

Green Victimology: New ideas in a new science

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OUTLINE

- Why is Victimology a new Science?
- What is Victimology?
- Why is Victimology needed?
- What is Green Victimology
- Where do we place Green victimology in Victimology?
- What should the future of Victimology look like?



DEFINING VICTIMOLOGY

□ What is Victimology?

Definition:

“*Victima*” from the Latin language “*logos*” from the Greek language it denotes the direction towards an abstract understanding of the victim.

Victimology **literally** means “**the theoretical (abstract) study about victims.**”



DEFINING VICTIMOLOGY

- According to Kuhn (1966):
 - All science and scientific thinking is nothing more than a specific construction of social reality
 - Scientific thought and paradigms determine different realities
 - Scientific thoughts and paradigms where shaped by previous events and social.

realities

- Definition of the word only states that Victimology denotes the scientific, theoretical study of the victim. It **does not** state what types of victims are studied nor does it address **how** this study of the victim came into reality.



DEFINING VICTIMOLOGY

□ What shaped Victimology?

“**Golden Age**” of the victim

- Schafer

□ What is this “**Golden Age**”?

-Victims were seen to have played a leading role in the resolution of crime and criminal matters

-Schemes that enabled the victim or the victims’ family (in the case of the death of the victim) to receive payments.

- Wirgeld (Germanic)
- Ericfine (Ireland)
- Galanas (Welsh)
- Japan

Growth of state power dissipated and replaced these schemes



DEFINING VICTIMOLOGY

- Couple of centuries before the victim to become the focus of debate again
- Cesar Beccaria
 - Kirchhoff states “*one can find a clear engagement on the side of the victims, the powerless*”.
 - However Beccaria is a “*is a precursor.*”
 - Disagree!! Beccaria is the first Victimologist.
- Who is then the first victimologist?
 - Benjamin Mendelsohn (1947)
 - Frederick Wertham (term)
 - Hans von Hentig (accepted father of scientific Victimology and founder of one of the branches of Victimology).



DEFINING VICTIMOLOGY AND GREEN VICTIMOLOGY

- Green or ecological Victimology is a branch of Green Criminology which emerged with a critical origin of the criminal justice system to oppose classic Victimology in 1990s.
- Green Criminology is a branch of Criminology that involves the study of **harms** and **crimes against the environment** broadly conceived, including the study of **environmental law** and **policy**, the study of **corporate crimes** against the environment, and **environmental justice** from a criminological perspective



DEFINING GREEN VICTIMOLOGY

The three definitions of Victimology

□ Complexity associated with the question

“Who is the victim?”

Where should green Victimology fall?

□ Three branches evolved to address these question:

» Special Victimology

» General Victimology and

» Victimology of human rights violations including crime.



DEFINING VICTIMOLOGY & THE THREE DEFINITIONS OF INQUORY



DEFINING VICTIMOLOGY

□ Special Victimology

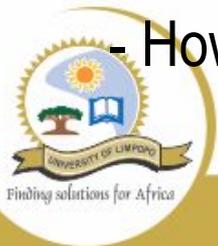
- Hans von Hentig
- Any victimological exploration and research should be done under the auspices of Criminology
- All special victimological research focuses on victims of crime.
- Criticism
- “Superfluous”
- Too restrictive



DEFINING VICTIMOLOGY

□ General Victimology

- Mendelsohn
- Focus on all victims, their suffering and on treating these victims
- Victimological clinics
- Very broad scope
 - The victim of a criminal
 - The victim of oneself
 - Victim of the social environment
 - Victim of technology and the
 - Victim of the natural environment.
- Criticism
 - Invasion of the self
 - Too broad
 - How does one prevent a natural disaster like a tsunami or a typhoon?



DEFINING VICTIMOLOGY

□ Victimology of Human Rights Violations including Crime

- Elias and Neuman

- Human Rights Violation is abuse of people in a way that it **abuses any fundamental human rights**. It is a term used when a **government** or a **national or international institution violates national or international law** related to the **protection of human rights**.

- Fundamental human rights are violated when:



DEFINING VICTIMOLOGY

□ **Victimology of Human Rights Violations including Crime (Cont.)**

- A certain race, creed, or group is denied recognition as a "person". (Article 2)
- Men and women are not treated as equal. (Article 2)
- Different racial or religious groups are not treated as equal. (Article 2)
- Life, liberty or security of persons is threatened. (Article 3)
- A person is sold as or used as a slave. (Article 4)
- Cruel, inhuman or degrading punishment is used on a person (such as torture or execution). (Article 5)
- Punishments are dealt arbitrarily or unilaterally, without a proper and fair trial. (Article 11)
- Arbitrary interference into personal or private lives by agents of the state. (Article 12)
- Citizens are forbidden to leave or return to their country. (Article 13)
- Freedom of speech or religion (including the right to change religion or belief i.e. convert to another religion) are denied. (Articles 18 & 19)
- The right to join a trade union is denied. (Article 23)
- Education is denied. (Article 26)



DEFINING VICTIMOLOGY

□ **Victimology of Human Rights Violations including Crime (Cont)**

- Crime= Violation of Article 3
- The definition is not as broad as general and not as restrictive as Special
- Most comprehensive definition
 - **Includes crime victims**
 - **Includes non crime victims**
 - **Grounded in International jurisprudence**
- It should be noted that even though these three definitions in victimology differ in their definition of “victim”, all three branches are interested in the process of becoming a victim.
- Looks at institutional, social, individual and group conditions.
- Look at the reactions to victims and reactions to victimization.



DEFINING VICTIMOLOGY

Meta level Definition

Victimology is the scientific study of the victim of Human Rights. Violations (including crime), of victimization and of reactions of both victims and society

- How do these reactions influence the society in which it happens?



DEFINING GREEN VICTIMOLOGY

- Classic Victimology considers human as victim
- Green Victimology holds that human and nature and its components including water, air, soil, earth, trees, plants, animals, and certainly future generations could be green victims
- Two philosophical and legal approaches in Green Victimology
- Intrinsic value of the environment (Can it be a victim?)
 - Anthropocentric (nature is regarded as a human right therefore only Humans can be victims of environmental victimization)
 - Nature-oriented approach (Nature can be a victim)
 - Legal approach (defines victims by the means of law)



DEFINING GREEN VICTIMOLOGY

□ Argument:

□ Combination of Anthropocentric and Legal



DEFINING GREEN VICTIMOLOGY

□ Definition of what constitutes a victimization: Act or omission that causes harm. An invasion into the self.

Harms caused by victimization:

- Psychological
- Financial
- Physical
- Emotional
- Social (Post social media)



DEFINING GREEN VICTIMOLOGY

□ Change the definition of what constitutes a victimization:

Act or omission that causes harm. An invasion into the self.

Harms caused by victimization:

- Psychological
- Financial
- Physical
- Emotional
- Social (Post social media)
- Environmental



DEFINING GREEN VICTIMOLOGY

- Why add environmental?
- Third branch of Victimology



TYPES OF GREEN/ENVIRONMENTAL VICTIMS

- ❑ **Lack of clean drinkable water**
- ❑ **Unsafe working conditions**
- ❑ **GBV**
- ❑ **Deforestation (Palm oil ect)**
- ❑ **Dumping**
- ❑ **Lack of environmental protection**
- ❑ **Extinction of fauna and flora (150-200 species of plant, insect, bird and mammal become extinct every 24 hours)**



TYPES OF GREEN/ENVIRONMENTAL VICTIMS

- Lack of housing
- **Over mining**
- **Construction of environmentally unsafe buildings/Poor planning of power generation (Fukushima ect)**
- ??COVID 19??/Future Pandemics
- **Food security**



TWO TYPES OF GREEN/ENVIRONMENTAL VICTIMS

□ Above all have what in common?

- Multi national corporations
- Governments
- Lack of Political Will
- Organized Crime



FUTURE OF GREEN VICTIMOLOGY

- Change definition of what constitutes victimization
- Ground all research and discussion on green victimization in the this branch of Victimology
 - Human Rights violation including Crime



FUTURE OF GREEN VICTIMOLOGY

- Human Rights violation including Crime:
 - International Jurisprudence
 - UN Declaration on the.... Rights of Victim of Crime and Abuse of Power
 - Abuse of power: **Action OR inaction**
- Human Rights speak about Victim Rights
- Human Rights speak about Environmental Rights
- Thus Victim rights= Environmental Rights



FUTURE OF GREEN VICTIMOLOGY

□ Victim rights= Human Rights+ Environmental Rights:

- National and International Victim rights law
- National and International Environmental law
- National and International Human Rights law



FUTURE OF GREEN VICTIMOLOGY

- International Human Rights law
 - Hold multinationals, Organized Crime groups and governments accountable for environmental victimization/crime
 - ?????
 - Environmental victimization/crime=
 - Crime Against Humanity



FUTURE OF GREEN VICTIMOLOGY

□ Crime Against Humanity

- War crimes speak to environmental damages
- Rules of War

- Crimes against humanity do not need to target a specific group. Instead, the victim of the attack can be any civilian population, regardless of its affiliation or identity. Another important distinction is that in the case of crimes against humanity, it is not necessary to prove that there is an overall specific intent.



FUTURE OF GREEN VICTIMOLOGY

- Article 7 (1) do not need to be linked to an armed conflict and can also occur in peacetime
 - Other inhumane acts.
 - Argument: Destruction of environment



CONCLUSION

- Green Victimology as a science should look at green victimization through the lens of the victim of Human Rights violations (including crime), of victimization and of reactions
- We as victimologist, academics, legal professionals and lobbyist should redefine the concept of victimization and include environmental harm
- Arguments for inclusion as a Crime against Humanity



THANK YOU

QUESTIONS

