Original Scientific Paper

THE GENERAL FRAMEWORK OF RESILIENCE IN VICTIMOLOGY AND CRIMINAL POLICY

UDC 343.988:343.85

Miomira Kostić

Faculty of Law, University of Niš, Serbia

Abstract. *In this paper, the author first discusses the significance of resilience as a concept that describes one's ability to preserve balance in times of hardship and adversity. Further on, the author elaborates on the contribution of Emmy Werner to this issue and explains the co-relation between resilience and victimology. In the final part of the paper, the author provides an overview of the resilience theory which challenges the conception of sustainable development of nature, and correlates these theoretical standpoints on resilience with possible forms of crime prevention through environmental design by observing the life in urban agglomerations.*

Key words: *resilience, abuse, crime, prevention.*

INTRODUCTION

In psychological literature, there are assertions that the subsistence of psychology has been determined by two distinct phases in the development of psychology as a scientific discipline. In the first phase of its development, which covers the period until the Second World War, psychology had three primary objectives (missions): to cure mental illnesses; to make everyone's life happier, more productive and fulfilling; and to identify and nurture highly talented children. The second phase started after the Second World War (from 1946 onwards) when the American academic psychologists associated with the USA National Institute of Mental Health first started their scientific research on mental illnesses. Yet, there are many underlying psychological issues which remain unresolved until the present day: how to prevent depression; how to preclude the use of narcotics; how to prevent schizophrenia and AIDS in young people who are genetically vulnerable or live in an

environment that gives rise or nurtures such patterns of behaviour. Martin E.P. Seligman (1998) pointed out that "the exclusive focus on pathology does not move us any closer to the prevention of serious mental disorders. The major strides in prevention largely come from developing a scientific approach which is focused on systematically promoting the competences of individuals."[1] There is an inner strength in a human being to resist the mental illness; this inherent human strength (stamina) is reflected in one's courage, optimism, personal integrity and intrapersonal skills, professional ethics, hope, honesty and resilience.

Most psychological theories have changed inasmuch as they now support a new scientific approach based on this inner strength and resilience. What is resilience? In the 1990s, some psychological studies have given rise to a new orientation based on the results of the research on individual differences concerning one's sensitivity to stress. This "health-oriented" approach was established on the experts' belief that "the human species has the inherent capacity to overcome the adverse life circumstances and situations", which implies *resilience*.[2] This assertion is supported by the biological, physical composition of the human body, i.e. its muscle and skeleton system.[3] The term *resilience* is often used to describe one's ability to preserve balance in times of hardship and adversity (Buonanno, 2004). This certainly does not imply the absence of hardship but one's ability to preserve one's mental and physical health, and sustain no consequences in spite of hardship. However, when used by clinical experts, the term *resilience* actually implies recovery, one's ability "to bounce back" after the sustained trauma, or the prospects of a "speedy recovery".[4]

The individuals with an innate capacity for resilience are actually people of a specific frame of mind (mind-set) that incorporates a set of principles or attitudes about themselves which further exert a significant impact on their actions and the skills they develop. On the other hand, their actions and personal skills have an impact on the mind-set, which altogether generates a continuous, interactive and dynamic process between the two.[5]

In literature, there is a common belief that every single person has the capacity for resilience. In order to develop resilience, one must experience some hardship; yet, in the process of developing the capacity for resilience, one certainly needs some support.[6] In some academic circles, there is an opinion that resilience is a distinctive feature of only those individuals who have already experienced some distress and overcome some hard-

---

[1] Martin E.P. Seligman, „Building Human Strength: Psychology's Forgotten Mission", *APA ONLINE*, Vo. 29, No. 1, 1998, http://www.apa.org/monitor/jan98/pres.html; accessed on 02.11.2011.

[2] The word *resilience* can be defined in many ways, such as: the ability to "bounce back" quickly and vigorously, or the ability to regenerate one's strength, spirit and humour. The psychological strength (stamina) is man's ability to successfully overcome the hardship, anxiety and strains of the modern society. See: *Psychology of New Hope and Faith,* http://www.occult-advances.org/nc-spi-new-hope-faith.html, accessed on 26.5.2009.

[3] The psychical resilience of an individual is reflected in the intrinsic biological capacity of the human body to recuperate and heal itself (by restoring its health, repairing broken bones, atoning muscle injuries, etc).

[4] See: James K. Hill, "Victimization, Resilience and Meaning-Making: Moving Forward in Strength", *Victims of Crime Research Digest,* Issue No. 2, http://www.justice.gc.ca/eng/pi/rs/rep-rap/rd-rr/rd09_2-rr09_2/p1.html; accesed on 2.11.2011.

[5] See: Robert Brooks, Sam Goldstein: *The Power of Resilience*, page 3. http://books.google.com/books?id= IFevbnWr5MAC&printsec=frontcover&dq=Resilience#PPP1,M1, accessed on 26.05. 2009.

[6] See: *Psychology of New Hope and Faith*, loc. cit.

ship. Even so, the concept of resilience should be an integral part and the primary focus of one's personal life, regardless of whether one has already experienced some distress or major hardship. For, there is no doubt that every single individual is exposed to some degree of distress, anxiety, hardship and adversity on the daily basis.[7]

The resilient mind-set includes several factors, such as: having control over one's life; the ability to reinforce one's resilience to stress; empathy; demonstrated communication skills and other interpersonal skills; having genuine problem-solving and decision-making skills; setting realistic goals and expectations; learning valuable lessons from one's mistakes and accomplishment; acting as a functional and efficient member of the community; living a responsible life based on the fundamental human values; the feeling of being special when acting for the benefit of others, etc.[8]

ON RESILIENCE IN VICTIMOLOGY

Irrespective of the academic debates, the likelihood of becoming a victim of crime is omnipresent in everyday life.[9] It is an indisputable fact that victims of any criminal offence inevitably face a new challenge: how to deal with the fear they have experienced as well as with subsequent reactions to that fear. "Their world has been turned upside down and they have to handle it to the best of their abilities."[10] Some victims are traumatized to such an extent that they may experience personal and mental health problems which hinder their daily existence. However, many of them manage to "withstand the storm" without seeking professional assistance and, often, avoiding to call the services which provide assistance to the victims of crime. These people are believed to be able to pull together their inner sources of strength and rebuild their own lives. Generally speaking, the professionals working with crime victims usually have the first encounter with the victims only after they have been largely exhausted by victimization. Hence, there is a common belief that all people who have sustained any kind of victimization are traumatized. In effect, victims of crime are considered to be able to show different levels of resilience and a wide range of reactions, to make both positive and negative attempts to overcome the difficulty, and to demonstrate the ability to move forward.[11]

Nevertheless, today's extensive literature on resilience has been preceded by the theoretical considerations and research conducted by a psychologist Emmy Werner, who is considered to be the founder of the idea of resilience[12] in developmental psychology. She

---

[7] Robert Brooks, Sam Goldstein: *The Power of Resilience*, loc. cit.

[8] Ibid.

[9] For more, see: Kostić, M. "Victimology: A Contemporary Theoretical Approach to Crime and its Victims", *Facta universitatis. Series Law and Politics*. - Niš: Univerzitet, 2010. - Vol. 8, No 1 (2010), pp. 65-78.

[10] James K. Hill, "Victimization, Resilience and Meanings-Making: Moving Forward in Strength", *Victims of Crime Research Digest, Issue No. 2*, Department of Justice Canada,
http://www.justice.gc.ca/eng/pi/rs/rep-rap/rd-rr/rd09_2-rr09_2/pl.html, accessed on 09. 11. 2009.

[11] Ibid.

[12] Studies on resilience have shown that individuals successfully develop in spite of poor living conditions or running a risk of a mental illness; it demonstrates that the so-called risk-factors are not reliable predictors of man's psychopathology. For more on this issue, see: Zotović, M., "*Stres i posledice stresa: prikaz tranksionističkog teorijskog modela*" (Stress and its Effects: an Overview of the Transactionist Theory Model), *Psihologija*, 2002, Vol. 35 (1-2), 3-23, www.doiserbia.nbs.bg.ac.yu/.../ft.aspx?id=0048-57050201003Z, accessed on 21. 01.2009.

is often referred to as "the mother of resilience" because of her initial and fundamental research in this area. Werner conducted a thirty-year study on the residents of Kauai Island. The sample included 505 respondents who were born in 1955. Half of the children, whose parents were workers on the sugar cane plantations, were born in poverty. As the sugar industry collapsed in the subsequent years of hardship, these children were highly likely to keep on living in poverty. The respondents had been growing up in an environment full of fear, domestic abuse and alcoholism. Starting from the theoretical concept of a victim as the basis for forecast the future lives of these children, Werner noted that one might arrive at a simple conclusion that their future lives would be clearly determined by their living circumstances by the time they reach the age of 20, which primarily implied that they were most likely to carry on living the life of crime, alcoholism, unemployment and desperation. However, the research demonstrated that one third of these children did not fall into such a predicament. In fact, being very good pupils, they embarked on successful careers and described themselves as "competent adults".[13]

There is a similar example in the research conducted by John DeFrain and his associates. They examined a group of 40 adults who were abused in childhood. The research was to determine whether the adults had any psychological scars stemming from their childhood, which was confirmed by every single respondent. The test results further demonstrated that 11% of the respondents perceived themselves as people who were barely surviving, while 83% of the respondents asserted that they had overcome the harsh childhood experiences and managed to make a better life for themselves. Yet, a total of 57% of the respondents confirmed that they had no one to talk to about the hardships they had been going through.[14]

The results of these studies actually illustrate the importance of research on resilience in victimology, particularly for the victims of crime. For example, Casarez-Levison has developed a simple model demonstrating how human beings progress from the state of being members of general public to the state of being victims, and their subsequent progression to the point when they may be called "the survivors". Considering the victims' state of mind, she pointed out that victims move from the state of mind preceding the commission of a crime (pre-victimization) to a state of mind at the moment of being subject to a criminal act (victimization), whereupon they proceed towards the initial control and adjustment (transition) and ultimately go on with their lives (resolution). The model is apparently simplified by the fact that the focal point in this process is the psychological strength that a person could have demonstrated even before and during the criminal event, as well as the personal stamina which is even more apparent now that the person is ready to face the crime and move forward.[15]

Peterson and Seligman identified the universal characteristics of resilience and human traits and abilities which are common to people living in different cultural settings. Relying on these common human traits and abilities, they enlisted the following universal features of resilience: a) *wisdom and knowledge*: creativity, curiosity, open-mindedness, love or learning to love, future-mindedness; b) *valour*: courage, perseverance, honesty, propri-

---

[13] See: *Psychology of New Hope and Faith*, loc. cit.2009
[14] See: ibid.
[15] James K. Hill, loc. cit.

ety and vitality; c) *humanity:* love, kindness and social intelligence; d) *justice*: civil spirit, fearlessness and leadership ability; e) *temperance/sobriety:* forgiveness/mercy, modest/humility, decency, prudence and self-control; f) *transcendence:* aesthetic sensibility, gratitude, hope, humor and wit/witticism.[16]

There is no doubt whatsoever that the abovementioned characteristics are certainly necessary in the process of facing the state of being a victim of crime, successfully coping with one's participation in the criminal justice system or facing criminal charges in court (in case when the victim is blamed for the crime). As a matter of fact, the professionals who work with victims of crime on a daily basis are believed to be spending most of their time developing and/or fostering many of these characteristics in the victims of crime. From the clinical perspective, it is easier to foster these qualities in persons who already have these character traits in their personal mind-set than to develop a completely new set of character traits in a person who has never had them before or, particularly, at the time of distress.[17]

In the victimological approach, the issues related to resilience are impossible to confine to a single standpoint, conclusion or approach. However, some authors, such as Hill, point out that it would be useful for the professionals working with victims of crime to assume a positive approach to overcoming obstacles and to develop their awareness about the importance of resilience, both of which are major factors that can contribute to the victim's ability to understand what has actually happened and to go on with his/her life. This essential feature of one's intrinsic strength can be identified and developed even with the most frustrated victims of crime. By encouraging victims to draw upon their intrinsic strengths and by facilitating the victim's positive attitude to overcome the trauma, the society supports the victims and helps them move forward.[18]

In addition, there are prejudices to be dispersed. There is an assumption that children are "blessed with youth and resilience", which implies their ability to quickly overcome the consequences of youth violence or the fact that they have been victims of (armed) robbery. However, Finkelhor and Sue Boney-McCoy conducted a research on children who had been victims of assault outside the family (which did not involve either the use of arms or physical injury); the results of their research showed that these children were haunted by the distressful experience for two years after the assault, even more so in cases when the relations with their parents/families had been badly disturbed or disrupted.[19] Therefore, taking into consideration the increasing rate of poverty, abuse, violence and other threats in child development, it cannot be taken for granted that children "do somehow manage" to overcome the hardships. "The young are resilient but not invincible."[20]

In addition to studies dealing with resilience in children (which was the primary starting point in Emmy Werner's research), there is an ever-growing tendency to aim the research towards the process of developing resilience in battered women. It is the only way

---

[16] See: ibid.
[17] See: ibid.
[18] See: ibid.
[19] Bruce Bower, "Growing up in a harm's way", *Science news* 1996, http://www.sciencenews.org/pages/pdfs/data/1996/149-21/14921-17.pdf, accessed on 21.01.2009.
[20] *Resilience: A Universal Capacity*, http://www.wested.org/online_pubs/resiliency/resiliency.chap1.pdf, accessed on 2.11.2011.

to understand why some battered women remain mentally and physically unharmed whereas some others sustain serious mental disorders[21] as a result of abuse.

RESILIENCE AND CRIME PREVENTION

For quite a while, life was perceived within the framework of "man and nature" conception, based on the sustainable development of both man and nature. However, this approach has been abandoned as outdated because modern man seems to be so isolated from nature that he is unable to manage and control it. The development of social, economic and technological systems has been subject to the same process. The new economic crisis, the climate change and the growing poverty have an inevitable impact on the development of new models of man's survival and subsistence. In ecology, such a new model is known as the theory of resilience. This concept of resilience discards with the outdated ideas on sustainable development by presuming the inherent capacity of both man and nature to constantly change and adapt to new circumstances but still remain within its critical framework, the capacity to handle changes and keep on developing but still preserve the essential integrity, structure and function.[22] The social equality and the management of natural resources are important components of resilience. In terms of urban life, resilience is reflected in creating urban eco-systems, as a mixture of green belts and water areas (either natural or man-made) which may serve as buffer zones. In such environment, diverse social groups may enjoy the benefits of using common grounds and other relevant facilities.

The crime prevention theory based on the concept of environmental design[23] rests on a simple idea that crime is partly a result of the opportunities which are to be found in the immediate physical environment. Hence, it may be concluded that a change in the physical environment may reduce the likelihood of committing crimes.

There are three distinct approaches or theoretical standpoints which constitute the basic framework of the crime prevention theory based on the environmental design. This crime prevention theory is originally associated with a criminologist C. Ray Jeffery. In his book (published in 1971), he criticized the criminologists of sociological orientation who believed that crimes were predominantly motivated by social factors but who completely neglected the biological factors and determinants arising from the immediate environment. Therefore, Jeffrey notes that crime prevention has to be aimed at examining the biological factors (such as brain damage) as well as at eliminating the opportunities for committing a crime.

Another theoretical standpoint which constitutes this crime prevention theory is the theory of the "defended area", which is associated with J. Jacobs (1961); in her criticism on post-war urban planning, she pointed out to its destructive components as compared to the natural law and order processes within the neighbourhood. Yet, the actual founder of the "Defensible

---

[21] Stacey L. Williams, Kristin D. Mickelson, "The Nexus of Domestic Violence and Poverty", *Violence Against Women*, March 2004, p. 284. http://vaw.sagepub.com/cgi/reprint/10/3/283.pdf, accessed on: 21.01.2009.

[22] Buzz Holding's theoretical standpoint of is posted at the website of the Swedish Resilience Centre, Stockholm, See: "What is Resilience?", http://stockholmresilience.org/research/whatisresilience.4.aeea46911a312742798000 4249.html, accessed on 2.11.2011.

[23] See: R. Clark, "The Theory of Crime Prevention through Environmental Design",http://www3.cutr.usf.edu/ security/documents%5CCPTED%5CTheory%20of%20CPTED.pdf, accessed on 27. 09.2010.

Space" theory is considered to be Newman (1972) who developed his theoretical standpoint on the basis of Jacobs's criticism. Newman managed to identify the architectural design solutions which would discourage the commission of crime and reinforce state social control and crime prevention. In his theory, he defined "defensible space" as "a residential environment model which prevents crime by creating a physical image of a self-defensive social structure."[24] Newman asserted that the architectural design could generate a latent sense of territoriality and community among the inhabitants, both of which could further contribute to developing the residents' responsibility to assume behaviour necessary to protect and preserve the safety and human welfare in their immediate neighbourhood. Newman identified several constituent elements of a good environmental design which could reinforce the social control network; these elements are: territoriality, constant surveillance (neighbourhood watch), and architectural design (image) of the environment. Essentially, territoriality refers to a physical space which separates the areas which are subject to social control whereas a constant surveillance implies that the buildings should be constructed in such a way as to facilitate the supervision of territorial areas.

In the period after World War 2, the collective housing projects pushed these important processes of social control aside. The result of these low-cost housing projects was the flourishing of easily accessible "non-defended areas", such as: clandestine and undesignated pedestrian paths and walkways, passages, winding stairways, elevators, long dark hallways, etc. Thus, such housing projects created these "confusing" areas which nobody owned, looked after or supervised.[25] Newman's theory was subject to harsh criticism by criminologists and other sociologically oriented scientist who criticized his "environmental determinism" and his oversimplified explanation of human behaviour based on the territorial behaviour in animal.[26]

The third approach in the crime prevention theory stems from the criminological research on the situational crime prevention; the research was commissioned by and conducted on behalf of the British Government in the 1970s. It was a general project aimed at reducing the opportunity of committing any form of crime, no matter where it may occur (such as: hijacking, embezzlement of social fund, harassment by making disturbing phone calls, youth violence in pubs, domestic violence, any form of homicide or sexual crime).[27]

The history of human civilization, as Morris (1971)[28] pointed out, "largely implies the evaluation of man's endeavour to set himself free from the restraints imposed by his natural environment; not only that man can practically live and work in all possible climates but he can also inhabit vast urban agglomerations which are not self-sustainable and whose survival largely depends on ingenious technology and efficient transportation." However, Morris further noted that the direct result of such circumstances was that man created a new environment which, in turn, started demonstrating its own limitations (as related to human beings). A large city or suburb may impose restrictions on human activ-

---

[24] *The Oxford Handbook of Criminology,* (ed. by Mike Maguire, Rod Morgan and Robert Reiner), Oxford University Press, 2007, p. 875.
[25] Ibidem
[26] R. Clark, "The Theory of Crime Prevention Through Environmental Design", http://www3.cutr.usf.edu/security/documents%5CCPTED%5CTheory%20of%20CPTED.pdf, accessed on 27. 09.2010.
[27] Ibidem
[28] Morris, T.,*The Criminal Area*, London: Routledge&Kegan Paul, New York: Humanities Press, 1971, p.i.

ity which (although stemming from a completely different context) is by no means less real than the human activity undertaken in the past (as related to nature: mountains and rivers, deserts and oceans). Recognizing the difference between the urban and the rural way of life implies recognizing the basic association between the patterns of behaviour and the characteristics of the local community.

Some victimological studies have been aimed at researching the impact which a "satisfactory" neighbourhood would, generally speaking, have on victimization and the inhabitants' social participation and, ultimately, on the sense of security in the neighbourhood. These studies have pointed out that such an approach should be preceded by a systematic examination of the relative significance of the victimization process, the quality of the immediate neighbourhood and the social integration which is aimed at preventing the fear of crime.

REFERENCES

1. Bruce Bower, "Growing up in a harm's way", *Science news* 1996,
   http://www.sciencenews.org/pages/pdfs/data/1996/149-21/14921-17.pdf, accessed on 21.01.2009.
2. Buzz Holding's theoretical standpoint of is posted at the website of the Swedish Resilience Centre, Stockholm, See: "What is Resilience?",
   http://stockholmresilience.org/research/whatisresilience.4.aeea46911a3127427980004249.html, accessed on 2.11.2011.
3. IFevbnWr5MAC&printsec=frontcover&dq=Resilience#PPP1,M1, accessed on 26.05. 2009.
4. James K. Hill, "Victimization, Resilience and Meaning-Making: Moving Forward in Strength", *Victims of Crime Research Digest,* Issue No. 2, http://www.justice.gc.ca/eng/pi/rs/rep-rap/rd-rr/rd09_2-rr09_2/p1.html; accesed on 2.11.2011.
5. James K. Hill, "Victimization, Resilience and Meanings-Making: Moving Forward in Strength", *Victims of Crime Research Digest, Issue No. 2*, Department of Justice Canada,
   http://www.justice.gc.ca/eng/pi/rs/rep-rap/rd-rr/rd09_2-rr09_2/pl.html, accessed on 09. 11. 2009.
6. Kostić, M. "Victimology: A Contemporary Theoretical Approach to Crime and its Victims", *Facta universitatis. Series Law and Politics*. - Niš: Univerzitet, 2010. - Vol. 8, No 1 (2010), pp. 65-78.
7. Martin E.P. Seligman, „Building Human Strength: Psychology's Forgotten Mission", *APA ONLINE*, Vo. 29, No. 1, 1998, http://www.apa.org/monitor/jan98/pres.html; accessed on 02.11.2011.
8. Morris, T.,*The Criminal Area*, London: Routledge&Kegan Paul, New York: Humanities Press, 1971, p.i.
9. *Psychology of New Hope and Faith,* http://www.occult-advances.org/nc-spi-new-hope-faith.html, accessed on 26.5.2009.
10. R. Clark, "The Theory of Crime Prevention through Environmental Design",http://www3.cutr.usf.edu/security/documents%5CCPTED%5CTheory%20of%20CPTED.pdf, accessed on 27. 09.2010.
11. R. Clark, "The Theory of Crime Prevention Through Environmental Design", http://www3.cutr.usf.edu/security/documents%5CCPTED%5CTheory%20of%20CPTED.pdf, accessed on 27. 09.2010.
12. *Resilience: A Universal Capacity*, http://www.wested.org/online_pubs/resiliency/resiliency.chap1.pdf, accessed on 2.11.2011.
13. Robert Brooks, Sam Goldstein: *The Power of Resilience*, loc. cit.
14. Robert Brooks, Sam Goldstein: *The Power of Resilience*, page 3. http://books.google.com/books?id=
15. Stacey L. Williams, Kristin D. Mickelson, "The Nexus of Domestic Violence and Poverty", *Violence Against Women*, March 2004, p. 284. http://vaw.sagepub.com/cgi/reprint/10/3/283.pdf, accessed on: 21.01.2009.
16. *The Oxford Handbook of Criminology,* (ed. by Mike Maguire, Rod Morgan and Robert Reiner), Oxford University Press, 2007, p. 875.
17. Zotović, M., "*Stres i posledice stresa: prikaz tranksionističkog teorijskog modela"* (Stress and its Effects: an Overview of the Transactionist Theory Model), *Psihologija*, 2002, Vol. 35 (1-2), 3-23, www.doiserbia.nbs.bg.ac.yu/.../ft.aspx?id=0048-57050201003Z, accessed on 21. 01.2009.

CRTICE O REZILIJENTNOSTI U VIKTIMOLOGIJI I KRIMINALNOJ POLITICI

Miomira Kostić

U radu autorka objašnjava značaj rezilijentnosti da se njime opiše sposobnost osobe da očuva stanje ravnoteže, kada se suoči s izazovima. Zatim objašnjava doprinos Emmy Werner, kao i odnos između rezilijentnosti i viktimologije. U poslednjem delu rada, autorka se osvrće na teoriju rezilijentnosti, kojom se pobija shvatanje o održivosti razvoja prirode i ta shvatanja povezuje s mogućim oblicima prevencije kriminaliteta kroz izgled okruženja, posmatrajući život u gradskim aglomeracijama.

Ključne reči: *rezilijentnost, zlostavljanje, kriminalitet, prevencija.*