Collective Victimization A Province of Victimology Research?
Special focus on the post-election violence in Kenya 2007-08

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Goals

• Explain what victimization research entails
• Define collective victimization
• Discuss collective victimization within victimological discourse
• Interdisciplinary theory of collective victimization?
• Future research
Introduction

• 2007-2008 Post-Election Violence in Kenya was marked with gross violations of laws and fundamental human rights
  – Murder
  – Rape
  – Grievous assault
  – Forced displacement
  – Looting and destruction of property
Introduction

• Resulted to estimated 1,133 deaths and over 650,000 people displaced

• The government of Kenya placed measure for providing services, support and assistance to victims of the 2007/08
  – Commission of Inquiry into the Post Election Violence (Waki Commission)
  – International Criminal Court (ICC) intervention
Definitions

• Term victimology coined by Benjamin Mendelson in 1947

• Mirror image of criminology
  – Criminology is concerned with criminals, criminal acts and the criminal justice system’s response to them
  – Victimology studies who becomes a victim, how victims are victimized, harm they suffer and their role in the criminal justice system
Definitions

• “the scientific study of the physical, emotional, and financial harm people suffer because of criminal activities” (Karmen, 2001, p.9)

• “is the study of the victim, including the offender and society” (Burgess, et al, 2010, p. 5)
Definitions

• The term “victim” is notoriously difficult to define
  – Legally, the term who is a victim depends on the type and extent of injury sustained, the connection of injury to the offender’s conduct, and whether the victim is at fault in the criminal transaction
Definitions

• The United Nations Declaration of Basic Principles of Justice for Victims of Crime and Abuse of Power, 1985, defines victim under Article 1:
  - “… means persons who, individually or collectively, have suffered harm, including physical or mental injury, emotional suffering, economic loss or substantial impairment of their fundamental rights, through acts or omissions that are in violation of criminal laws operative within Member States, including those laws proscribing criminal abuse of power”
What is collective victimization?

- Millions of civilians of world wars; 14% WWI, 67% WWII, and over 90% by the end of the 20th Century
  - 42 million people were forcibly displaced (UNCHR Annual Global Trends report, 2009)
  - Rwanda genocide, 2004, within 100 days an estimated 800,000 people, mainly Tutsi and moderate Hutus were murdered
    - Estimated 250,000 – 500,000 women and girls raped
Should victimology be involved?

- Mendelson’s typology of victimization

<table>
<thead>
<tr>
<th>Type of victim</th>
<th>Classification</th>
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<tbody>
<tr>
<td>Completely innocent victim</td>
<td>Children or unconscious person</td>
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<tr>
<td>Victim with minor guilt</td>
<td>Woman who induces a miscarriage and dies as a result</td>
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<tr>
<td>Victim who is as guilty as the offender</td>
<td>One who assists in committing a crime</td>
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<tr>
<td>Victim more guilty than the offender</td>
<td>One who provokes others to commit crime</td>
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<tr>
<td>Most guilty victim</td>
<td>Perpetrator (victim) who is killed by another acting in self-defense</td>
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<tr>
<td>Imaginary victim</td>
<td>One suffering from mental disorders, i.e. paranoia who believe to be victims</td>
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Extent of harm

- Case 1: PEV victim turns to prostitution (Kenya for Peace, Truth and Justice (KPTJ), 2013
  - Jane lived in Naivasha in 2008, married with two kids
  - Earned her living by selling fish
  - She is Luo
  - Home invaded by gang and was raped (while pregnant) in the presence of her family
  - Still has flashback of her victimization
  - Suffers gynecological problems
  - Husband abandoned her, leaving her to fend for herself and three children
Extent of harm

• Case 2: Unemployed after the PEV (KPTJ, 2013)
  – John was a small business owner
  – He lived in Nakuru in 2008 witnessed his children being assaulted by the Mungiki gang and death of his neighbors
  – His home was burned
  – Had to move to another part of the country
  – Loss of business, he has not recovered to date
Extent of harm

• Case 3 – Reduced to internal displaced people (KPTJ, 2013)
  – Grace lived in Kapsabet in 2007
  – Men attacked her family during the night
  – Poured paraffin over the entire house and order the family to move because they voted for Kibaki
  – Once outside they were attacked by machetes
  – Moved to an IDP camp
  – To date her family has not found permanent home
  – Kids unable to go to school (secondary school)
Extent of harm

• Case 4 – Seeking accountability
  – John based in Eldoret at the time of the PEV
  – Born 61 years ago
  – Prior to the PEV he was a small scale farmer
  – In January 2008 his farm was attacked and ordered to vacate the farm (him and his family)
  – After the violence ended he returned home to find that all was put in blaze
  – John has not received assistance from the government
  – He feels the ICC process will bring about accountability to the perpetrators
Should victimology be involved?

- Lifestyle theory (Hindelang et al, 1978)
- Routine Activity (Cohen & Felson, 1979)
- Critical victimology (Mawby & Walkate, 1994)
- Victim blaming
Interdisciplinary theory of collective victimization

- Importance of understanding the social contexts and social worlds in which violence and victimization are understood and conceptualized (macro & micro levels)
  - Collective dehumanization process
  - Corrupt state practices
  - Scarcity of natural resources
  - Economic hardships
  - Poverty
Legal Responses

- Legislation, i.e. The Victim Protection Bill, 2013 (Kenya)
- Statute of the International Criminal Court and its Rules of Procedure and Evidence is the series of rights granted to victims (Art. 68(3))
  - Trust Fund for Victims (TFV)
Further research

• Is collective victimization (mass) similar to ordinary (conventional) victimization?

• Could present victimology theories explain collective victimization?

• Interdisciplinary theory of collective victimization
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