In 1948, Von Hentig provided the first systematic description of the varied roles of victims in generating crimes in *The Criminal and His Victim*. He argued that there is a sense in which “the victim shapes and moulds the criminal” (p. 384), and that interaction between perpetrator and victim is a kind of collusion, albeit one without understanding or conscious participation. Although Von Hentig chose to emphasize a psychological classification of victims, he postulated, in passing, a four-point scale of victim attitudes:

1. apathetic, lethargic
2. submitting, conniving, passively submitting
3. cooperative, contributory
4. provocative, instigative, soliciting.

Von Hentig made no further use of this scale, but generally extended the concept of the *agent provocateur* to apply to a broad range of situations and actors.

Seven years later, in a review of some of Von Hentig’s concepts, Ellenberger introduced the additional concept that it is sometimes a matter of chance whether a given participant becomes criminal or victim: “in a scuffle it is often impossible to determine the sequence of provocation and the vicissitudes of the ‘unfortunate blow’ which makes one of the combatants a murderer and the other the victim” (p. 261).

The term “victim-precipitated criminal homicide” was introduced by Wolfgang to denote “those criminal homicides in which the victim is a direct, positive precipitator in the crime.” Operationally, Wolfgang included under this heading those cases in which police files indicated that the victim was the first to show and use a deadly weapon or the first to strike a blow in an altercation. Of 588 consecutive criminal homicides in Philadelphia from 1948 through 1952, 150 (26%) were victim-precipitated.

By means of cross-tabular comparisons of victim-precipitated (VP) and non-victim-precipitated (non-VP) cases, Wolfgang demonstrated the following statistically significant associations:

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(1) VP victims were more frequently black;
(2) VP victims were more frequently male;
(3) VP offenders were more frequently female;
(4) VP cases were more frequently stabbings;
(5) where females killed males, a greater proportion of cases were VP;
(6) killings between spouses were more frequently VP;
(7) alcohol was more frequently present in VP cases;
(8) alcohol was present in the victim in a greater proportion of VP cases;
(9) victims had previous police records in a greater proportion of VP cases;
(10) victims had previous police records for offenses against the person in a greater proportion of VP cases;
(11) offenders had a previous police record in a lesser proportion of VP cases.

These observations and the character of the cases on which they were based led Wolfgang to conclude that victims frequently have characteristics expected of offenders and that it is probably often that chance alone determines which of two potential offenders becomes the victim.

In a later paper, Wolfgang suggested that the VP homicide victim is typically a member of the lower socioeconomic class who seeks to destroy himself because of unconscious guilt, and who, not having introjected the murder object sufficiently to commit orthodox suicide, enlists an intimate friend or spouse as a parent-like dispenser of physical punishment. Oriented toward physical punishment from others, the VP homicide victim commits suicide indirectly by provoking another person to kill him.4

Voss and Hepburn reviewed 394 of 395 criminal homicides in Chicago in 1965, using Wolfgang's definition of VP homicide with the additional specification that victims who were committing felonies requiring force (e.g., robbery or rape) were classified as VP (Wolfgang was not explicit on this point). Of 311 cases in which sufficient information was available, 118 (37.9%) were VP.5 The Chicago study confirmed Wolfgang's findings regarding the higher frequencies in VP cases of nonwhite victims, male victims, and alcohol present in the situation. VP homicides were especially likely to be between close friends or family members. There was no preponderance of stabbings among VP cases in Chicago, perhaps because shooting had become a more common means of homicide by 1965.

Curtis analyzed 1967 data from 17 American cities and found that 22% of 668 homicides cleared by arrest and 14% of 192 uncleared homicides were VP.6 For many cases, however, insufficient information was available for making this determination; if analysis is limited to cases with sufficient information, the percentages rise to 39% for cleared and 32% for uncleared homicides. Curtis also noted that victim precipitation was more prevalent in the North Central than in the Northeast cities and that VP victims were more frequently male.

Wolfgang, Voss and Hepburn, and Curtis7 all found victim precipitation to be independent of victim age and the location of the offense. Although his data are weak on this point, Curtis argues, with Wolfgang, that in homicides growing from
relatively trivial ghetto altercations among poor black males, many of whom are characterized by victim self-conceptions, defensive toughness, hard drinking, weapons possession, and overt physical displays of masculinity... distinctions between victims and offenders are often blurred and mostly a function of who got whom first, with what weapon, how the event was reported, and what immediate decisions were made by police.8

References

   Psychological types of victim: the depressed, the acquisitive, the wanton, the lonesome and the heartbroken; the tormentor, blocked, exempted, and fighting victims.
   Develops the concept of "the latent victim" and suggests a rudimentary typology of victim-offender relationships.
   The first quantitative study of the subject. A classic.
   Unusual attempt to integrate sociological data on homicide with psychological theories of suicide.
   Replication of Wolfgang's Philadelphia study.
   Provocation is not uncommon in criminal homicide and aggravated assault, less frequent in robbery, and perhaps least relevant in forcible rape.
   The chapter on victim precipitation expands the interpretation offered in Curtis' Social Problems paper and reviews additional cross-cultural evidence.
8. Curtis, op. cit., n. 6

Other Sources

   The full presentation of Wolfgang's Philadelphia study, including the well-known finding of a high frequency of close relationships between victim and offender.
    The chapter on homicide victims reiterates material from Von Hentig, Ellenberger, and Wolfgang, and adds only a few examples.
    Suggests, based on anecdotal evidence, that heterosexual relations are a frequent situational concomitant of homicides with victim provocation, as in slayings between spouses or lovers, rape murders, or vigorous defense by women against male housebreakers.
    A single case report.
    The possibility of increasing victim-precipitation of offenses is one reason to be wary of proposals for victim compensation.
    Reprinted from Fooner's paper in Science.
    Reviews previous classifications and suggests that victims be classified as non-participating, latent or predisposed, provocative, participating, or false (each with subgroups).
A treatise on the responsibility of the criminal for compensation or restitution to his victim, and the responsibility of the victim for his own victimization.

Probation and parole officers must understand victim-offender relationships and should include victimological information in presentence and other reports.

Focuses on victim compensation, but suggests other applications of victimological information to criminal theory.

Narrative accounts of homicides and assaults with victim provocation.

Suggests that where there is a death penalty for murder, murder can result from suicidal motives; it can thus be an indirect and delayed form of victim-precipitated homicide.

Purpose and Sources of Medical Criminology Notes

As I have discussed elsewhere,¹ the fractionation of legal medicine into forensic psychiatry, forensic pathology, and medical jurisprudence/health law causes an unfortunate isolation of medicolegal specialists. In addition, traditional academic, professional, and other institutional boundaries promote the isolation of medicolegal information sources from criminological and criminalistic information sources.² It is hoped that this series of Medical Criminology Notes will help to draw the attention of forensic psychiatrists to some of the topics about which there has been an accumulation of knowledge in related disciplines.

Inasmuch as a good many unfamiliar sources will be cited in this series, a comment about the availability of these sources may be in order. Medical libraries in the United States have access to xerographic services and loans from Regional Medical Libraries and the National Library of Medicine, and these can be extremely valuable resources.

Many of the sources referred to in this series will not be found in medical libraries; readers interested in locating particular sources are advised to establish liaison with university libraries. Many of the criminology journals are received by libraries serving sociology departments, psychology departments, and law schools. Some of the most important papers in criminology are published in general sociology journals. The forensic science journals are most readily located in law libraries, large medical libraries, and libraries serving toxicologists and chemists. Depending upon regional policies, interlibrary loan resources may be very helpful. A reasonable number of requests can also be handled by the Samuel Bellet Library of Law, Medicine and Behavioral Sciences at the Hospital of the University of Pennsylvania, Philadelphia, PA 19104.

References