Dangerous Victimology: 
My lessons learned from Nils Christie

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This article first discusses the key concepts of Nils Christie’s victimological-oriented work drawn from “Conflicts as property” (1977) and “The ideal victim” (1986). Using international criminal justice as an example, it demonstrates the enduring importance of Christie’s insights to victimology. Subsequently the paper offers a three-fold critique of Christie’s work. First, the stereotype of the ideal victim is confronted with the bodies of literature on the justice motive and the phenomenon of framing. Second, Christie’s views on the role of the state in “Conflicts as Property” are discussed against the backdrop of libertarian and communitarian theories of political philosophy. Third, the notion that ‘crime does not exist’ is rebutted using a victimological perspective.

Keywords: victimology, restorative justice, just world theory, communitarianism, framing.

Introduction

It is a great honour to be asked to contribute an essay to a special issue of Temida devoted to the memory of sadly departed scholar and humanitarian Nils Christie. It is particularly fitting that this tribute occurs in the journal Temida, published by the Victimology Society of Serbian, as my first encounter with this great man occurred in Belgrade at one of their seminars.

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In all honesty on that occasion Christie and I did not find much common ground. I recall that our views were at odds to a degree that I commenced my own presentation – directly after his – with something like ‘Although he is great speaker, a world-renowned criminologist and an extremely hard act to follow, particularly given that I am neither of those two first things, I am still going to disagree with most of what he said.’ Christie retorted in kind, calling me a ‘dangerous victimologist’ in answer to question following our speeches, an epithet of which I am honestly proud until today.

To say I have learned a lot from Nils Christie’s work is an understatement, however, as that first encounter forewarned and will become clear in the next pages, I have probably learned more from our points of friction than from where our views align. It would therefore be intellectually dishonest of me to focus on the latter rather than the former, however much it may appear unbecoming to disagree with those who have passed on. Instead I will endeavour to show how Christie has in the past and the present informed my own thinking about victimological topics, and the extent to which his label of ‘dangerous victimologist’ is indeed suitable to where this has taken me, although radical might be more apt.

I will do so by a discussion of some of the main concepts in his victimology-oriented work: from “Conflicts as property” in 1977 and “The ideal victim” (1986). Christie’s work has proven its worth for understanding victimological phenomena to this day. International criminal justice offers some of the clearest examples of the issues he raised. I will emphasise these before briefly noting the more general application of Christie’s insights.

Following this I will critically discuss three key issues in Christie’s work. First, I will offer a different interpretation of the stereotype of the ideal victim, which incorporates sociological work on framing and the social-psychological theory of the justice motive. Second, I will take Christie to task for his interpretation of the role of the state in “Conflicts as Property”, which I find to be more in line with libertarian thinking than with the communitarianism with which he is regularly associated. Both his juxtaposition of the state and community as well as the use of the relationship of ownership as a metaphor are worthy of scrutiny. Finally, I find little merit in his view that crime does not exist, and doubly so if a victimological point of view is taken.

Throughout the paper I will take it as read that the reader is familiar with Christie’s work. For any reader for whom this is not the case, I suggest them to
stop reading this article, seek out Christie’s source material and ascertain for themselves the enduring relevance of his legacy.

**The wisdom of Christie**

Some of the key points made in “Conflicts as property” concern Christie’s argument that the state and its actors have, through their definition of certain acts as crime, attempted to steal conflicts from those most intimately involved in them. By labelling an act as crime, the issue is reframed from a possible source of learning, of developing and strengthening relationship bonds and revitalising shared norms and values, to a mostly unproductive search for whom to blame and subsequently to pain (see also Zehr, 1990).

This issue applies not only to the victim and the offender, but also to their immediate surroundings. In Christie’s account this theft of conflicts impoverishes the communities in which these acts occur, and also fails to draw on the acquired wisdom and expertise that is available in particular contexts. The requirements of the legal order take precedence over what is the most appropriate path for those involved to move forward from what has happened.

Where the offender at least had some acknowledged role in the criminal justice process, albeit a largely undesirable and objectified one, Christie made a strong case that victims are even worse off, as they are completely excluded. This exclusion applies both to the process as well as to the outcome. In the appropriation of the conflict the state simultaneously introduces an emphasis on retribution over any serious attempt to seek to rectify the harm visited on the victim, which, on Christie’s account, was central to pre-state institutions of justice. Much of the progress made in improving the position of victims of crime is due to the recognition of their particular interest in the process and the resolution of their cases (Groenhuijsen, 2014).

The adversarial nature of the criminal justice process, with its inability or unwillingness to grasp the complexity of moral situations beyond an overtly simplistic stark black and white, wrong and right, blameworthy and blameless is connected to Christie’s (1986) description of the ‘ideal victim’ (see also Best, 1999). Christie described the ideal victim along the following lines: the victim is weak in relation to the offender – the ‘ideal victim’ is likely to be either female, sick, very old or very young (or a combination of these); the victim is, if
not acting virtuously, then at least going about their legitimate, ordinary everyday business; the victim is blameless for what happened; the victim is unrelated to and does not know the ‘stranger’ who has committed the offence; and the offender is unambiguously big and bad (see also Dignan, 2005). Christie made the point that recognition of victim status is contingent on fitting the mould of the ideal victim, even though many – and in his view most, if not all- situations of victimisation are at odds with this stereotype. It is instead the type of situation for which the criminal justice system can present itself as the common sense remedy (Best, 1999).

A particular clear demonstration of Christie’s insights:

International criminal justice

A recent phenomenon that brings the folly of the criminal justice process’ obsession with finding out whom to blame and punish is international criminal justice (see in more detail Pemberton et al., 2015; Pemberton, Letschert, 2016). I am a good deal more supportive than Christie of retribution for the atrocities that are the remit of, for instance, the International Criminal Court in The Hague. This does not mean that I see much merit in the current practice of spending hundreds of millions of euro’s on largely unsuccessfully trying a few defendants, when their victims still languish without much recourse to necessary support and assistance. Nor am I swayed by the kind of argument that invokes an obligation to this end from the maxim that justice must be done. Instead the practice of international criminal justice brings into sharp relief the wisdom of Shklar’s (1963/1986) twin views that systems of justice are inherently limited, while justice is just one virtue to be pursued amongst others. That coming to terms with mass atrocities preferably should involve bringing those responsible to justice does not mean that this aim can trump other important ends, particularly given the scarcity of resources in these situations.

International criminal justice also illuminates the importance of understanding context. This entails rooting any reaction to transgressions within what is deemed appropriate in specific communities and cultures, and in doing so relying on the practical wisdom of those most intimately involved. This is not because international criminal justice embraces these views (Drumbl, 2007). To the contrary, the development of international criminal justice, in keeping with its nature as a close cousin of the human rights
framework, is largely underpinned by abstract, universal and purportedly rational principles from which it considers to draw a good deal of rhetorical force (Moyn, 2011, 2014). The legal institutions erected upon this foundation labour under the mistaken impressions that they are merely following a voice of universal reason and that their legitimacy can be derived from the fact that they supersede and are untainted by the dirty business of politics (Shklar 1963/1986; Moyn, 2013).

Unfortunately neither is true. As Christie already knew, systems of justice emerge as a corollary or a handmaiden of political choices and lack the ability to overcome true political obstacles (Hirschl, 2004). Moreover, the legitimacy of representative institutions - be they of justice or of politics - is a function of their identity with (the group values of) a particular political entity (see famously Mouffe, 2005; but also the research in procedural justice, Tyler, 2003), not their fidelity with abstract principles. Finally lurking under the referral to the universal voice of reason lies an emotionally charged narrative supporting the status quo (Bandes, 1996; Pemberton, 2016). The cloak of abstract rationality wears thin quickly upon closer inspection and its true nature as a means to silence other voices becomes readily apparent (Polletta, 2006). Each of these issues is evident in any empirical query into the experiences of those afflicted by international crimes. The word springing to mind in viewing the reality of current practices of international criminal justice is less likely to be justice than it is hypocrisy.

The issue of international crimes also serves to highlight the extent to which attempting to paint the reality of moral transgressions into strictly black or white colours will lead us astray. In international crimes many shades of grey can be found, such as the bystanders, the people forced to be complicit, like child soldiers, and/ or the victims who under forced famine or in concentration camps had no other recourse than to prey on others (see for these difficulties and the mechanisms underlying them Waller, 2007).

Each of these issues also apply to systems of justice at the national level. The lesser nature of much of the crimes committed, combined with the stronger sense of identity between the institution and the population it represents, reduces some of the tension between the talk of justice and the reality of experience, but it most definitely does not eliminate it. If one thing emerges from victimological research into justice processes this is surely it (Pemberton, 2015).
Nor does it provide ammunition against Christie’s emphasis on community, context and the role of practical expertise. These parts are in fact central to the so-called Perestrojka movement, which seeks to reboot social science overall by invoking the Aristotelian virtue of phonesis, of practical wisdom in social and political affairs (Flyvbjerg, 2001; Flyvbjerg et al., 2012; for application to victimology see Pemberton, 2015; Pemberton, Aarten, forthcoming). Rather than abstracting from social situations in a search for the will-o-the-wisp of laws and universals to rival those found in the natural science, Flyvbjerg and his followers – including the author of this article – recommend social scientists to co-create wisdom in particular contexts with those who have an intimate and thick understanding of them.

Finally, the reality of many lived experiences of victimisation is that it does not reflect the stereotype of the ideal victim. Christie’s view that failing to follow the plot that society sets out for victims of crime will often result in secondary victimisation has been borne out by numerous studies (Laxminarayan, 2013).

**Framing the ideal victim**

Realism over stereotypes

However, here also one of my first bones of contention arises. Christie may have been right in identifying the difficulties in the stereotypical description of the ideal victim, but in his rush to identify the culprit in the criminal justice system and the state and to offer an – in his view – more parsimonious description of “true” victims, he commits a number of errors. These mistakes distort what can be truly gleaned from his discovery.

First, he fails to notice that he ends up countering one stereotype – the ideal victim – with another. Instead van Dijk pronounced his depiction of the reality of victimisation as ‘the ideal victim of restorative justice’ (Pemberton, Winkel, Groenhuijsen, 2007). Not only is this stereotype at odds with the reality of many victims, but like the ideal victim itself, it is also the result of institutional or theoretical requirements. That the requirements in Christie’s case are the more wholesome and positive values derived from restorative justice is beside the point. What matters is that they take precedence over victims’ reality rather than the other way round.
This is an insight of great importance. One of the crucial features of the victimisation experience is that it can speak to power in a unique voice, one that might highlight the difficulties, dilemmas and failures that many of those wielding power are quick to pave over (Pemberton, 2015). As Shklar argued:

"Those who believe themselves to be on the receiving end of social evils have a distinctive perspective on society and a detailed or ‘thick’ view of social evils that political theories ignore at their peril." (Shklar, 1990: 122).

The pursuit of justice occurs in institutions that at once reflect a particular status quo, while they are also composed as a framework of a priori rules and solutions. The latter already implies that the pursuit of justice entails measuring the concrete situations of victims against rules, which cannot reflect their particular, idiosyncratic, contextual needs and desires. Indeed, as I wrote elsewhere:

"The reality of even our best laid plans for conceiving justice is that those bearing the brunt of life’s most brutal features will often have good cause to consider them part of the problem, rather than part of the solution." (Pemberton, 2015: 45).

Both the ideal victim and the ideal victim of restorative justice function as means through which this radical feature of victim experience is silenced. Rather than unsettling our expectations about the extent to which justice can be done or injustice undone in a given situation, they offer – undeserved – complacency that this is so.

Generalizing the ideal victim

The stereotype of the ideal victim and the difficulties it poses for victims are but examples of more general phenomena. This is so in two ways. First, the ideal victim is an example of the type of shorthand for which Goffman (1973) coined the term ‘frame’ and which has subsequently become a mainstay of the communication (Entman, 1993, 2007) and social movement (Gamson, 1992; Benford, Snow, 2000) literature. As Entman (1993, 2007) shows, a successful frame offers a problem definition, a causal analysis, a moral judgement and remedy, preferably in one go. The simple and neat example of the ideal victim does so, but it is not the only generic description of victimisation
that has this quality (Pemberton, 2014). The gendered violence movement for instance has a different stereotype, in which the offender is no stranger, and the victim not weak but a *survivor*. This alternative has not prevented the clear-cut framing quality of the battered woman to be a regular feature of our media landscape in the past decades.

The adoption of frames in social movements as a means to not only communicate messages, but also maintain coherence within the group, already speaks to the extent to which counterexamples will be met with resistance and even hostility (Benford, Snow, 2000). In turn the extent to which the frame is bandied in media outlets also can convey a persuasive and/or normative message to individuals experiencing the phenomenon the frame intends to describe. Frames offer material for people to socially construct their own individual experience, while at the same time communicating to others that their experience does not meet the requirements of the frame (Best, 2008).

This general quality of frames is further compounded by the inherent ambivalence in the reaction to victims of crime (Loewenstein, Small, 2007). This ambivalence quite rapidly morphs into blaming and other negative reactions (Hafer, Begue, 2005). These negative reactions depend on more than following the stereotype of the ideal victim. Christie mistakenly assumed that, left to our own devices, our normal reaction to victims would be a sympathetic one, while in reality any positive reaction to victim experience has to compete with an inclination to negative reactions: distress, but disgust and revulsion as well. Christie’s own example of the little old lady is nowhere near as endearing when she is the victim of violent sexual offence, than when her bag is snatched.

The research on the justice motive (Lerner, 1980; Hafer, Begue, 2005) already reveals the extent to which third parties seek and often find reasons to find fault in the victim’s own behaviour, character and even appearance, for no other reason than that this rationalisation relieves the third party’s own distress at the victim’s situation. This is further compounded by the negative reactions to situations that are counter-normative. The example of the elderly rape victim is one element of a wider variety of situations in which either the experience itself, the victim’s reaction and/or the interaction with their features and characteristics runs counter to prevalent norms and values (Lens et al., 2014; Mulder, Pemberton, Vossen, forthcoming). In each case the ambivalence in the reaction to victims may quickly morph into the type of blaming reactions that van Dijk (2006) christened the Mark of Abel.
Misunderstanding community

The myth of restorative justice

The issue of framing is also apparent, albeit in a different way, in the location where Christie thought to find the root cause of our predicaments, i.e. in the state and its appropriation of ‘conflicts’. Elsewhere I have already noted that I have labelled his understanding of the ways that our ancient predecessors or cultures different to his and my own deal with these situations as the “myth of restorative justice” (Pemberton, 2012). Akin to the myth of Barter in economics, it attempts to criticise the state by arguing that life before its emergence was both preferable to and more natural than what it is today (Graeber, 2011).

No doubt there is much to be learned from revisiting our history and from understanding the variety in cultural reactions to transgressions. But this learning should not be done by playing fast and loose with the facts or the relevant features involved in any case-to-case generalisation. That within small tight knit Maori communities restorative-like rituals might have been used for the most heinous crimes should give us pause for thought. However, that pause should also offer the reflection that between communities decidedly less peaceful means of conflict resolution were the normal modus operandi (e.g. Keeley, 1996). Similarly, it is true that throughout Nordic cultures of the middle ages practices of compensation for transgressions were found (Miller, 2006). It is also true that a direct translation to the current day and age is tantamount to the commission of an anachronism. We would have to forget first that money and other forms compensation meant something different then (e.g. Graeber, 2011), but more to the point that any form of adjudication was an extremely rare occurrence indeed, due to the relative lack of any functioning state apparatus to this end. Any justice here was likely to be the wild type of revenge (Miller, 2006), which is also the reason why homicide rates where hundredfold what they are today (Pinker, 2011). Both adjudication of crime and crime control are instead a consequence in the emergence of the state that for all its shortcomings is still much to be preferred to the decidedly Hobbesian state of affairs that preceded it (Keeley, 1996; Gat, 2006).
Libertarianism and ownership

To this I would like to add that I do not agree with Christie that reducing the roll of the state will allow communities to flourish. The evidence for the errors of this view has accumulated in the four decades following the publication of “Conflicts as property”. The roll-back of the state in much of the Anglo-Saxon world has impoverished rather than supported communities (e.g. Putnam, 2000). It was the market, not the community that filled the newly opened space: the neo-liberal market societies familiar to many of us today are the result (Harvey, 2005; Peck, 2010). It is noteworthy that Christie’s position in this regard is in many ways identical to the one that libertarian Randy Barnett articulated in 1977 as well, while it is decidedly at odds with the philosophers often labelled ‘communitarians’ (e.g. Kymlicka, 2002), like Sandel (1982), Walzer (1983), Maclntyre (1983) and Taylor (1989). For all of their differences, they juxtaposed community against an all too individualistic conception of humanity: not against the state. The issue of importance is the sense of connection between people, one that too atomistic forms of liberal thinking as well as similar approaches to social science (Bakan, 1966; Prilleltensky, 1994; Flyvbjerg, 2001) overlook or even deny.

A key element in the development of the neo-liberal market society is the pervasiveness of ownership as a defining quality of social life. Already in 1969, Macpherson warned of the development of possessive individualism, in which “market relations shape or permeate all social relationships” (Macpherson, 1969: 26). Bearing witness to this fact, Nobel-prizes in economics have subsequently been awarded to theorists who seek to reframe our intimate relationships with our spouses and our children in terms of market relationships (Becker, 1974). Prilleltensky shows the extent to which this view subsequently warps our understanding of the psychology of individuals (Prilleltensky, 1994).

Seen in this light, the notion of conflicts as property is not without its difficulties, which I find to deserve more extensive study than I can provide in this essay. Elsewhere my colleagues and I have argued that it is stories – indeed a particular type of stories, i.e. life narratives (McAdams, 1997) – that are the kernel, rather than ‘conflict’ (Pemberton, Aarten, Mulder, 2016). But even without this point, the question is whether ownership does justice to the relationship between victims (and offenders) in the event in question. Although the ‘con-
conflict’ is undoubtedly their own, it strikes me as being relevantly different from a property they own. Ownership of property in the truest sense of the word also implies being able to dispense of the property at will, which is also due to its nature as being a thing separate to the person owning it. The memories, feelings and thoughts about the ‘conflict’ are however beyond the volitional control of the person in question. He or she cannot dispense with them by merely wishing to do so. The experience of victimisation comes fully into its own when the event has identity implications for the victim (Pemberton 2015, 2016). The victim cares about what happens, of which a necessary element is that he cannot, at will, fully separate himself from what happens (Frankfurt, 2004). In a nutshell I think that, though the ‘conflict’ may be stolen, the theft involves identity rather than possession.

Again the difference between libertarian and communitarian thinking is relevant here. Libertarians are prone to see ownership, including self-ownership, as the fundament to thinking about justice (Nozick, 1974). Instead communitarians see identity (Taylor, 1989) or identity relevant constructs such as relationships (Walzer, 1982) and self-narratives (MacIntyre, 1982) as key. For communitarians, the question “What should I do?” always involves a prior question, such as “What story do I find myself to be part of?”; “What relationships are relevant here?” or more generally “Who am I?”. In turn my colleagues and I have argued that victimological perspectives on justice involve understanding first the damage incurred to identity, relationships and self-narratives, and to subsequently elaborate victims’ sense of injustice using these dimensions (Pemberton, 2015; Pemberton, 2016; Pemberton et al., 2016).

Crime does exist

Elsewhere I have already noted my final point of disagreement (Pemberton et al., 2007; Pemberton, 2012). Christie extends his critique of the concept of crime to the famous catch-phrase ‘crime does not exit’, in keeping with his insistence that the acts under discussion are ‘conflicts’ that are of great value to those directly involved with them.

I find this concept to be at loggerheads with victimological reality. Victims of rape, of crimes against humanity, survivors of homicide victims experience what they went through as crime, as something that cannot be fully under-
stood without grasping its nature as wrongdoing, as a transgression of the key values and norms which form the fabric of communities and cultures (Duff, 2001; Pemberton, 2014, 2015). They are indeed public wrongs, not because the public interest should take precedence over those directly involved in them, but because it is the basic responsibility of any public bodies to provide a response to them. They form a central part of what philosopher Williams (2005) has called the ‘basic legitimation demand’ of any political order: fidelity to this demand is a requirement for any political order to function as such.

The latter is particularly true of victim experience: the criminal justice reaction always says something to them about their social worth, even when or in fact particularly when, no reaction at all is given (Pemberton, 2016). Part of the manner in which it speaks is through its choice of words. Here a difficulty arises: the same words that might smack of stigmatisation when viewed through the eyes of the offender are necessary components of the victim’s experience. Foregoing their use is tantamount to the type of euphemistic speech that is often used to mask the perpetration of atrocities (Bandura, 1999; Waller, 2007): from the final solution to collateral damage, the history of mass victimisation is littered with examples of the twisting of language to conceal the reality of carnage (Kiernan, 2007). Doing away with the moral and indeed criminal nature of these occurrences can be defended, but should in honesty acknowledge that the position from which this occurs runs counter to the views of victims themselves. It is an instance of choosing the offender perspective in the so-called moralization gap (Baumeister, 1997), which refers to the radical differences in the ways victims and offenders construct narratives and reports of even the same events.

The same is true about the lengths to which Christie would go to redeem the humanity of offenders from any taint of evil. Of course the practice of almost permanently stigmatising people for an act or acts that should rightly be viewed as a misguided decision, a fluke of chance and/or the consequences of external forces should be opposed, and vehemently so. We should always take care not to unnecessarily identify the sinner with his sins, and never rush to judgement as to the character of those involved in even the most heinous of crimes. Nevertheless, I think that Christie errs on the other side. Much of his understanding is located in his early career work with former (Nazi concentration) camp guards in the Second World War. As he summarised himself more than a half century later even there:
"I have worked with crime and punishment most my life, but never met a monster. I could not find them among killers in concentration camps, nor have I met any since." (Christie, 2004: 97).

Finding humanity even in the perpetrators of the most heinous mass murder in the history of mankind, in his view not only serves as a knock-down argument against those who wish to separate these perpetrators from the rest of the humanity, but also formed the nucleus of his motivation to change criminal justice for the better.

Against this I would like to quote in full a passage from Langer’s “Preempting the Holocaust”:

“Let me begin with a concrete detail, because I am convinced that all efforts to enter the dismal universe of the Holocaust must also start with an unbuffered collision with its starkest crimes. Recently I was watching the testimony of a survivor of the Kovno ghetto. He spoke of the so-called Kinderaktion, when the Germans rounded up all the children (and many elderly) and took them to the nearby Ninth fort for execution. The witness was present in the room when an SS man entered and demanded from a mother the one-year-old infant she was holding in her arms. She refused to surrender it, so he seized the baby by its ankles and tore the body in two before the mother’s eyes.” (Langer, 1998: 2).

The issue is not whether the SS officer in question would seem like a monster when interviewed by a researcher a decade later or even that he has any enduring monster-like qualities, but rather that what occurred in that scene was monstrous and surely so from the mother’s point of view. It should end any reasonable discussion about the existence of crime: anyone construing what happened here as ‘conflict’ has stretched the latter concept beyond any coherent meaning, even more so if it is something from which valuable lessons may be gleaned by any of those present. As Langer quotes another survivor:

“During large ‘actions’ things moved too fast. There was no question of burying the bodies; they were simply covered with sand, so you could no longer tell whether you were walking on bones that were old or recent. Everything happened so fast that you didn’t even have time to see your mother or sister vanish. We were no longer capable of suffering, or of being scared or being surprised. Death is only frightening for the living. We hadn’t been that for a long time.” (Langer, 1998: 54).
The lesson of the Holocaust for victims was more often than not that they themselves perished as humans in the gray zone of the concentration camp (Levi, 1993). However, the Holocaust even calls into question what can actually be learned, even by those at a good deal of distance from the events. If the issue is what can be done to rectify the atrocities, to provide justice against these nadirs of injustice, then unfortunately it teaches the lesson of the inevitable failure of this endeavour (Pemberton, 2015; Pemberton, Letschert, 2016). The only alternative seems to lead us to wielding a bag of tricks from science, institutions or language to maintain the false pretence of a chance of success, such as the somehow comforting misreading of social-psychological experiments (anyone in the position of the SS man could have done the same), a willingness to forego any fidelity in reality to believe in a miracle through restorative and transitional justice processes (healing and closure is possible in mediation and conferencing) and the use of terminology that hides the depravity from view (it was conflict, not crime, the SS man was only an element of a ‘killing machine’). Christie, albeit without knowing, chose the second path. For me instead “The reality of dealing with large injustices is besotted with tragic questions and moral failures; incommensurable dilemma’s which offer no hope of a neat, correct and replicable answer. Instead, here the best we can do involves the avoidance of as much manifest injustice as that can be mustered in a given and concrete situation” (Pemberton, 2015: 43). The sad truth of victimology entails the realization that the greater the injustice visited on victims, the more a solution that might repair the damage is needed, but the less likely that this is feasible. Trying to find out what nevertheless can and should be done in these situations is, I find, the most important task for victimologists.

**Final remarks**

To my mind Christie’s first great contribution to victimology lies in his steadfast and critical analysis of criminal justice institutions and practices, which otherwise might have been taken for granted. His second great contribution is that this criticism needs to start with a clear understanding of the reality, not the stereotype, of victimisation.

Doing the latter has led me and my colleagues to understand the importance of the identity implications of victimisation and in its wake the impor-
tance of narrative to victim experience. It has also emphasised the importance of the morality of victim experience: that what happened is wrong and where relevant - is crime. It is also fundamentally idiosyncratic: nested in the victims’ own context and fuelled by his or her own feelings and emotions. As I wrote elsewhere: “Nobody is raped, beaten, oppressed, or murdered in abstract: the essence of experiencing this first-hand lies in the impossibility of escaping into abstraction” (Pemberton, 2015: 11).

But this also has implications for the extent to which the virtue of justice can be aligned with meeting victims’ needs. Justice by nature seeks to counter arbitrariness and ensure predictability, and does so by claiming to be universal, impartial, impersonal and rational. However, this excludes much of what makes up the reality of the experience of victimization, as Shklar (1963/1986; 1990) already knew. In line with this, I maintained elsewhere that undoing injustice and doing justice are two separate aims (Pemberton, 2015).

In turn this means that where Christie’s criticism of criminal justice was one of the birthplaces of restorative justice, his criticism contains the material to position restoration against justice. Is it more important to treat similar cases in a similar fashion, or to deal with the idiosyncrasies of each case accordingly? It is a sad thought that I will never be able to put this question to him, and never learn whether he would still call me a ‘dangerous victimologist’ then.

References


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Opasna viktimologija: Lekcije koje sam naučio od Nils Christie-a


Ključne reči: viktimologija, restorativna pravda, teorija pravednog sveta, komunitarizam, postavljanje okvira.