindictive'. Ideological heterogeneity and, indeed, ambiguity seems to be the international hallmark of the victims movement. Unsurprisingly, the political support for the movement's programmes and claims comes from different corners of the political arena. The fiercest advocates of a better deal for victims include politicians of both the left and the right. The movement itself wisely declines to choose between its many political suitors.

In this chapter I will try, first of all, to bring some sort of order to the underlying ideologies of the victims movement. To this end, I will distinguish four main ideological currents within the rising tide of 'applied victimology': the *care* ideology, the *rehabilitation* ideology, the *retributive* ideology and the *abolitionist* ideology (Van Dijk 1986a).

These four ideologies do not coincide with, or follow from, distinct theoretical perspectives on the needs of crime victims. They refer to ideologically inspired agendas for affirmative action. The spirit of the victims movement is perhaps best expressed in the old Marxist saying: we do not want to interpret the world (of the victim) but to change it.

Proposals for a better deal for victims, like the UN Declaration of 1985 (see Waller, Ch. 20), are commonly presented as the fruits of a newly emerging academic discipline: victimology. Although I take pride in my association with the victims movement, I have reservations about the notion of 'applied victimology'. Clearly, the movement's demands and achievements do not flow from a

well-defined victimological theory, or in fact from any social theory at all. The proposals of the victims movement should instead be seen as suitable objects for social analysis and research. For this reason, I prefer to call the various trends within the movement '*victimagogic*' ideologies: that is, ideologies about the best ways to give treatment, guidance or support to crime victims. At some distant point in the future, these victimagogic ideologies may develop into a unified victimagogic theory grounded in victimological research.

After an introduction of the four main trends within the victims movement, I will briefly discuss the various stages of its ideological development since the sixties. Next, I will present a succinct overview of the achievements of the movement in different parts of the western world so far. I will finish this contribution, in the tradition of a Dutch uncle, with an exposition of my own victimagogic preferences.

Four victimagogic ideologies

1 THE CARE IDEOLOGY

The care ideology, based on the principle of the welfare state, holds that the community should, as far as possible, absorb the burden of severe hardship suffered by individual citizens as a result of misfortunes such as illness, accidents or unemployment. Emphasis is placed on providing for victims rather than on the criminal nature of the offence. The problems of crime victims are seen as a facet of more general problems such as stress, psychological trauma or economic need. Little significance is attached to the moral aspect of crime or to the punishment of the offender, providing that the victim's injuries or traumas are treated professionally and hardship is alleviated.

The care ideology has in particular identified various sorts of hidden injuries of crime victims which have largely been overlooked in the past. The hidden injuries may be psychological difficulties or financial hardship. The injuries may also be hidden in a more fundamental way, as in the case of victims who don't dare to report their victimization to the authorities for fear of reprisal (children, spouses, homosexuals and other vulnerable groups).

Examples of facilities consistent with this ideology are state compensation schemes, in particular those which apply social security standards and procedures (as in New Zealand, West Germany and some Canadian states: Hastings 1983; Villmow 1984); general social work or counselling services which pay special attention to victims of crime (for instance by means of hotlines, outreach programmes etc.); and special professional services for victims.

Most voluntary organizations engaged in victims support, and self-help groups for victims, are grounded in the care ideology as well. These services, however, tend to be critical of the bureaucratic and stigmatizing features of the established welfare institutions. Voluntary victims support schemes view their activities as an expression of solidarity of the local community with its own

crime victims (Holtom and Raynor, Ch. 2). In the case of RCC and shelter homes, the volunteers often perceive their work as a contribution to the emancipation of women (Anna T., Ch. 6).

2 THE REHABILITATION IDEOLOGY

The rehabilitation ideology can be regarded as a grafting of the victims movement on to the social defence movement within penal law. The original victimological interest in victim precipitation and victim characteristics was clearly inspired by a wish to view crime as a conflict between two parties who should both be treated, as an alternative to punishing the offender (e.g. Von Hentig 1948). In practice, the rehabilitation of the offender has often been given priority over aid to the victim. In some countries, probation officers pay visits to victims or invite them to meetings with the primary aim of securing a less severe punishment for the offender (Schultz 1968). In the same spirit, psychiatrists have staged victim-offender confrontations as a part of the offender's therapy, neglecting the interests of the other party.

Prime examples of the rehabilitation ideology's lasting accomplishments in this field are restitution programmes as part of probation, and some mediation programmes (Galaway and Hudson 1972; Galaway 1977; Launay 1985). These have often been justified because of their presumed positive effect on the offender rather than for their practical effectiveness in compensating the victim (Zehr and Umbreit 1982; Harland 1983; Smith 1984).

3 THE RETRIBUTIVE OR CRIMINAL JUSTICE IDEOLOGY

Within criminal law, theories of retribution have been gaining favour recently in response to the growing disillusionment with rehabilitative and deterrent penal policies. For example, the idea of 'just deserts' (Von Hirsch 1976) has taken root strongly in the USA, and sentencing systems in several States are now rigidly formulated on the principle that the offender must be punished in proportion to the seriousness of the offence. Here, the primary aim is to punish according to a notional scale of how much damage that type of offence inflicts upon society. However, some criminal lawyers and criminologists are now arguing that it is also consistent with a retributivist model of justice to consider compensation by the offender to the victim as an important – and even a primary – aim of sentencing. (For discussions of these issues see Ashworth 1986, and Duff, Ch. 15).

It is also in line with this view to place the victim in a stronger position in both decisions about prosecution and in sentencing, as criminal justice should satisfy his or her desire for justice, moral vindication or revenge (Davis *et al.* 1984; Hudson 1984).

Examples of victimagogic programmes inspired by the retributive ideology are compensation orders, civil lawsuits before penal courts (the French *partie civile*) and rights of victims to be notified personally about arrests, charges, court

appearances and sentences. In some states of the USA fixed sentences have been introduced and parole boards abolished at the request of victim advocates (Lamborn 1986; US Department of Justice 1986a).

As in the domain of the care ideology, some protagonists are critical of the performance of the bureaucracy – in this case the criminal justice system – vis-à-vis the victim. For this reason they advocate the introduction of *participatory rights for the victim*, such as the right to express an opinion on the sentence to be inflicted upon the offender or a right to be consulted on prosecution, bail or parole decisions. In other countries such procedural rights have traditionally been granted to the aggrieved party (Joutsen 1987).

Although the retribution philosophy itself is controversial, the idea that offenders must be made to compensate their victims seems to have gained widespread support among both penal philosophers and the public (Van Dijk and Steinmetz 1987). However, there is still a great deal of discussion as to whether the victim should play a bigger role in the prosecution and sentencing processes.

4 THE ABOLITIONIST IDEOLOGY

Proponents of the abolitionist or anti-criminal justice approach note the declining role and power of the victim in the modern criminal justice system and its adverse effects on offenders, and favour instead the introduction of an entirely new system based on the principles of civil law. The official criminal justice authorities, they argue, should intervene as little as possible in situations involving criminal behaviour: mediation, reparation, aid to victims and crime prevention should be left to neighbourhood groups and other social networks (Christie 1977; Elias 1983b; Hulsman 1984). This concept has found practical expression in experiments with conflict mediation conducted in North America and several European countries (Wright 1985). It is also reflected in renewed interest in the German institution of mandatory mediation by a local authority (the *Schiedsmann* or *Vergleichsbehörde*) in cases of petty crime (Weigend 1981). Critics, however, have less confidence in the potential effectiveness of the informal social control mechanisms on which these innovations rely. It is argued that the mediation model would probably benefit the offender rather than the victim. Mediation would probably reduce the caseloads of the criminal justice authorities. This may explain its popularity amongst the penal establishment in many countries.

Global trends in the victims movement since 1960

THE FOUNDING FATHERS

The first victimologists were, in accord with the criminological agenda of that time, mainly interested in the background to and sentencing of serious crimes. Within this area of observation they introduced two innovatory ideas.

The first was that many crimes can only be understood if the role of the victim in the causal chain is also considered. Von Hentig (1948) and Mendelsohn

(1963) developed extensive typologies of victims (the typical victim of deceit, the typical victim of murder in the course of robbery etc.). Mendelsohn, particularly, believed that sometimes a victim carries more of the moral blame for a crime than the criminal. Schafer (1968) and Nagel (1963) moved away from typologies, emphasizing instead the relational background of the crime: a crime, they argued, often originates from emotional intellectual and moral interactions between two persons.

As a second victimagogic notion we encounter the idea that criminal and victim have a special relationship even after the crime and that sentences should aim to lead this relationship into the right channels. It would seem as if the criminal process must help the victim to sublimate his blind feelings of revenge to the need for a more moderate punishment, directed at reconciliation (Nagel 1963). The criminal's denial of the victim as a human being, which is founded on defence mechanisms, must be counteracted. Instead the offender must be urged to do penance, also directed at reconciliation. Thus compensation arrangements between criminal and victim are seen by Schafer (1975) as a particularly suitable way of arousing a more positive attitude in both parties.

THE FIRST WAVE: STATE COMPENSATION AND INITIATIVES BY PROBATION OFFICERS (1965-1975)

In the postwar period the administration of criminal law was heavily influenced by the social defence movement, or more specifically, by the 'treatment' philosophy. On a more general level, state policy in most Western countries, in particular in North and Mid-Europe, was guided by the philosophy of the welfare state. In this social and political climate the problems of crime victims were not a major concern. Special services were established only for categories of victims who were in obvious need of professional support, such as battered children and survivors of concentration camps (Smith 1975; Weisaeth 1985). In general, however, the ideas of the founding fathers of victimology fell on barren soil. In the mid sixties some policy makers were becoming aware of the need for a policy towards crime victims. The problems of crime victims were constructed as financial hardship resulting from insufficient social security provisions. In 1963 the first state compensation scheme for victims of violent crime was established in New Zealand. It was later encompassed in a larger scheme covering several other kinds of damages. The example of New Zealand was followed in 1964 by England with the introduction of a non-statutory scheme. In 1965 a compensation scheme was established in California. During the late sixties and seventies statutory schemes were introduced in several states in the USA and Canada and in North European countries such as Sweden (1971), Austria (1972), Norway (1976), Denmark (1976), The Netherlands (1975) and West Germany (1976) as well as in France (1977). In most countries, the state compensation schemes fall short of being truly effective welfare programmes for crime victims. Only a small minority of victims meet the requirements (Miers 1980; Elias 1983a; Van Dijk 1984, 1985).

A decisive argument for the schemes seems to have been the need to respond

to the growing criticism of the general public against the treatment model in penal law (Miers 1980). For similar reasons probation officers in the UK and The Netherlands initiated small pilot projects with professional counselling for crime victims, 'the forgotten party'. These pilot projects were not very successful. The first restitution programmes in the USA, which were operated by probation officers, were not a success either (Harland 1983). Due to a rather weak commitment of the planners and organizers to the case of the crime victim, most of the victimologic programs of the sixties and early seventies were half baked.

THE SECOND WAVE: RAPE CRISIS CENTRES, SHELTER HOMES AND THE FIRST VICTIM SUPPORT SCHEMES (1975-1980)

Many of the political ideas of the sixties, like participatory democracy, began to be put into practice during the seventies. In addition to this the women's liberation movement became an independent political force. The off-shoots of these political trends in the area of victimology were crisis centres for drug addicts and other disturbed persons, RCC and shelter homes for battered wives. Most of these services were initiated by local groups with a critical attitude towards the established welfare institutions. The originators often had mistrust of remote bureaucracies and professionals. Some RCC even dissuaded their clients from collaborating with the police. Around the mid seventies the first general victim assistance schemes were established in the USA, the UK and The Netherlands. Some of these pioneering schemes (though not VSS in England - see below) were determined to keep their distance from official agencies like the police or professional health institutions. The scheme in Amsterdam, for instance, sought to establish a service which would offer an alternative to reporting to the police. In the USA, by contrast, many of the general schemes received funds from the Law Enforcement Assistance Agency and were attached to the office of the public prosecutor (Dussich 1985). For this reason the ideological backgrounds of the victims movements in the various countries are not quite the same.

THE THIRD WAVE: INSTITUTIONALIZATION OF VICTIMS SUPPORT AND THE CALL FOR JUSTICE (1980-1987)

During the early '80s most of the feminist and other victim assistance schemes were gradually coopted by local or central government. In the USA most of the surviving RCC affiliated themselves with hospitals or other existing institutions (Gornick *et al.* 1983), while general victim assistance agencies have been generously funded since 1984 by the federal government. In the UK (in 1979) and The Netherlands (in 1982) the general support schemes formed national associations. In 1987, the central governments of both countries decided to channel substantive grants for local schemes through these associations (Corbett and Maguire, Ch. 3). The associations themselves introduced standards of conduct for their members and while most schemes continue to use volunteers,

their selection and training is becoming more rigorous. Without exception, the schemes now try to liaise closely with the local police and with professional health agencies.

In France the establishment of local schemes was part of an official policy of the Ministry of Justice, introduced in 1983. Some of the schemes use volunteers, others do not. In other countries, including Ireland, Scotland and Switzerland, newly established national associations and local schemes are financially supported by their national or local governments. In the Scandinavian countries, most of the new provisions for crime victims are linked to existing health institutions, and in Belgium victims support schemes are mainly linked to probation offices. At first sight, the case of West Germany seems to be the exception to the general rule of close ties between the victims support schemes and the State. The influential national association *Weisser Ring*, does not receive grants from the government. However, many of the volunteers in the association are (retired) police officers and legal personnel. It is funded predominantly by payments imposed upon offenders as a condition for a waived or suspended sentence. In these respects, the association is clearly not a grass roots movement. At State level, several smaller organizations have recently been established with direct support from the local government (Hannau, Bremen, Hannover). The latter schemes employ professional social workers. The organization in Bremen intends to expand nationwide.

By and large, then, it can be concluded that victims support schemes in the major countries have undergone a rapid process of institutionalization and professionalization in the eighties (Karmen 1984; Soetenhorst 1987). In line with this, the World Society of Victimology has formed a committee which will try to develop international standards for victim assistance. Representatives of several national associations collaborate in this effort.

The other major trend over this period has been the rediscovery of the crime victim as a consumer of the services of the criminal justice system. The original criticism of 'secondary victimization' by the police or the courts developed into a plea for positive action by the system on behalf of crime victims. Criminal justice officials are being pressed to keep the victim informed about his or her case, to create or strengthen procedural rights for the victim, to reduce the percentages of cases which are not prosecuted and, in some cases, to impose more restitutive or more severe penalties upon offenders. The resolution of the Council of Europe on the position of the victim in the framework of criminal law and procedure and the UN Declaration of basic principles of justice for victims of crime and abuse of power, both of which appeared in 1985, reflect these new consumer demands upon the criminal justice system (Waller, Ch. 20).

There are strong indications that in several countries most of these demands will actually be met by the criminal justice system. Several governments have issued detailed guidelines for the police, the prosecutors and/or the courts on the rights of crime victims. Other countries, like the USA and West Germany, have recently introduced important changes in their criminal law in order to strengthen the position of the victim. In the USA new demands are now being

made for more severe punishment of criminals 'commensurate with the gravity of their crimes and harm done to innocent victims' and for the adoption of systems of accountability for members of parole boards (Abell 1987).

A counterforce against the call for a more repressive criminal justice system, is the growing interest among some victim advocates in experiments with mediation between the offender and the victim. In the UK the National Association of Victims Support Schemes has not opposed – and some of its members have actively supported – such experiments and NAVSS has representatives on the Forum for Initiatives in Reparation and Mediation (FIRM), a national body set up to promote them. NAVSS' French counterpart, established in 1986, calls itself the National Organisation for Assistance to Victims and for Mediation. In West Germany the victims support organization in Bremen seeks to initiate experiments with mediation. In the USA, Canada, Norway, The Netherlands and some other European countries, too, there is some support for such experiments. The protagonists of mediation can be seen as the heirs of the rehabilitation ideology of the sixties.

A global inventory

In its present third wave the victims movement is guided by both the care ideology and the ideology of justice for victims. In both areas the movement has been remarkably successful across the Western world. A global inventory of its achievements testifies to its success.

VICTIM ASSISTANCE ACROSS NORTH AMERICA AND EUROPE

In this first half of the inventory we will restrict ourselves to an overview of the *general services* for victims, although it should be noted that special provisions for female victims of violence or sexual violence are available in the larger cities of almost all Western societies (cf. Corbett and Hobdell, Ch. 5; Anna T., Ch. 6; Mezey, Ch. 7).

In the USA there are presently over 5,000 victim assistance programmes (Davis 1987). Many of these programmes focused originally upon victim-witness assistance, but are increasingly engaged in the provision of short term counselling. In Canada victims support schemes exist in nearly all major cities. No national association has yet been established, though.

In England and Wales there are now over 300 VSS which together boast 4,200 volunteer visitors (NAVSS 1987). More than 250,000 new cases are referred directly to the schemes by the police annually. There are an additional ten schemes operational in Scotland. In Ireland the national association has ten branches located throughout the country.

On the European continent, the Scandinavian countries have until recently shown relatively little interest in the provision of special services to crime victims. In Oslo (Norway), however, all victims of violence are referred to a special team of professional counsellors. Typically, crime victims are viewed in Scandinavia as

suitable target groups for professional welfare provision. A similar approach also prevails in the socialist countries in Central and Eastern Europe (Wiener 1984; Separovic 1985; Marek 1987).

In The Netherlands there are presently over 50 local schemes which together contain over 500 volunteers. Most of these are run along similar lines to the British ones, but quite a large minority work exclusively with paid professionals.

In Belgium, a handful of victims support schemes have recently been established as part of the local probation offices. The situation in West Germany has already been described at some length. The largest organization *Weisser Ring*, maintains 200 local offices. Sister organizations operate in Austria and Switzerland.

According to the latest data available, France has over 120 local schemes, which together employ 50 professionals and 500 volunteers.

In the southern European countries (with the exception of Spain) no special provisions for assistance to crime victims have yet been created.

According to a Council of Europe report (Council of Europe 1987) member countries should ideally have a network of schemes which provides services to about 150 victims of serious violence and 250 victims of serious property crimes per 100,000 inhabitants annually. On the assumption that a well organized scheme – with one or two paid coordinators and 50 volunteers – can deal with about 1,000 victims per year (cf. Maguire and Corbett 1987), the realization of this goal requires the existence of five major schemes per 1 million inhabitants. In the USA, the UK and The Netherlands this goal seems a realistic target. In other parts of Europe, this can only serve as a ideal for the long term.

Presently, the concentration of VSS is highest in the USA, Canada, the UK, The Netherlands and France. On the European continent the Scandinavian and socialist countries have been somewhat reluctant to supplement the existing welfare and health institutions with special services for victims. In much of the South of Europe, the need for services for crime victims seems hardly to have been recognized at all.

THE POSITION OF THE VICTIM IN THE FRAMEWORK OF CRIMINAL LAW

The second half of the inventory covers developments in victims' rights in relation to systems of criminal justice. These will be discussed in more depth later by Waller (Ch. 20), and here we do no more than illustrate the variety of the changes occurring.

The rights of the victim in penal procedure are quite different in the various legal systems. For this reason the starting positions of victims movements vis-à-vis their national criminal justice systems also varied widely. Options which are viewed as utopian and revolutionary in one country, may be part of a long standing legal tradition elsewhere.

Within the common law countries the role of the victim is largely limited to that of witness for the prosecution. The common law model is by comparison the least favourable to the interests of victims. Recent legislative changes have sought to

restore the balance between the rights of the offender and the rights of the victim (Waller 1986b). British and Scottish judges have been given the option to issue a compensation order as a quasi-penalty to be enforced by the courts. In practice this method of arranging compensation for the victim has proven to be fairly effective (Vennard 1978; Shapland *et al.* 1985). Almost all states in the USA have introduced a victim bill of rights which typically introduces the right to be informed, to be consulted and to be compensated by the offender (see Waller, below). The right of the victim to express his or her concerns or views to the judge is controversial, however (Gittler 1984; Ranish and Schickor 1985). In a recent verdict the Supreme Court has ruled that victim impact statements are unconstitutional in the case of capital crimes (Taylor JR. 1987).

The Napoleonic penal code provided a right to the injured party to present *civil claims* in the criminal process. The so called 'partie civile' provision has been retained in one way or the other in The Netherlands, Belgium, France, Italy, Spain and Greece. In recent years France has introduced legislation which strengthens the position of the partie civile (Pradel 1983; Verin 1984). In The Netherlands a bill has been prepared to introduce compensation as a penal sanction. Although few reliable statistics are available, there are sound indications that the partie civile is the least widely used in The Netherlands (Van Dijk 1985) and the most widely in southern European countries like Italy, Spain and Greece (Spinellis 1986). We will come back to this remarkable victimological fact later.

In West Germany the victim has a limited right to present his or her claims to the penal tribunal. In addition to this, however, the injured party is allowed to act as an *assistant prosecutor* and to make *penal demands* in that capacity. Similar provisions exist in Finland, Sweden, Yugoslavia, Poland and most other socialist countries. In West Germany the position of the victim as a party to the trial has been strengthened by a legislative change in 1986 (Burghard 1987).

Since little is known about the actual use of the various legal provisions for victims, it is difficult to evaluate their practical merits objectively. In the south of Europe the victim participates in the criminal trial as a civil party in the majority of all relevant cases, in particular in Spain, Italy and Greece. It is uncertain, however, whether this high degree of participation is satisfactory to the victim. They may even see their participation as a burden. After the trial no support is given to them for the enforcement of the civil verdict. Victims in common law countries who receive compensation from the offender without participation in the proceedings, may be more content at the end of the day.

THE STATE OF THE ART IN 1987

The distribution of victimagogic activities over the various countries of Western Europe shows an intriguing picture. The highest densities are found in the countries in the mid-west, such as the UK, France, West Germany and The Netherlands. Here we find state compensation, a series of important changes in penal law, and a boom in centres for victim assistance. Similar progress has been made in the USA, Canada and some parts of Australia, South Australia in particular.

State compensation is available in the northern countries as well. The countries of the north, however, seem not really to have been bitten by the victimagogic bug. None of the Scandinavian countries has introduced victimagogic penal bills. Apart from the feminist lobby, no voluntary movement has emerged on behalf of crime victims on Scandinavian soil, either (although there are signs that VSS may be emerging belatedly in Sweden). The solution for the problems of crime victims is sought in an extension of general welfare provision. In line with this, none of the Scandinavian countries have participated in the work of the Council of Europe committee on the problems of victims (between 1983 and 1986).

In the south of Europe another picture emerges. No state compensation funds have been established in Portugal, Spain, Italy or Greece. Victim assistance schemes are virtually unknown, too, mainly comprised of a few centres for victims of rape or spouse abuse. In the courts, however, the presence of the victims is very pronounced. Few victims in Greece, Italy or Spain will abstain from suing their attackers for civil damages during the criminal trial. In many cases the victim will express an opinion about the penal sentence as well. In this respect, crime victims in the south of Europe do not fit the academic stereotype of 'the forgotten party'. The victimagogic status quo in the south of Europe seems to be largely an application of the retributive ideology.

A personal view

In my opinion, the ideal programme for crime victims would be a combination of a humanized criminal justice system and a network of outreaching VSS with a strong input from the local community.

The primary task of the criminal justice system in relation to victims is to show that their victimization is regarded as a grave violation of the rules of society and that the State shares their indignation. The criminal justice system can express this by treating victims with maximum consideration and by notifying them of all important decisions concerning their case. The rapid disposal of cases, the imposition of sentences according to a largely fixed tariff, and the award and enforcement of compensation paid by the offender, can also help in this context. The arrangement of compensation to be paid by the offender has, in my view, a great symbolic significance for the victim which far exceeds its monetary value. The imposition of an obligation to pay compensation is tantamount to inviting the offender to admit to the victim that he was in the wrong. Such a gesture can help to restore the victim's shattered sense of justice and feeling of community (Janoff-Bulman 1985; Van Dijk 1986b).

In the common law countries there is currently much enthusiasm for the granting of *participatory rights* to crime victims as a way to give them a better deal. In the USA, victim advocates are even campaigning for an amendment to the constitution to that end. In my view, the available victimological knowledge, both theoretical and empirical, is still too unsophisticated to enable more than tentative conclusions to be drawn about the merits of such rights. However, I consider that there are sufficient grounds for advocating caution with regard to

the statutory introduction of victim opinion statements in court, or of other forms of active participation like the German 'assistant prosecutor' in jurisdictions which do not yet have experience of them (Van Dijk 1986 : 2). This criminal law innovation is probably not in the interests of the offender, and may hurt public interests. Sentences will become less predictable and consistent. The benefit for the victims may outweigh these costs. At present, it is still uncertain, however, whether it is in the interests of the victims.

By making the victim responsible for the imposition of a punishment, the victim's capacity to 'walk away from' the crime may be negatively affected (Halleck 1980). In the long term, the satisfaction of a desire for vengeance through the passing of an excessive sentence in line with that demanded by the victim would seem to me to be a source, not of reassurance, but of anxiety to the victim. A substantial improvement in the treatment and the services rendered by the justice system to victims is, however, urgently needed in virtually all jurisdictions. In order to secure the enforcement of new regulations to that end, victims must be granted an official entitlement to such services. In that sense, crime victims must certainly be given more formal rights (cf. Mawby, Ch. 13).

In the area of social services, there is much to be said in favour of the model of the welfare state. The reluctance to apply this model to the social and financial problems of crime victims is partly determined by the financial crisis of many western states. The Scandinavian approach should not be discarded without careful consideration of its theoretical and practical merits.

Several intrinsic arguments, however, can be raised against the welfare model. The referral of crime victims to professional counselling or therapy presupposes that victims have to come to terms with the emotions generated by the victimization experience. For some victims this may indeed be important. The core problem of many crime victims, however, seems to be their loss of social trust and their feelings of alienation from their community (Smale 1984). The appropriate remedy for this is not the provision of professional counselling. Therapeutic efforts might weaken natural support systems and may even contribute to the development of a negative self image. What is primarily called for in the aftermath of a crime is an expression of care and solidarity by the community whose integrity is at stake. Voluntary actions on behalf of crime victims must not be mistaken for charity. A community which supports its crime victims does not offer charity, but makes an investment in its own survival. In this area, active participation by the public seems to be of the essence. Eventually, too, such community action may constitute a viable platform for mediation between some victims and their offenders.

My own preferences are inevitably determined by my personal and professional experiences with the criminal and social policies towards crime victims in The Netherlands. In other societies, the priorities of the victims movement may well have to be different. In the area of policies for victims, as in many other policy areas, careful experimentation and disinterested research seem to be the highest priorities of all.