# Global Perspectives on Victimization Analysis and Prevention

Johnson Oluwole Ayodele

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Johnson Oluwole Ayodele
*Lagos State University, Nigeria*

A volume in the Advances in Criminology, Victimology, Serial Violence, and the Deep Web (ACVSVDW) Book Series

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# Advances in Criminology, Victimology, Serial Violence, and the Deep Web (ACVSVDW) Book Series

Mehdi Khosrow-Pour, D.B.A.
Information Resources Management Association, USA

## Mission

From stealing identities, to domestic abuse, to serial murder, crime and victimization continue to remain an unfortunate staple of society. With the rapid expansion and availability of technology, as well as the inability to effectively monitor and regulate such emerging tools as the deep web, criminals have continually advanced and altered their methods to avoid detection and locate new victims. As officials work to predict and prevent crimes, as well as apprehend offenders, they will need to devise new tools and strategies to preserve the safety of society and ensure proper justice is served.

The **Advances in Criminology, Victimology, Serial Violence, and the Deep Web (ACVSVDW)** Book Series explores emerging research behind crime motivation, new methods and the utilization of technology for committing illegal acts, criminal justice and reform strategies, and the effects of crime on society and its victims. The publications contained within this series are valuable resources for government officials, law enforcement officers, corrections officers, prison management, criminologists, sociologists, psychologists, forensic scientists, computer engineers, security specialists, IT consultants, academicians, researchers, and students seeking current research on international crime.

## Coverage

- Darknets
- Identity Theft
- Criminology
- Victimology
- Hacking
- Psychology
- Law
- Hate Crimes
- Vigilante Justice
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# Titles in this Series

With every sense of concern, I dedicate this resource book to all individuals throughout the world, who show the honour to recognize and uphold the truth, have or may be victims of an organized conspiracy by the majority. If the majority has demonized, incriminated, and falsely isolated you for 'legal' victimization, on the basis of your holding on to the truth, you are not a victim but a victor! I am persuaded that "truth never damages a cause that is just" (Gandhi), be rest assured that your traducers appreciate that "in a room where people unanimously maintain a conspiracy of silence, one word of truth sounds like a pistol shot" (Miłosz) Ultimately, your adversaries will know what you stand for and respect your individuality.

# Editorial Advisory Board

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## Section 1
## Vulnerability and Victimization Analysis

**Chapter 1**
*Johnson Oluwole Ayodele, Lagos State University, Nigeria*

In combination with ignorance, incompetence, and poor governance, climate change has become a serious threat to the greatness of Africa. Beyond that, climate change poses a problem to global security but has deeper impacts on the world's most vulnerable populations. This chapter reviews archival information to analyse the vulnerability of Africa vis-à-vis climate change, for which it is partly a cause. Also, it assesses the victimization and Africans' adaptation practices. The chapter argues that entrenched poverty, traditional practices, and lack of faith in research discoveries increase the exposure of Africans to climate change and intensify their inability to respond competently to its inherent victimization. To boost her adaptation, this chapter suggests that Africa should reinvent social alignment with its communities and build climate-friendly attitudes to prepare for environmental calamities that may arise from climate variation.

**Chapter 2**
*Tracie Lea Scott, Heriot-Watt University, Dubai, UAE*

This chapter examines how one particular group of people within Canada, indigenous women, experiences both a higher rate of victimization and a lower rate of case clearance. Indigenous women in Canada are three times more likely to be killed by a stranger than non-Aboriginal women, and as of 2010, clearance

rates for cases involving missing and murdered Indigenous women are consistently lower across Canada. Despite these statistics, other measures show that Indigenous women show similar satisfaction with their personal safety from crime as non-Aboriginal women as well as other measures indicating a similar confidence in the criminal justice system as non-Indigenous women. In this chapter, it is argued that the dissonance between certain measures is indicative of the settler-colonial heritage that informs both the perception of violence against indigenous women in Canada, as well as the phenomenon of violence against indigenous women themselves.

**Chapter 3**

        *Debarati Halder, Karnavati University, India*

Often it is told that womanhood comes to full circle when a woman becomes a mother. Being a mother either biologically or by way of adoption is indeed a unique experience because it not only gives the joy of nurturing another life, but it also may make the woman more responsible in every sense. For every woman, the phases of motherhood bring special moments. For some, these phases may start right from the day of conceiving; for some they may start when she decides to adopt a baby; for some they may start right from the moment of the birth of the baby. In this digital era, many couples (especially women) like to capture the moments of motherhood by making digital photo albums or vlogs. In India, this phenomenon is rapidly catching up. Pregnancy photo shoots, baby birthing photos and videos, newborn photo shoots, etc. are trending. YouTube and Instagram are the chosen platforms to upload such videos or images. YouTube especially provides a wonderful opportunity to easy creation of amateur vlogs.

**Chapter 4**

        *Johnson Oluwole Ayodele, Lagos State University, Nigeria*

The chapter appraises the implications of victimization inherent in colonialism for the development of Africa. It analyses pre-colonial, colonial, and post-colonial (decolonization, neo-colonial, meta-colonial, globalization, and meta-decolonization) periods. It holds that post-independence development failure of Africa is rooted in its history of predatory colonialism. The vestiges of colonial norms, institutions, and society are the perpetual contraptions that made postcolonial development bottlenecks inevitable in Africa. It suggests that Africa must liberate itself from the violence of cognitive imperialism that impedes the emergence of truly African development values. It should discard the existing bourgeois decolonization and adopt the meta-decolonization option which this chapter proposes. This will truly Africanize a development agenda in Africa, by Africans and for Africa. Thus, Africa's abundant resources will promote a broad-base for her inclusion in the global development contest as a productive independent key player.

Corruption is one of the greatest challenges of development in developing countries particularly in Africa where the state is run like a personal enterprise. Since the end of the Cold war, the international community has shown considerable interest in the study and control of corruption in developing societies leading to billions of dollars investments in anticorruption cleanups. This chapter argues that although there has been considerable success in the measurement of corruption using corruption perception index, BEEPS, PETS, case studies, and direct observation, and despite the sub rosa nature of the problem, only marginal success has been achieved in measuring corruption victimization in many of these societies. The consequence of this is a lack of synergy between corruption victimization data sets and anti-corruption programs.

The high incidence of violent crimes in the United States of America, which include mass shootings, hate crimes, Islam bashing, murders, extortion, crimes against women and children, and white supremacist crimes, witnessed in last few years is a cause for great concern. The land of liberty is lately seeing increasing victimization of deprived or socially unempowered groups. This chapter looks at such victimization and the cultural supremacy that is giving rise to ethnic strife among people. It is argued that robust and well-evolved policies will reduce crime and empower marginalized groups, a majority of whom are women and children. The empowerment—social, cultural, economic, and political—and recognition of the challenge of victimization is the only solution. There is a need to recognize the egalitarian impulses for a better policy formulation devoid of prejudice to craft a secure future for the victims.

Studies on victimization are on gender differences with limited emphasis on the vulnerability of the victims. The chapter therefore examines the gender differences and vulnerability of victims around the world. The theoretical orientation of this chapter was based on the feminist theory and lifestyle routine-activities theory. Data for this study were obtained from secondary data and reviewed literature. The study established gender variation in victimization in different regions with respect to types of crimes. Individuals and contextual factors responsible for the gender differentials in the level of victimization were identified. The chapter suggests a useful policy that directs learning toward a more encircling rationalization of violence that incorporates both general and crime-specific factors based on gender differences.

**Chapter 8**

*Lorenn Walker, University of Hawai'i at Manoa, USA*
*Leela Bilmes Goldstein, Women's Fund of Hawai'i, USA*

Hawai'i is a multicultural island state that has been experimenting with a facilitated restorative reentry planning circle process for incarcerated individuals who meet with loved ones. The circle process considers loved ones' needs for repairing harm and the incarcerated person's needs for successful reentry including reconciliation with loved ones. When loved ones cannot attend a circle, they are invited to provide information over the telephone or by email to the facilitator who shares the information during the circle. This study analyzed participants' perceptions of how helpful it was for them to provide information about their needs having an incarcerated loved one. The authors predicted participants from high-context cultures would find the process less satisfying than those from low-context cultures, but the study found no differences. Despite identifying from a high- or low-context culture, all participants except one from a low-context culture found that providing shuttled information was helpful.

**Section 3**
**Vulnerability and Victimization Control**

**Chapter 9**

*Nicoletta Policek, University of Cumbria, UK*

A cross-continental synergy is paramount when addressing victimization in genocide. The definition of victim of genocide is however challenging, complex, and open to controversies, especially when dealing with a large number of casualties. By proposing a reshaping of the purely legal framework which defines genocide victims, in support of a characterisation that includes all the multiple and sometimes conflicting voices of those who are direct or indirect witnesses of the "crime of all crimes," this contribution argues for the need of a global legal framework that embeds both collective victimization in genocide as well as the uniquely different and diverse experiences of the victims.

**Chapter 10**

*Okhuevbie James Olu, Lagos State University, Nigeria*

Cybercrime and the activities of the underground cyber economy has detrimental consequences for the growth, development, and wellbeing of individuals, groups, organizations, and nations of the world. Criminal activities such as hacking, identity theft, scams, fraud, and cloning on individuals, corporate bodies, and nations are attempts by cyber criminals to illegally scoop funds out of these various treasuries for personal use, all of which have tremendous consequences for personal, corporate, national, and hence, continental development. The underground cyber economy is a key factor that has enhanced the continued perpetration of cybercrime activities. Leaning on the space transition , innovation diffusion, and the gang theories, as well as resources gathered from past studies, the current study examines the underground cyber-economy and its implications for the development of Africa.

Asian countries have a culture that is diametrically opposite to European Culture. In India, China, Thailand, etc., mothers are more attached to their children than husbands. There are certain religious practices that amount to human rights violations. Chinese children are deprived of enjoyment to the fullest. Trafficking, disparities, problems in Tibet, etc. are causing serious threats to the lives of children in China. This chapter analyses human violation against children in some of the Asian countries. It is not easy to cover all the countries, so some countries that have representative character are included for a detailed study. This chapter analyses various cultural contexts that aggregate child victimization and also suggests measures to stop it.

This chapter explores the impact of specific burden of the economic cost of victimization on gender. Gender-related victimization is disproportionately concentrated on women and girls. Forms include sexual assaults, intimate-partner violence, incest, genital mutilation, homicide, trafficking for sexual exploitation, and other sexual offences. Costs of violence against women are widespread throughout society. Every recognizable effect of violence has a cost whether it is direct or indirect. Direct costs come from the use of goods and services for which a monetary exchange is made. Direct costs exist for capital, labour, and material inputs. Indirect costs stem from effects of violence against women that have an imputed monetary exchange, such as lost income or reduced profit. Effects of violence against women also include intangible costs such as premature death and pain and suffering for which there is no imputed monetary value in the economy.

# Foreword

## EXPLORING NEW OPTIONS TO REACH FOR GLOBAL ORDER

I am very excited to provide this brief foreword to the informed essays authored by eminent scholars across the world on the issue of victimization, and contained in the publication entitled *Global Perspectives on Victimization Analysis and Prevention*, edited by Johnson Ayodele. The volume is a commendable and unique addition to the available literature on global victimization and resolution for numerous reasons. First, it is likely the trail blazer in the multidisciplinary attempt by criminologists, demographers, economists, and law scholars to look at victimization from multifarious sociocultural contexts. Second, it examines the gender dimension of victimization across continental cultures in ways that probably eluded prior approaches. Victimization experiences of women in America and Nigeria (the home country of the editor), the economic cost of victimization, the global understanding of victimization are given detailed treatment. Some of the articles also dwell extensively on cultural dimension of victimization and responses to it by exploring associated issues in criminology, economics, restorative justice and law. Third, in the book, it is clear that the concept of victimization has just one meaning in global context. In the particular chapter on climate change (and Africa), the author reviews archival information to analyse the vulnerability of Africa vis-à-vis climate change, for which it is partly a cause. The author concludes with the suggestion that Africa should reinvent social alignment with its communities, build climate-friendly attitudes to prepare for environmental calamities that may arise from climate variation.

Fourth, the book includes the ambience of a world that could enjoy some appreciable level of order, if prodded and guided. All the chapters concentrate on issues topical to the existence of the world with a special reference to the African continent. Apart from its approach to inspiring strong policy framework, raise awareness among social scientists, and political leadership at all levels of governance in terms of non-violence, the book advocates the prevention and overcoming of global violence. On the whole, the book is significant in its coherent analysis of the causes, dimensions and resolution of victimization. The lineup of the chapters presents seamless interlocking ideas in which global victimization connects the various continents to offer solutions that may make social order enduring for a fairly long time to come. The in-depth coverage of the subject of victimization makes this book a necessary companion to individuals who admire social peace in the world. It is a resource of boundless value to undergraduate and graduate students in sociology, criminology, criminal justice and allied fields. Teachers of crime and deviance will also find the book useful in aiding teaching and research. To put a lid on this foreword, I want to congratulate the authors and editor who crafted this resourceful book and enjoin readers of the volume to make an end to all forms of violence their core focus so as to reduce the incidence of victimization, in our lovely world.

*Adeyinka Abideen Aderinto*
*University of Ibadan, Ibadan, Nigeria*

# Preface

Just as the whole world is getting extremely nauseated, irritated and overburdened by the rising spate of offline and online victimizations, experts are working tirelessly towards using multi-dimensional research approaches to analyze the trend of victimization globally with a view to evolving terrorism prevention and control options. It is only research-driven solutions that can salvage the contemporary world from the ever-increasing threat of nanotechnology-aided victimization. This project is committed to achieving this comprehensive objective. Being a collection of chapters from seasoned scholars across the world on how the threat of victimization can be understood through insightful analyses, this book advocates crime prevention, and when this inevitably fails, recommends strategic victimization control approaches. Moreover, it aims to organize contemporary themes in victimization threats to provide relevant theoretical frameworks and the state-of-the-art empirical research outcomes in the area. The chapters of the book are contributions from experienced scholars with proven years of teaching and research at different universities across the world. Their provision of research-driven knowledge promises to improve learners' understanding of the various precipitating factors that make a high vulnerability to victimization inevitable. Their efforts also underscore the urgent need for individuals, at different levels of education to make the world a safer place for human beings regardless of their race, creed or sex.

## CONTENTS OF THIS EDITED VOLUME

The book, *Perspectives on Victimization Analysis and Prevention*, is divided into three sections: 1) Vulnerability and Victimization Analysis, 2) Vulnerability and Victimization Prevention, and 3) Vulnerability and Victimization Control. The three thematic areas interrogated in the following sections form the core contents of the chapters of this edited volume.

### Vulnerability and Victimization Analysis

There are four chapters under the section "Vulnerability and Victimization Analysis." In Chapter 1, Johnson Ayodele looked at climate change in the light of the experiences of Africa and underscores its implications for the world's most vulnerable populations. Also, it assesses the victimization and Africans' adaptation practices drawing attention to how entrenched poverty, traditional practices, and lack of faith in research discoveries increase the vulnerability of Africans and intensify their inability to respond

competently to its inherent victimization. To boost her adaptation, Ayodele suggests that Africa should reinvent social alignment with its communities, build climate-friendly attitudes to prepare enduring safeguards for environmental calamities that may arise from climate variation.

In Chapter 2, under the title "Missing and Murdered Indigenous Women and Girls in Canada: Does Methodology Matter?" Lee Scott argued that it is not all populations within the developed areas of North America experience the same level of protection from victimization. Therefore, even within developed nations such as Canada, vulnerable groups remain targets of victimization. She went further to anchor her conviction on the data which found that Indigenous women in Canada are 3 times more likely to be killed by a stranger than non-Aboriginal women. She identified the roles which racism, colonialism, and sexism have played in these phenomena in Canada

In Chapter 3, Debarati Halder did a critical legal-victimological analysis of pregnancy vlogs and online victimization of women from global perspectives. She argued that pregnancy photoshoots, baby birthing photos, and videos, newborn photoshoots, etc. are trending in modern times. She identified YouTube and Instagram as preferred platforms to upload such videos or images. Nevertheless, such pregnancy vlogs may be considered non-consensual porn materials. The author investigated the causes of victimization of pregnant women online, patterns of such victimization from the perspective of consuming such videos by porn industries and challenges that may be faced by criminal justice types of machinery and victims when it comes to prevention of victimization.

In Chapter 4, in "Colonialism and Victimization Narratives in the Context of Africa's Development," Johnson Ayodele appraised the ways in which much of Africa had come under the colonial siege of seven European powers of Britain, France, Portugal, Germany, Spain, Italy, and Belgium to experience interminable development imbalance. To capture the overarching implications of colonialism for the victimization of African customary structures that would have defined the continent's path towards indigenous development, the analysis of this article covers three distinct historical ages: Precolonial, Colonial, and Postcolonial epochs. He maintained that globalization accelerates the prosperity of developed economies but heightens austerity among the underdeveloped economies. He suggested that Africa should predicate its development on customary ideas, decolonize its development, and stimulate the evolution of the African personality through value integration.

## Vulnerability and Victimization Prevention

This section has four chapters. In Chapter 5, Waziri Adisa measured corruption victimization in developing countries. He identified corruption as one of the greatest obstacles to development in Africa where the politicians run the state as if it were a personal enterprise. The consequences of this gain visible expression in a heavy burden on the poor and limitation of the capacity of government to rapidly transform the economy. He concluded that some socio-cultural and political factors still undermine the efforts of government and non-state actors at measuring and combating corruption victimization in the public life of politicians in developing countries of the world.

In Chapter 6, Tamanna Shah discussed "Victimization, Cultural Imperatives, and Empowerment of the Vulnerable Population." He observed that the contemporary world is ravaged by internal conflicts, secessionist movements, and violence against civilians. The oppressors being in absolute control of the weapons of violence, civilian casualties, usually women and children multiply in the aftermath of such

conflicts. He held that culture became weaponized and society used it to bind victims down. To liberate the vulnerable victims, Shah explored the different aspects of victimization and the ways to empower the vulnerable population.

In Chapter 7, Oluwagbemiga Adeyemi examined gender and victimization in the context of global analysis of vulnerability. He observed that recent studies on victimization concentrate on gender differences with limited emphasis on the vulnerability of the victims. He examined the gender differences of vulnerable victims around the world. He anchored his explanation on the feminist, lifestyle, and routine activities theory. Using available secondary data, the author observed variations of victimizations and vulnerability based on gender differences of the victims with respect to different regions of the world and crime types. He suggested a useful policy that directs learning toward more encircling rationalization of violence that incorporates both general and crime-specific factors based on gender variation.

In Chapter 8, Lorenn Walker and Leela Goldstein examined the implications of Hawai'i's multicultural contexts and victim participants' shuttled information shared in restorative reentry planning circles. Hawai'i is a multicultural island state that has been experimenting with a facilitated restorative reentry planning circle process for incarcerated individuals who meet with loved ones. Lorenn and Leela analyzed participants' perceptions of how helpful it was for them to provide information about their needs having an incarcerated loved one. The researchers predicted that the participants from high-context cultures would find the process less satisfying than those from low-context cultures, but the study found no differences.

## Vulnerability and Victimization Control

This section also has four chapters. In Chapter 9, Nicoletta Policek engaged the changing global context of victimization and looked at a need for cross-continental synergy. She noted that synergies for affording a cross-continental definition and acknowledgment of victimization in genocide, still in their infancy, were gradually developing. She relied on the definition of the International Criminal Court which provided for a more extended jurisdiction and the power to prosecute states as well as individuals, regardless of the office or status they hold.

In Chapter 10, James Okhuevbie discussed "Underground Cyber-Economy and Implication for Africa's Development: A Theoretical Overview." He argued that cybercrime and the activities of the underground cyber economy have detrimental consequences for the growth, development, and wellbeing of individuals, groups, organizations, and nations of the world. The author identifies criminal activities such as hacking, identity theft, scams, fraud and cloning on individuals, corporate bodies and nations are attempts by cybercriminals to illegally scoop funds out of these various treasuries for personal use, all of which have tremendous implications for personal, corporate, national and hence continental development. He examined the implications of the underground cyber-economy for the development of Africa.

In Chapter 11, Kavitha Balakrishnan looked at the "Cultural Context of Victimization of Children: An Asian Legal Overview." Right from the beginning, she identified the significant cultural differences between Asian and European countries. In India, China, Thailand, etc. mothers are more emotionally attached to their children than husbands. She concedes that certain religious practices that non-Asian citizens would consider to be human rights abuses abound. Sunnah of the Muslim community and female circumcisions are some of these practices. While Chinese children are deprived of full enjoyment,

in Tibet, children experience trafficking and inequality problems. The one-child policy in China causes the problem of interaction for children who lack sibling companionship at home. Although abortion based on baby's sex is outlawed, in practice, its proportion is very high. Following its exploration of child victimization in various cultural contexts, it suggests measures to prevent children from suffering from religious extremism.

In Chapter 12, Kola Olowe did a global analysis of gender-specific burden of the economic cost of victimization and found that gender-related victimization is disproportionately concentrated on women and girls. She identified sexual assaults, intimate partner violence, incest, genital mutilation, homicide, trafficking for sexual exploitation and other sexual offences. The author added that the costs of violence against women are widespread throughout society because every identifiable effect of violence has a direct or indirect cost. While direct costs exist for capital, labour, and material inputs, indirect costs stem from the effects of violence against women that have an imputed monetary exchange value in terms of lost income or reduced profit. Furthermore, intangible costs involving premature death, and injuries having no imputed monetary value in the economy are some of the costs that women bear in the short-run or the long-run.

All the chapters offered in this book related to various natural and human-inspired causes and remedies of victimization and terrorism in different parts of the world. The book opens with the natural response of climate to the excesses of human domination of the environment. Aside from discussing victimization and terrorism as they relate to the non-specific human population, the book isolates children, mothers, and their online victimization experiences through a critical legal-victimological analysis from global perspectives. Also, the individuals who became involuntary migrants having been displaced by the outcomes of climate change or terrorism, in different cultural contexts, received scientific investigation attention; other areas of interest such as vulnerability in the context of gender and victimization, victimization in the context of development, underground cyber economy and its implications for global development. This book measures the role which corruption plays in accentuating victimization in developing countries. The bond between normative and new crime control was analyzed in the light of the paradoxes of public safety in a global context using the North American experience. The role which colonialism played to exacerbate the narratives of victimization particularly in the context of Africa's development was also examined. The economic cost of victimization in the context of its gender-specific implication, victim compensation and restorative reentry of victims formed the basis of an intriguing global analytical discourse in this book.

Conscious of the fact that no problem can be solved from the same level of consciousness that created it, put differently, the significant problems we face cannot be solved at the same level of thinking we were at when we created them (Einstein, n.d.), as the editor, I am greatly persuaded that this book would serve multiple purposes. A dogged social scientist cannot expect to cover all the realities of a many-sided object by remaining stationary at a point, the book gathers a galaxy of researchers from across the world to examine the question of vulnerability and victimization of humanity to various forms of violence. Looked at from this promising background, this book is not a text structured to solve a unidimensional social problem, but serves as a concrete foundational plank on which a more elaborate appreciation of victimization in its various dimensions could be captured all over the world. Beyond that, it provides a knowledge-based platform for capturing the causes, nuances, and consequences of

victimization, predicting and treating the possible effects of violence in the digital world. Resources in this book may be used by various justice stakeholders to guide victim services, policing, social worker practitioners, family violence initiatives, and crime prevention programs (Government of Canada, 2012), throughout the world. Therefore, this book offers useful solutions to the question of victimization and how security stakeholders may begin to approach human safety in more professionally skilful, proactive, dynamic, and result-oriented ways. It will be useful to researchers and graduate students whose area of specialization is terrorism and its various impacts on victims. In very significant ways, the students of criminology, victimology, and sociology, professional appliers of the provisions of rules and regulations to human conduct in the areas of criminal justice, correctional administration officers will find the book a rewarding reference resource in the emerging world.

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# Acknowledgment

The self-denial which my parents inflicted on themselves to equip me with the resource they lacked forms the basis of my stubborn insistence on obtaining a doctorate. This is my most precious posthumous honour I could give them. Ignorant of the norm that one had to ensure there was a willing and available supervisor for a doctorate before obtaining an admission form, I requested for an appointment with Dr. Aderinto, now a professor of sociology, on phone to meet him at the University of Ibadan to sign my guarantor form. Humbly, he said he was coming to Lagos for Prof Lai Olurode's book launch the following week. He came, signed the forms and asked who my supervisor was. I looked askance. Without being prodded, he volunteered to supervise me. That was the point at which my doctorate learning started. Hitherto, he chips in his intellectually valuable ideas into virtually all my academic efforts. An instance of that is his kindness to provide the brief but pointy foreword for this book. I am indebted to my sincerely humble Professor.

I want to pay a glowing tribute to the abiding academic faith of my indefatigable members of the editorial advisory board of this book for their powerful understanding; maturity and intellectually unswerving thoroughness. These qualities culminated in the superlative standards of the chapters which will keep this book a material that will be sought after throughout the world, for a very long time to come. Other chapter contributors played significant and highly appreciable peer-review roles. I appreciate them. One of my British colleagues, friend, and a chapter contributor, Professor Nicoletta Policek displayed uncommon scholarship throughout the processes involved in this book. At the chapter proposal submitting phase, her husband was hospitalized. I did not hear from her for an unusually long time. When I did not stop prodding her, she disclosed that her husband's health was not supportive. It is regrettable that irrespective of all her sacrifices, at the chapter round off stage, she lost him. May his soul rest in peace! In spite of this tragic event, after her husband's cremation, she still managed to revise her chapter and got it submitted for publication. May God give her the fortitude to bear the irreparable loss! Let me also acknowledge the perseverance of Professors Debarati Halder, Nicoletta Policek and Kavitha Balakrishnan who had protracted issues accessing their accounts on the IGI Global platform. Despite the nauseating and frustrating experiences that accompanied this denial, they did not give up. These colleagues have taught me a new lesson in patience and perseverance having the capacity to win a race.

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This book titled "Perspectives on Victimization Analysis and Prevention", basically deals with the investigation of victimization of vulnerable population and its prevention. Violent acts whose effects transcend the victimization of an individual to endanger the wellbeing of groups of people and sometimes the entire public safety is the major challenge the contemporary practitioners of public security contend with around the world. In the pre-technological world, humanity only faced physical victimization, and in some traditional settings, spiritual victimization made some sense. Today, human beings face both online and offline victimization, in some traditional environments, spiritual victimization is included as yahoo plus constitutes cyber-spiritual victimization in some parts of Nigeria. Radicalism, armed banditry, youth restiveness, and accentuated drug abuse have combined to worsen massive victimization in the contemporary world. The most problematic human challenge that does not only threaten the continuity of humanity and its development but impedes them is the question of widespread and unrelenting victimization. Its modern-day dimensions send signals to world leaders that except something constructively strategic is done to prevent large scale victimization; humanity may ultimately become the irredeemable victim of its inventions due to the reckless use into which individuals put their technological discoveries. On the account of the heterogeneity of global culture, interaction presents different forms of victimization. Its handling and prevention pose different significant paradigms and paradoxes from one society to the other. The yearning for world peace, in contemporary times, cannot be achieved outside the context of a global understanding of the dynamics of victimization as a consequence of critical analysis. This realization commits the editorial focus of this book to allocate abundant chapters to the analysis of victimization in different parts of the world particularly in the present need for global peace and victimization prevention as a further expression of the saying that prevention is better than cure.

# Introduction

## PATHWAYS TO GLOBAL PREVENTION AND CONTROL OF VICTIMIZATION

I provide this prefatory remark to underscore the paradox that in spite of the devastating implications of victimization for human lives and property, the tragedy has become a buzzword in contemporary times. In earlier times, victimization used to be a consequence of a prior offence. Today, victimization does not have to be provoked before it creates involuntary victims. Instances of media attention seekers who wreaked violence on innocent others abound. Assuming a full-size armed conflict between states that causes extensive victimization has drastically decreased, intrastate conflict does not follow this direction. The tragic expression of this reality lies in the devastating effects of victimization across the globe, especially among civilian victims. The 21ˢᵗ-century world is replete with instances of conflict-induced victimization that disregards state boundaries (Inkster, 2015).

The reality of violence is everywhere felt in the modern world. Violence was among the top 20 causes of death and disability worldwide in 2004 (World Health Organization, 2008a). Over 1.3 million people globally die each year as a result of various forms of violence (self-directed, interpersonal, and collective), which account for 2.5% of global mortality. For people aged 15–44 years, globally, violence is the fourth leading cause of death (WHO, 2014). The World Bank has estimated that 1.5 billion people – almost one-fifth of humanity – are threatened by various forms of insecurity. Among contemporary youths, the second leading cause of death in boys aged 10-19 years is violence. The global homicide rate for that age group is 7 per 100 000 population. Across their lives, over 1 in 5 children have suffered physical abuse, whereas more than 1 in 3 children have gone through emotional cruelty. About 18% of girls and 8% of boys have suffered sexual abuse (WHO, 2019). If the victims of violence are more likely to experience spells of unemployment, absenteeism, and to suffer health problems that affect job performance (World Health Organization, 2008b), violence is likely to constitute a web of a vicious circle from which escape might be inconceivable. These are the concerns that make this book not only timely but inevitable at this point in the history of humanity. To forestall violence becoming a permanent household trauma, this book attracts a galaxy of experts from different regions of the world to investigate reasons for violence across the world, identify the characteristics of violence, thoroughly collect data, collate, analyse, and organise them into evidence-based knowledge that makes solutions to the experiences of violence at individual, group, local, national, and international levels capable of attainment.

Even if there is no straightforward or specific explanation for the problem of violence, an increasing body of knowledge on how to prevent violence exists. Therefore, the factors that either trigger or contribute to violence be they attitudinal and behavioural or associated with macro socio-economic,

political and cultural conditions are capable of being changed to give a room for a relatively crime-free world. The evidence that violence can be prevented exists as a set of seven briefings based on rigorous reviews of the literature which examines the scientific evidence for the effectiveness of interventions to prevent interpersonal and self-directed violence (Rosenberg et al., 2006; Mercy et al., 2008). Each of the seven briefings focuses on a broad strategy for preventing violence, and under that umbrella reviews the evidence for the effectiveness of specific interventions. The violence prevention strategies covered in the seven briefings are (i) Developing safe, stable and nurturing relationships between children and their parents and caregivers (WHO, 2009a); (ii) Developing life skills in children and adolescents (WHO, 2009b); (iii) Reducing the availability and harmful use of alcohol (WHO, 2009c); (iv) Reducing access to guns, knives and pesticides (WHO, 2009d); (v) Promoting gender equality to prevent violence against women (WHO, 2009e); (vi). Changing cultural and social norms that support violence (WHO, 2009f); (vii) Victim identification, care and support programs (WHO, 2009g). It is a paradox that individuals who almost permanently endure violence are persuaded that it is an inherent constituent of the human situation. Nevertheless, this is not an objective reality. Violence is capable of being prevented. Critical stakeholders such as governments, communities, and individuals can have a significant effect (Mandela, 2002), in the enterprise of violence prevention.

The customary symbiotic relationships between humankind and its natural environment on the one hand and the social interaction among human beings on the other have changed in content, context, and rhythm. In the place of traditional cooperation, a harmful competition that makes kidnapping for ransom, terrorism, unprovoked mass destruction, ritual killings and xenophobic attacks or victimization that challenge global social order inevitably have gained ascendancy. In all of these, technology and its authors have produced weapons of war to heighten the war of minority against the majority. Except for the root cause of violence is captured the onslaught of the phenomenon on public safety cannot be curtailed in the contemporary world. The Global Perspectives on Victimization Analysis and Prevention attempts to contribute to the growing global knowledge base. It significantly adds to the understanding of violence and its influence on the different societies of the world by beaming its searchlight on the different devastating manifestations of violence on the individuals around the world. It advances our analysis of the factors that lead to violence and the possible responses of different sectors of society. It tells us again that safety and security are consciously organized around collective consensus and executed programs through public investment. As the editor, I hope that the collective wisdom of the authors in this book will constitute a key resource reference for future examination of global victimization. Also, it will induce the required capacity building to alleviate the burden of violence on victims, in the digital age, for a future of the crime-response relationship that is informed by research. This book will be a valuable textual resource for professionals, researchers, and graduate students studying law, criminology, criminal justice, victimology, conflict, and peace studies as well as sociology.

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# Section 1

# Vulnerability and Victimization Analysis

# Chapter 1
# Climate Change:
## An Appraisal of Vulnerability, Victimization, and Adaptation

**Johnson Oluwole Ayodele**

https://orcid.org/0000-0002-1297-4043

*Lagos State University, Nigeria*

## ABSTRACT

*In combination with ignorance, incompetence, and poor governance, climate change has become a serious threat to the greatness of Africa. Beyond that, climate change poses a problem to global security but has deeper impacts on the world's most vulnerable populations. This chapter reviews archival information to analyse the vulnerability of Africa vis-à-vis climate change, for which it is partly a cause. Also, it assesses the victimization and Africans' adaptation practices. The chapter argues that entrenched poverty, traditional practices, and lack of faith in research discoveries increase the exposure of Africans to climate change and intensify their inability to respond competently to its inherent victimization. To boost her adaptation, this chapter suggests that Africa should reinvent social alignment with its communities and build climate-friendly attitudes to prepare for environmental calamities that may arise from climate variation.*

## INTRODUCTION

Africa lies across the equator making it a tropical continent that is most impacted by the world's climate change. Africa is suffering increased drought and floods, food insecurity, changes in natural ecosystems, loss of biodiversity, the distribution of waterborne, airborne, and vector-borne diseases, more than other continents. Africa's inherent survival dependency on climate-associated activities, products, and low adaptive competence predispose the continent's extreme vulnerability to climate change and its associated victimizations. Weak economies, institutions, pervasive ignorance, and poor governance structures drive the inability of Africans to adapt to the effects of climate variation. Since the changing climate goads water, agriculture, health sectors, and the entire ecosystems including variability in the magnitude and

the frequency of extreme events, the agrarian Africans may lose control over their customary planting and harvesting seasons. As migratory malaria vectors intensify, other climate-sensitive diseases such as meningitis and cholera are likely to spread to areas where they do not currently constitute a significant health issue. These diseases threaten Africans' health and threaten their productive capacity.

Climate is the finite distribution of the environmental variables over time relative to a regime of varying external conditions (Werndl, 2016). Climate change is perhaps "the most complex and controversial in the entire science of meteorology" (Todorov, 1986, p. 259). The concept is treated as both a technical description of the process and a noun to define the problem (Hulme, 2016). Climate change has become widely considered a difference in statistical properties including climate system, central tendency, and variability (Solomon, et al., 2007) as measured over long periods irrespective of cause (Glossary, 2001). The Intergovernmental Panel on Climate Change (IPCC) (2012) believes that vulnerability is the tendency to be harmfully touched. The vulnerability can mean a state of an individual, groups of individuals, or communities that are unprotected against physical, psychological, social, ecological and economic effects of climate change, which unleash injuries on victims. The concept of a victim is derived from the social construction of meaning (Quinney, 1974). Evolving a one-size-fits-all definition for the concept of victimization may be problematic. However, victimization is an asymmetrical, interpersonal relationship that is abusive, painful, destructive, parasitical and unfair (Karmen, 2010). Adaptation is a process by which individuals, communities and countries attempt to regulate and deal with the effects of climate change, including changeability (UNDP, 2005). Adaptive capacity is "the ability of systems, institutions, humans, and other organisms to adjust to potential damage, to take advantage of opportunities, or to respond to consequences" (UNDP, 2018, p. 12).

## BACKGROUND

Studies show that the African continent is prone to climate change and variation with prolonged droughts, decreased rainfall, and intensified temperature (Kurukulasuriya, Mendelsohn, et al., 2006). Also, African countries face more intense structural economic vulnerability than other developing countries (Guillaumont, 2007). The geographical characteristics of Africa with a large portion of its landmass being warm tropics and its inadequate human, social, and economic capacity make it incumbent on Africans to adapt to the influences of climate variation (Filho, et al., 2015). In terms of demographics, increasing populations will accelerate the rate that water and food are consumed. Extreme events including droughts will increase the demand for water resources, which are already limited. This will also have negative multiplier effects on crop harvests (CDKN, 2014). Incessant poverty and socioeconomic inequality, low levels of development, limited economic capacity and weak governance all combine to worsen the limited capacity of Africa to adapt to climate change. All these risks further challenge development and undermine the achievements made to decrease poverty and inequality (Shackleton, et al., 2015).

Climate change virtually threatens all sectors of Africa's economic development including its natural resources, agriculture, food security, forestry, tourism, manufacturing, and health (IPCC, 2007). Profound rural poverty, inadequate government capacity, and absence of preventing additional hardships exacerbate the effects of Sub-Saharan Africa drought (Kazianga & Udry, 2006). These climatic threats harm poor African countries and create rising fears that increased rainfall will worsen life in Africa (IPCC, 2007). The impacts of climate variation will not be uniform across the African continent (Kurukulasuriya et al.,

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2008). Climate change currently threatens agricultural production that depends mostly on rain for survival (Maponya, 2013). Climate change effects are often observed in rainfall inconsistency, rising number of seasons with inadequate rainfall, and the excessive temperatures that cause widespread droughts, and heat stress relating to reduced crop yield. Climate change causes much suffering to Africa's agricultural sector (Komba & Muchapondwa, 2012). Small-scale farmers in rural African areas contend with low agricultural output, human disease outbreak, pest and diseases, and food insecurity (Mutekwa, 2009). These effects have threatened food security and livelihoods of most farmers around the world and have compromised the farmers' welfare, which commonly depends on climate-sensitive resources including agriculture (Debela, et al., 2015). Regrettably, Africa is already experiencing food insecurity and malnutrition (IPCC, 2007). In the absence of proactive adaptation behaviour, with the prevailing 4°C warming may increase the potential for risk reduction through adaptation (Niang et al., 2014). There is a likelihood of heightened poverty and criminal activities from individuals who otherwise are law-abiding members of the communities.

The capacity of most farmers to cope with fluctuations that characterize climate variations requires their increased ability to acclimatize to a change, to avoid potential injuries, and to enable profiting from opportunities offered by the change (IPCC, 2007). As a short-term solution, smallholder farmers should be informed about the implications of climate change and variable weather patterns for their businesses. This will make them employ coping and adaptation measures including planting different varieties of the same crop, mixed cropping, and water conservation practices (Komba & Muchapondwa, 2015). On the whole, coping and adaptation methods used by farmers are relatively inexpensive including changing planting dates and diversifying crops, and more costly improved irrigation systems (Komba & Muchapondwa, 2015). Nhemachena & Hassan (2007) emphasize that the achievement of these adaptation actions depend on the commitment of the smallholder farmers to apply initiatives or for governments to enact effective policies.

The African Development Bank sought an annual $40 billion US dollars over the coming decades to address climate change issues in Africa (Kaberuka, 2009). The need is imperative. Human activities release carbon dioxide 14,000 times faster than nature has discharged over the past 600,000 years (Romm, 2018). The past thirty years have seen successively hotter temperatures than any other decade since 1850 (Overseas Development Institute (ODI) & Climate and Development Knowledge Network (CDKN), 2014). If weather-associated natural threats have caused ninety percent of natural tragedies and sixty percent of related deaths, the designation of climate change by Guterres (2018) as the most systemic threat to humankind must be acknowledged. The effects of climate change are particularly harmful in developing countries, where environmental victims accounted for ninety-eight percent of all disaster-affected populations (International Federation of Red Cross and Red Crescent Societies (IFRC), 2005). It is a paradox that Africa, which causes only two to three percent of the world's carbon dioxide emissions from energy and industrial sources (United Nations, 2006) has experienced over two-thousand natural disasters since 1970 in all of its fifty-four countries across 30.37 million sq. km. This has harmed 500 million lives and killed nine-hundred thousand people (Venkatesh, 2018).

Furthermore, the largest proportion of the world's poorest people who are most affected by the adverse effects of climate change is constituted by women (Toulmin, 2009; Women Watch, 2009). Therefore, gender-sensitive planning will reinforce the resilience of marginalized women. Policy decisions are characterised by haphazard procedures, mostly driven by contradictory desires, consequences and huge gaps (IFPRI, 2013). Up to 2012, only Kenya and Nigeria had draft climate change legislation (Sustainably

Institute, 2012), having incoherent provisions. To date, there is no relief. Additionally, higher temperatures cause significant increases in criminal activities (Horrocks & Menclova, 2011). Could the aggregation of these challenges be causing Africa's vulnerability and increasing her incapacity for anticipatory adaptation to manage victimization by climate change? This chapter addresses this gap in knowledge.

There is an immediate need for anticipatory adaptation responses. At any point in the history of Africa, vulnerability to climate change has not been this high. It is a tragic paradox that Africa which generates the least climate unfriendly effects has its populations suffering the risk of the damages which other regions inflict on the environment by their routine practices. Today, to feed their cattle, herdsmen ravage the plantations of innocent farmers in other traditional environments in Nigeria causing conflict. In the southern parts of Africa, women mostly bear the brunt of water scarcity caused by climate change. This chapter examines how climate change shapes the vulnerability, victimization, and adaptive potentials of Africans, and answers the following questions: (i). How vulnerable to climate change is Africa? (ii). What is the extent to which Africa is vulnerable to climate change by sectoral appraisal? (iii). What are the impacts of climate change on vulnerability and victimization in Africa? (iv). What are the effects of exposure and victimization by gender to climate change on livelihoods in Africa? (v). What are the strategies for reducing Africans' exposure to and coping with climate change effects?

## THEORETICAL BACKGROUND ON WEATHER AND CRIME

To establish the precise relationship between weather and crime, numerous studies have suggested various theories on why weather conditions could affect crime (Agnew, 2012). Weather is a variable in the causation of criminal events. This is anchored on rational calculations of the costs and benefits of individuals to commit criminal acts (Becker, 1968), based on the likelihood of not being apprehended (Jacob, Lefgren, & Moretti, 2007). The second model derives its inspiration from the social interaction theory of crime that sees criminal acts as mostly driven by social interactions arising in the course of daily routine (Rotton & Cohn, 2003). A third probable explanation is inspired by theories where external conditions openly influence human judgment in ways that cause intensified violence and loss of control (Card & Dahl, 2011). Evidence indicates that environmental temperatures influence aggression (Anderson, 1989). Similar studies indicate that weather may directly influence individuals to commit violent criminal acts. Substantial evidence demonstrates that weather does affect criminal behaviour (Cohn, 1990).

## STUDY AREA

The African continent is cut almost equally in two by the Equator so that most of Africa lies within the tropical region bounded on the north by the Tropic of Cancer and on the south by the Tropic of Capricorn. Africa has an enormous wealth of mineral resources, including some of the world's largest reserves of fossil fuels, metallic ores, gems and precious metals. This richness is matched by a great diversity of biological resources that includes the intensely lush equatorial rainforests of Central Africa and the world-famous populations of the wildlife of the eastern and southern portions of the continent. Although primarily subsistence agriculture dominates the economies of many African countries, the exploitation of these resources became the most significant economic activity in Africa in the 20th century (Middleton

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et al., 2018). Africa is the second-largest and second-most-populous continent in the world after Asia. Africa covers six percent of Earth's total surface area and twenty percent of the world's land area (Sayre, 1999). Africa is made up of one and a half billion people (UNDESA, 2017), to become the largest of the three great southward projections from the largest landmass of the Earth.

## METHODOLOGY

To analyse Africa's vulnerability to climate change a variety of empirical studies from diverse parts of the world in the context of the effects of variability on the adaptation behaviour and the livelihoods of the people were reviewed. There are ecological differences across the globe, but the recurring denominators concern food security, livelihoods, health and survival of the at-risk population. Any social event that intervenes in life but did not arise from a change in the climatic norm which threatens human survival in their different societies was excluded. A comprehensive analysis of secondary data covering studies emanating from developed, developing and underdeveloped regions of the world was undertaken.

## RESULTS

The following sections present the results from the analysis of the different secondary information reviewed in line with the five research questions of the study.

### Contextualizing Vulnerability, Victimization, And Adaptation Practices In Africa

Vulnerability and victimization constitute critical global social problems. While victimization in the context of climate change cannot effectively occur in the absence of prior exposure, victims lack effective relief outside a structured adaptation framework targeted at reducing the impact of climate variation. To the extent that vulnerability predicts victimization, in most cases of violence across the world, there is a need to assume that nature does not expose individuals up to one-third of the defencelessness to victimization that human acts and inactions cause humanity to experience.

Vulnerability

Distinguished scholars have defined the concept of vulnerability in diverse ways. The use of the vulnerability concept in a purely scientific sense derives from geography and natural hazards research. Today, it is a dominant concept in a variety of research contexts. In disaster studies, vulnerability is the key to understanding impacts (Birkmann, 2006), especially, "the external conditions of an individual as well as the coping mechanisms that enable the individual to protect him- or herself against a negative impact from those external conditions" (Clark, 2008, p. 78). Clark based her analysis on the above and further elaborated on the definition of vulnerability as: "a condition resulting from how individuals negatively experience the complex interaction of social, cultural, economic, political and environmental factors that create the context for their communities" (Clark, 2008, p. 69).

## Victimization

The concept of 'vulnerability' is used in different areas including criminology (Daniel, 2010). It offers a way to outline and investigate variable levels of exposure to the risk of victimization. When post-war social policymakers laid the foundations of the welfare state, Beveridge (1942) went beyond his mandate of surveying the country's social insurance programs and suggested the need to eradicate the five giant evils. Unfortunately, seventy-five years after his historic report ushered in the modern welfare state, the United Kingdom (UK) is again afflicted by problems ranging from unstable employment to starvation (Armstrong, 2017). It is clear that the "victims of misfortune" were those oppressed by the five "giant evils of society" – want, disease, ignorance, squalor, and idleness, but not a crime (Mawby & Gill, 1987, p. 38). Noticeably missing as a source of victimization are crime victims. Crime victims were largely invisible to public policymakers, criminal justice agencies and practitioners, the media, the general public, and even to most criminologists. Fry (1951, 1959) was the most outstanding figure in this struggle to vigorously promote the idea of victims' legitimate compensation from the state and also, reparation, from their offender (Jones, 1966).

## Adaptation Practices

Long before global warming was recognized as a major worldwide problem, many African countries were remarkably vulnerable to climate-related challenges including floods, droughts, and heatwaves. Africa faces the potential of an almost two billion American dollar liability for road renovation damaged by climate change. Central Africa suffers the greatest damage from climate change costing $22 million annually and $54 million annual average (Chinowsky, et al, 2011). Greater stages of climate change that could cause sudden and extensive changes, "dislocations in ecological, and economic systems are likely to lead to widespread losses and prevent adaptation to the new context" (UNDP, 2018, p. 28). Understanding the causes, tackling the effects of climate change and constructing climate-resilient infrastructure are basic struggles needed to terminate poverty in Africa (Diop, 2015). It is for this reason that Saghir (2015) insists that climate change involves new attitudes that will drive the resilience of infrastructure investments in Africa to the changeable climate of the future and concluded that taking no action is not an option. Now is the time for action, so that adaptation to climate change in infrastructure is attained and becomes a constituent of all investment plans (Cervigni, 2015).

## EXTENT TO WHICH AFRICA IS VULNERABLE TO CLIMATE CHANGE BY SECTORAL APPRAISAL

There are data-driven explanations for Africa's vulnerability to climate change. The worsening consequences of climate change predispose Africa to high levels of vulnerability. These include inadequate financial and institutional capacity to adapt, low per capita gross domestic product (GDP), and widespread poverty. Africa is critically vulnerable to climate change in the following ways:

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## Water Resources

The effects of the rise in greenhouse gasses in the atmosphere which have gained expression in climate change have substantially affected the water equilibrium by prompting changes in evapotranspiration rates, temperature, and rainfall (Abdelkrim, 2013). The present population trends of Africa and patterns of water consumption of Africans show that more African countries will go beyond the boundaries of their economically usable, land-based water resources before 2025. In this regard, climate change and variability may impose additional pressure on water availability, its accessibility, and its demand in Africa. The challenge with water does not lie in the total quantity available, but its lopsided distribution in space and time (Coulibaly, et al, 2018).

## Food Security

Food security occurs when a whole community has uninhibited access to adequate nourishing food to meet their dietary requirements and food orientations for dynamic and healthy lives (World Food Summit, 1996). Ziervogel (2009) argues that food security transcends mere food availability to involve access and utilisation. Climate change shapes food utilisation capacity through variations in the production rates and the patterns of numerous food items that affect the nutritional needs of the population (World Bank, 2016). Because Africa is the most vulnerable continent to climate changes (Bwalya, 2013) by 2020 it is estimated that in some African countries, which rely solely on rain-fed agriculture, production could be reduced by fifty percent of current levels. The main impacts on food production result from changes in moisture levels, carbon dioxide levels, ultraviolet radiation, temperature, pests, and diseases (African Climate Policy Centre, 2013).

## Coastal Ecosystems

The global sea level has increased roughly by eight inches from 1880 when trustworthy record-keeping started. It is expected to rise between 1 to 4 feet by 2100 (USGCRP, 2014). A rise in sea level has the potential to increase the effects of storms by increasing the base on which storm surges are erected (NRC, 2010). Rising sea level also raises the salinity of groundwater and forces saltwater further upstream. In the absence of desalination, greater salinity could make water unfit for human consumption and significantly injure several marine lives (USGCRP, 2014). The incursion of extra salinity has caused residents of many coastal regions numerous problems (Habiba, Abedin, Shaw, & Hassan, 2014).

## Human Health

Patz, Campbell-Lendrum, Holloway, & Foley, (2005) argued that under two decades earlier, under-nutrition caused almost two million deaths in Africa, annually. This is estimated globally to be the biggest contributor to climate change-associated mortality. Malnutrition immensely increases human risk of dying from contagious diseases (Schaible & Kaufmann, 2007). World food prices are principally important for food access across Africa because its societies depend more on purchased food than on domestically prepared food (Bloem et al., 2010). Meningitis is one of Africa's top three climate-sensitive diseases, with

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an estimated 350 million people residing in its endemic zone (Palmgren, 2009). The strong association between a population's health, economic, and environmental health, affects climate variations. They are indicators of the main ways that climate change may constrain the development of Africa (Stern, 2006).

## Urban Areas

Adaptation to climate change depends mainly on what is done in urban centres, which now accommodates over half of the world's population and most of its assets and economic activities (UN DESA Population Division, 2012). The serious impacts of life-threatening weather on many urban centres annually demonstrate some of the threats and vulnerabilities that need to be addressed (IFRC, 2010). Analyses of disaster impacts show that a high percentage of the world's population most distressed by life-threatening weather events is concentrated in urban centres (UNISDR, 2011; IFRC, 2010). Beyond that, climate change has implications for urban air quality (Athanassiadou et al., 2010). Urban centres in Africa, Asia, and Latin America with fewer than a million inhabitants are where most population growth is expected (Mitlin & Satterthwaite, 2013). These smaller centres are "often institutionally weak and unable to promote effective mitigation and adaptation actions" (Romero-Lankao & Dodman, 2011, p. 114).

## EFFECTS OF CLIMATE CHANGE ON VULNERABILITY AND VICTIMIZATION IN AFRICA

The weather is the variation that is observable daily from extreme cold or heat. Conversely, the climate is place-specific from customarily warm and dry conditions during the summer at a cool and wet condition during the winter in other locations. In Africa, there are rainy, dry and harmattan (very cold dry air) seasons. The seasons create "episodic issues" that are sometimes compounded by flooding or droughts (Bryant & Bailey, 2003). Weather can change drastically in a few hours while it takes climate hundreds or even millions of years to change (NASA, 2014). Secondary data indicate the implications of vulnerability to and victimization by climate variation for livelihoods in Africa. An understanding of the impacts of climate change on livelihoods in Africa requires an examination of the intricate interaction of the poor and non-poor. This is inevitable in the context of deep-seated customary occupations concerning how climate-dependent occupational choices are made, and how people will respond to climate variation. Objectively, both poor and non-poor people pursue livelihoods to make a living. The undesirable effects of weather events and climate progressively endanger and weaken basic needs, competences, and rights, especially for the poor and excluded people (Quinn et al., 2011). Some livelihoods are directly climate-driven. These are common among the rain-dependent small scale agriculture areas, and those with periodic occupations in tea, coffee and sugar sales, fishing, pastoralism, and tourism. A lot of Africans who derive their livelihoods from agriculture and fisheries are vulnerable to climate-induced poverty.

On the whole, the vulnerability of Africa to climate change arises from its recent development benefits that accrue from climate-sensitive sectors, which are vulnerable to rising temperatures, increasing sea levels, and gradually variable rainfall (CDKN, 2014). A review of the literature concerning these issues has established four accounts where climate change and employment interact. First, through a sudden natural disaster or slowly unfolding manifestation over time, climate change directly influences livelihoods in the affected localities, especially in agrarian neighbourhoods. In Tanzania and other agrarian

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African communities, a change in the mean temperature and patterns of rainfall naturally extends dry seasons and heightens the severity of periodic droughts (Paavola, 2004). These changes alter the livelihood of farmers and their dependent relatives. Second, changes in climate trigger a chain reaction that disrupts a whole host of associated secondary services and sectors. The agrarian communities of Africa are harmed by crop yields that fall because of climate changes. Additionally, numerous service providers including transporters, marketers, the processors, exporters, retailers also experience declining fortunes and harm. Third, the intense effect of climate change triggers the relocation of people. Temporary or permanent climate-induced migration impacts the labour market in the affected neighbourhood, necessitating rapid urbanization.

Generally, it is a paradox that the adverse effects of climate change offer some exciting impacts on livelihoods. A capacity for job creation often arises from the adaptation to climate change. It facilitates livelihoods. For example, disasters generate jobs in relief, clean up and construction domains. Investing in the expanded production of renewable energy as an effective approach to fight climate change can stimulate new jobs in construction and other associated occupations including, distribution, installation, and maintenance (Dewan, 2014). Kabote (2018) notes that small scale investors in agriculture in developing countries such as Tanzania are typified by poor living conditions that are demonstrated by inadequate health services, food insecurity, low household income, unstable energy supplies, and fragile natural ecosystem. This exemplifies the assumption that human beings live in a politicized environment where the costs and benefits associated with environmental variation are shared disproportionately among actors (Bryant & Bailey, 2003). The prevalent weather conditions aggravate the vulnerability of farmers to the impacts of climate change (Dazé, Ambrose & Ehrhart, 2009). Further, it is increasingly becoming apparent that women are more vulnerable to climate change effects because of skewed gender relations, which is likely to decrease their overall access to and control over resources that could boost their coping and adaptation potential (Mulinge & Getu, 2013). The exclusion of women in decision-making and planning concerning adaptation aggravates the problem (Dazé, Ambrose & Ehrhart, 2009). Some of the specific effects of climate change on vulnerability and victimization in Africa include the following:

## Migration

Generally, the displacement of people is projected to increase with unrelenting climate variation (IPCC, 2014). The bulk of migration is in direct reaction to environmental change globally that occurs within a country's borders (Tacoli, 2009). Much of the population movement follows a rural to urban area pattern. This trend is likely aggravated by the impacts of climate change as they place growing pressure on rural livelihoods (Adamo, 2010). Africa's rate of urbanization, already the highest in the world, is expected to increase further with as much as half the population expected to live in urban areas by 2030 (UN-HABITAT, 2010).

## Conflict

Some scholars have contested the association between environmental factors and conflict. Gleditsch (2012) collected studies on the connection between violent conflict and climate variation and showed there is a dearth of evidence for such a relationship. Other meta-analyses by Hsiang et al. (2013) and Hendrix & Salehyan (2012) suggest that deviation from customary precipitation and mild temperatures intensifies

the danger of conflict. In Africa, Hsiang & Meng (2014) have examined and replicated the contested findings of Burke, et al. (2009) that the prospect of civil war is more likely in warmer years. The most recent appraisal of the IPCC suggests an indirect causal connection between poverty and economies, which are intensified by climate change and intra-state violence (IPCC, 2014). These analyses strengthen the established claim that exhaustion of a declining supply of, and uneven access to resources is likely to lead to competition between different groups and increase the risk of conflict (Hendrix & Glaser, 2007).

## Human Rights Interests and Social Justice

Climate change has profound consequences for human rights and social justice (Levy & Patz, 2015). Large disproportions exist among countries concerning their levels of greenhouse gas (GHG) releases as well as the amount and brutality of harmful outcomes due to climate variations. The greatest impact of climate change will take place in poor countries that paradoxically add the least to gross greenhouse emissions. These less culpable countries are ironically most likely to experience the greatest effects due to climate change continuously. The poor countries are suffering the greatest damage compared to the richer and most egregious polluters (World Bank, 2014).

## Health Consequences

It has long been established that climate change is rarely a single driver, but is mediated by existing contextual factors that affect human life (IPCC, 2014). The harmful health effects of climate change are threefold. Direct health effects, indirect health effects, and mental health conditions affecting individuals, communities, and entire nations (Levy & Patz, 2015). Among the direct effects of climate change on human health are fatalities and injuries as a result of life-threatening weather events or disasters including flooding and landslides following heavy rain (McMichael & Lindgren, 2011). Protracted exposure to unusually hot temperatures can result in heat cramps, fainting, heat exhaustion, heatstroke, death, and compromise outdoor human activities (Smith et al. 2014). Among the direct effects of climate change on human health are fatalities and injuries as a result of dangerous weather events and environmental disasters (McMichael & Lindgren, 2011). Indirect health consequences affect primarily middle-income and low-income countries in food insecurity, forced migration, and collective violence (Levy & Sidel, 2014).

## Ocean Ecosystems

Aquatic ecosystems are especially sensitive to climate change effects worldwide (Ndebele-Murisa, et al., 2010). Consequent risks include the drop in key protein sources and reduced income generation because of diminishing fish catches (Badjeck et al., 2010). Freshwater ecosystems are affected by droughts and the associated reductions in nutrient influxes as river inflows are reduced (Ndebele-Murisa et al., 2010).

## Weaponization of Water

Climate change causes changes in the availability of water, which gets expressed in the increased scarcity of and access to water. Changes in climate worsen this condition and are aggravated by a varying climate that speeds up opportunities for states and non-state actors to see water as a weapon. Water

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can be used as a kind of power. Water and sanitation systems affect household well-being and health, as well as influencing urban economic activities, energy demands, and the rural-urban water balance (Gober, 2010). Climate change will impact residential water demand, supply, and management (O'Hara & Georgakakos, 2008).

## THE EFFECTS OF EXPOSURE BY GENDER TO CLIMATE CHANGE ON LIVELIHOODS

Secondary data on the implications of exposure to and victimization by gender disaggregation to climate variation for livelihoods in Africa is important. This is so because climate change affects women and men in different ways which make the concept a non-gender-neutral concept. Climate change disparately impacts the livelihoods of Africans in the context of gender. In Africa, most livelihoods are directly climate-driven. A few directly climate-sensitive livelihoods are rain-dependent small scale agriculture. Some are a periodic occupation in agriculture. Regretfully, "climate change affects households dependent on informal livelihoods or wage labour in poor urban settlements, directly through unsafe settlement structures or indirectly through rises in food prices or migration" (Olsson et al., 2014, p. 798). Africa is one of the parts of the world most vulnerable to the impacts of climate change (IPCC, 2014; Niang et al., 2014). A lot of Africans who derive their livelihoods from agriculture and fisheries are women. Therefore, most African women who engage in agriculture are vulnerable to climate-induced poverty.

Global Gender and Climate Alliance (GGCA) published Gender and Climate Change in Africa. From the fact sheet, the following related evidence exists to buttress the theme of this chapter. Beginning in 2010, women administered only just fifteen percent of sub-Saharan Africa land. Notwithstanding, access to land is a substantial basis of resilience for women who most often lack other options to get accustomed to the effects of climate change (FAO, 2011). Female farmers in Kenya are significantly more predisposed to cultivate their lands themselves, instead of using animals or tractors (Wanjiku et al., 2007). In Senegal and Uganda, men have access to better weather information that facilitates the variation of their production practices than their female counterparts (Twyman et al., 2014). In Uganda, female farmers are significantly less likely to make use of drought-tolerant maize than their male counterparts due to the lack of access to resources and knowledge about drought-tolerant crops (Fisher & Carr, 2015). Ethiopian and Cameroonian male farmers are more likely than their female counterparts to use fertilizer to adjust to rainfall flexibility on the account of inadequate funds (Molua, 2011). According to Tanzanian female farmers, they replant carefully-chosen crops such as groundnuts more often due to seeds-damaging variations in weather patterns (Nelson & Stathers, 2009).

The collection of non-timber forest products (NTFPs) in Zimbabwe by women is the significant source of fuel, food, and income in reaction to crop loss that climate change causes (Woittiez, Rufino, Giller, & Mapfumo, 2013). In sub-Saharan Africa, women primarily fetch water. Following the shortage of water, the duty of women providing water stresses them (Sorenson, Morssink, Campos, 2011). In rural Mali, investigation indicates that all through the dry season, the cost of water is 20-40 times more costly than it is in Mali's main cities, which causes intra-household rationing of water supplies (Becerra, Saqalli, Gangneron, & Dia, 2016). Pronounced droughts in Ethiopia tend to intensify migration among men,

but reduce it among women, mostly for marriage because families may be reluctant to bear the costs of marriage throughout droughts (Gray & Mueller, 2012). Female-headed households in Malawi are more than twice as likely as male-headed households to report the reduction in their food consumption as a means of adaptation approach in reaction to climate shocks (Kakota et al., 2011).

Kabote (2018) found in his study site seasonal responsibilities by gender that shows that both men and women participated in agricultural actions. This is true in most communities in Africa. Seasonal gender responsibilities varied between men and women. While men were seasonally preoccupied in agricultural engagements, women worked on their agricultural projects throughout the year. Women were more committed to most of the agricultural-based livelihoods activities compared with their men counterparts. Control over land was exclusively under men. Also, men control livestock specifically cattle. This is the situation in most of the agro-pastoralist African communities. A few exceptions such as Iramba where men and women shared control and grazing of livestock (Kabote, 2018), exists.

## STRATEGIES FOR REDUCING EXPOSURE TO AND COPING WITH CLIMATE CHANGE EFFECTS

Africa is a 'vulnerability hot spot' for the effects of climate change. Its adaptation challenge will grow significantly, even though the 2020 'emissions gap' is closed and global warming kept below a $2^{\circ}C$ rise beyond pre-industrial temperatures (UNEP, nd). This impending disaster makes adaptation urgent and inevitable to reduce vulnerability, prevent the associated victimization, and accelerate socio-economic development. Improved infrastructure, technology, the variation of assets, and social support competences can enhance livelihoods, spread threats and increase prospects (Clot & Carter, 2009; Carr, 2013). The adaptation capacity of Africa remains low with increasing vulnerable populations (ODI & CDKN, 2014). In most cases, adaptation efforts are confined to small areas in various community projects (United Nations Economic Commission for Africa (UNECA), 2011). Thus the typically weak state capacity that challenges Africans' adaptation to climate change will need to be addressed. Poverty and complex livelihood-vulnerability are risks that many Africans face and present challenges to adaptation (Tschakert & Dietrich, 2010). Local norms and indigenous knowledge must be considered whenever adaptation strategies are being conceived (Nyong et al., 2007). It is in doing this that the culture of adaptation to climate change will become all-inclusive.

On the African continent agriculture generally accounts for seventy percent of the labour force and above twenty five-percent of GDP (UNECA, 2009). Most of Africa's vulnerability to climate change depends on its systems of agricultural practice that are essentially rain-fed and underdeveloped. Most African farmers are small-scale investors with limited financial resources, inadequate access to infrastructure, and disparate access to information. At the same time, as these systems are highly reliant on their environment, and farmers are dependent on farming for their livelihoods, their diversity, context-specific predisposition, and the existing traditional knowledge present components of flexibility. To the extent that farmers and their agricultural systems will experience the influences of climate change in different ways, adapting to these influences requires context-specificity. The present adaptation practices are increasing across Africa. While they ultimately may not competently enable communities to manage the changes arising from long-standing climate variation, Africa has valuable strengths to address the problem.

In his qualitative study in the semi-arid environment in Iramba and Meatu districts of Tanzania, Kabote (2018) found that men and women had developed different coping and adaptation strategies. Men's strategies were related to mobility contrary to women. This makes women and children more vulnerable due to factors such as limited control over livelihoods resources, limited mobility, domestic chores and the generally subordinate position in the communities, an imbalance which requires being addressed. A continent in the tropics should admit its natural propensity to certain levels of exposure to exceedingly high temperature. In Africa of today, Africans understand that the more they can learn about the planet earth will help them address climate problems (NASA, 2014), the more also they can "connect climate drivers with community development, community development with zero-carbon growth, and zero-carbon growth with a climate-resilient future" (UNDP, 2018, p. 17). "Climate finance is expected to grow to US$100 billion annually for developing countries", (UNDP, 2018, p. 28). Every developing society must be actively involved in climate restorative action. To play no remarkable role will imply that numerous individuals, households and communities will slide back into vulnerability and poverty (Shephard, et al., 2014). It is common knowledge that Africa is vulnerable to climate variation not just because of its extraordinary exposure to climate change. Many African communities cannot react or adapt to the effects of climate variation (Pereira, 2017). Therefore, poverty eradication and effective education remain substantially potent tools to combat the effects of life-threatening weather. In doing so, these elements will increase the continent's resilience and improves Africans' lives.

## SOLUTIONS AND RECOMMENDATIONS

There is a need to make local norms and indigenous knowledge drive adaptation strategies in Africa for inclusiveness, effectiveness, and sustainability. Men and women should exercise equal control and decision-making involvement in livelihood resources in Africa for gender justice. If Africa embraces poverty eradication and effective education strategies, the continent will incredibly overcome the effects of life-threatening weather, increase the continent's resilience and improve the economy of Africa. African elites should reinvent social alignment with its various communities because the battle against climate change is easily fought and won in partnership with critical stakeholders.

## FUTURE RESEARCH DIRECTIONS

As there can be no climate justice in the absence of gender justice, Africa may need to interrogate the impact of tradition that limits the involvement of women in the development of Africa-friendly adaptation strategies on the prevention and control of the tragic effects of climate change. It must also promote and sponsor climate restorative scholarship to make the continent self-sustaining and recover its citizens from poverty induced insecurity. Moreover, the encouragement of research on the replacement of thermal power with solar and wind energy for the reduction of environmental pollution and boost crop yields in Africa may be inevitable

## CONCLUSION

Climatic changes, vulnerability, victimization, and adaptation tend to affect the African population in significant ways. The extent to which Africa is vulnerable to victimization depends on its adaptation possibilities. Africa has tools for adaptation to climate change that it could use to reduce the impact on its vulnerability. Regrettably, climate changes are not uniformly experienced across the continent. East Africa is at a greater danger of flooding and its attendant consequences, while West Africa is more likely disposed to grave impacts on its aquatic output, food, job insecurity, and health problems. The results of the analysis of secondary data in this chapter suggest that climate change will have significant effects on the prevalence of crime in Africa. For some Africa-specific reasons, climate change has more pronounced impacts on women's livelihoods than their men counterparts. The panacea to these extreme weather-caused disasters is a continental and global discipline and commitment to proactive adaptation practices. These can improve African lives, build resilience, and make Africa serve as a role model for other vulnerable continents worldwide. To reduce pollution and boost crop yields, Africa should use solar and wind energy instead of thermal power. As climate change predisposes individuals to impromptu migration, such involuntary migrants experience food crises, strange diseases, and job losses. African elites should reinvent social alignment with its various communities, use local norms and indigenous knowledge to make the culture of adaptation to climate change all-inclusive and prevent environmental victimization. Finally, Africa should intensify climate scholarship through enhanced funding. The more it learns the more it increases protection against potentially devastating climate change-induced harms.

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## KEY TERMS AND DEFINITIONS

**Adaptation:** The process in which individuals adjust to their changing environment.
**Climate:** The typical weather of a place.
**Climate Change:** A change in the customary weather of a geographical location.
**Exposure:** The state of being unprotected against some forms of harm in an environment.
**Livelihoods:** The means by which individuals earn legitimate incomes in a society.
**Poor Governance:** The unrewarding way by which some countries manage the resources, systems, and individuals, at their highest levels.
**Tradition:** The transmission of norms and values from one generation to the other.
**Victimization:** A hostile treatment meted out by a powerful person to a weaker person.
**Weather:** The variations experienced in human's daily interactions with the environments.

# Chapter 2
# Missing and Murdered Indigenous Women and Girls in Canada:
## Does Methodology Matter?

**Tracie Lea Scott**
*Heriot-Watt University, Dubai, UAE*

## ABSTRACT

*This chapter examines how one particular group of people within Canada, indigenous women, experiences both a higher rate of victimization and a lower rate of case clearance. Indigenous women in Canada are three times more likely to be killed by a stranger than non-Aboriginal women, and as of 2010, clearance rates for cases involving missing and murdered Indigenous women are consistently lower across Canada. Despite these statistics, other measures show that Indigenous women show similar satisfaction with their personal safety from crime as non-Aboriginal women as well as other measures indicating a similar confidence in the criminal justice system as non-Indigenous women. In this chapter, it is argued that the dissonance between certain measures is indicative of the settler-colonial heritage that informs both the perception of violence against indigenous women in Canada, as well as the phenomenon of violence against indigenous women themselves.*

## INTRODUCTION

Whilst it has gone out of vogue to call the developed world the 'First World', this terminology does, however, have a continuing purchase and relevance to discussions about development. The 'First World' as it used to be called is indeed first in many things. First world countries have higher net annual income, higher gross annual income, higher social benefits to households and health spending (Organisation for Economic Co-operation and Development, 2015). First world countries also enjoy the lowest rates on indicators relevant to violence against women (OECD, 2019). Whilst this is most certainly an achievement, these rosy figures do obscure and camouflage the systemic victimization of vulnerable and marginalized

populations. In Canada, indigenous women and girls are one such marginalized population. Whilst a comprehensive overview of the research and analysis of the issue of missing and murdered women and girls in Canada is beyond the scope of this chapter, a review of some of the key reports and the method-ological debates that inform them is instructive. The aim is not, therefore, to provide a comprehensive review of the issue, or the methodological approaches to be discussed, but to make the argument that researchers, academics and policymakers need to consider the impact of their research methodologies when approaching vulnerable and marginalized populations.

In relation to missing and murdered indigenous women and girls in Canada, while reports which focus on hard data do disclose the extent of the violence against indigenous women in Canada, there is a distinctly different tone and focus than the research emerging from an Indigenous perspective and methodology. The exploration intends to discuss some of the key research emerging from these differ-ent approaches, and examine whether there is a meaningful difference between these methodologies in terms of approaching the issue for significant solutions. In other words, does methodology matter? As such this chapter aims to review existing research on missing and murdered indigenous women and girls to determine (i) whether existing data disclose that there are greater incidents of violence perpetrated against aboriginal women and girls, and (ii) whether these findings disclose a methodological bias in approaching the issue that perpetuates the settler-colonial discourse which also contributes to the con-tinuance of such violence. It will ultimately be argued that the dissonance between certain measures is indicative of the settler-colonial heritage that informs both the perception of violence against indigenous women in Canada, as well as the phenomenon of violence against indigenous women itself.

## BACKGROUND

While Canada in comparison to other countries has a reasonably low homicide rate (1.8 per 100,000 people) (Statistics Canada, 2017), Canada has a fairly high rate of sexual assaults (65.5 per 100,000), though these recent statistics are attributed to higher reporting levels (Rotenberg & Cotter, 2018). Com-paring statistics to other countries, however, is not the focus of this examination. This analysis is instead concerned with the incidence of violence against Indigenous women and girls in Canada, in compari-son to non-Indigenous women. Statistics Canada, do specifically target Indigenous people with several measures. For example, in 2018 "more than one in five victims of homicide were Indigenous people" (Statistics Canada, 2019), with the homicide rate for indigenous people at 7.31 per 100,000 people versus the overall rate of 1.44 for non-Indigenous people (Statistics Canada, 2019). Of these victims 69% were male and 31% were female. Specifically in relation to Indigenous women and girls, in a report released in 2011, while it was found that Indigenous women were more than 3 times more likely to report being victims of crime than non-Indigenous women (Brennan, 2011), the report however cited that collecting the statistics on Indigenous victimization was difficult as the "Aboriginal identity of many homicide victims [was] unknown" (Brennan, 2011, p. 9). In addition, this report identified that 76% of Indigenous women did not report incidents of non-spousal violence to the police.

The issues of victimisation faced by Indigenous women and girls have come slowly to the forefront over the last 30 years. In the Report of the Royal Commission of Aboriginal Peoples released in 1996, while focusing on the status of women concerning the overall legislative framework for Indigenous people in Canada also highlighted the issue of violence against Indigenous women. This report, pri-marily concerned with family violence and violence within Indigenous communities, did however also

identify the issue of violence against Indigenous women and girls from a more systemic perspective. From testimonies provided by Indigenous women, the larger issue of Indigenous women's safety was highlighted. One particularly frank testimony, by Donna Sears from the Atenlos Native Family Violence Services London, Ontario, illustrates the broader issue arising from the discussions on violence within Indigenous communities:

*The portrayal of the squaw is one of the most degrading, most despised and most dehumanizing anywhere in the world. The squaw is the female counterpart of the Indian male savage and, as such, she has no human face. She is lustful, immoral, unfeeling and dirty. It is this grotesque dehumanization that has rendered all Native women and girls vulnerable to gross physical, psychological and sexual violence. I believe there is a direct relationship between this horrible racist, sexist stereotypes and violence against Native women and girls. I believe, for example, that Helen Betty Osborne was murdered in 1972 by four young men because these youths grew up with twisted notions of Indian girls as squaws. Racist and sex-ist stereotypes not only hurt Aboriginal women and their sense of self-esteem, but actually encourage abuse, both by Aboriginal men and others. Our family violence programs attempt to help both victims and offenders to see beyond the stereotypes (RCAP, 1996, p. 58).*

While the primary focus of the report was violence within Indigenous communities, the research collected by RCAP, and particularly the testimonies of Indigenous women began to highlight the extent of the problem of violence against Indigenous women and girls not only within Indigenous communities but also in broader society. A focus on the individual experiences of women began to create a shift from a focus on violence within Indigenous communities, to the broader issue of violence against Indigenous women.

In the wake of the Royal Commission of Aboriginal Peoples (RCAP), various organizations began to focus on the specific issue of missing and murdered Indigenous women. This hard data on missing and murdered Indigenous women, from both the Native Women's Association of Canada (NWAC), National Inquiry into Missing and Murdered Indigenous Women (NIMMIWG) and the Royal Canadian Mounted Police (RCMP), consistently shows that indigenous women are more likely to be victims of violent crime. The recommendations provided for addressing the issue are, however, rather different. While the NWAC and NNIMMIWG have identified system discrimination and disenfranchisement as the primary causes of the phenomenon, the RCMP have focused on the dysfunction within Indigenous communities. To address the issue three key themes the RCMP identify are "enhancing efforts on un-resolved cases", "focusing prevention efforts" and "Increasing public awareness" (RCMP, 2015). In the realm of prevention the RCMP propose to "identify communities with the highest risk of violence against women within these communities, intervention, diversion and family violence prevention initiatives will be focused towards at-risk individuals to maximize support and referrals to appropriate community treat-ment programs, such as the community-led, police- assisted program, Aboriginal Shield" (RCMP, 2015, p. 18). In addition, they propose to "work with other government departments and agencies to introduce and initiate crime prevention programs within these communities" (RCMP, 2015, p. 18). This includes collaboration with other agencies "to help these communities identify issues and mobilize resources through the Community Safety plan process. The RCMP will also track the progress of prevention and intervention initiatives through detachment performance plans to ensure appropriate accountability of local commanders" (RCMP, 2015, p. 18).

These RCMP action plans do rather disturbingly specifically locate the source of these statistics squarely and almost entirely within indigenous communities. In addition, this proposes to "introduce and initiate" programs in collaboration with government agencies which seems to focus on the external imposition of measures to combat the problem. This is rather in line with the RCMP findings whereby indigenous offenders are more likely to be unemployed, criminal, and users of intoxicants. Indigenous victims are also more likely to be unemployed criminals who use intoxicants. Other research, however, has pointed to a much different problem. In 2015 Globe and Mail analysts, for example, in a series of articles on missing and murdered indigenous women, found that 'indigenous women in Canada are seven times more likely to die at the hands of serial killers' (Baum & McClern, 2015). The authors go on to critique the RCMP for focusing on family violence as the main cause for missing and murdered indigenous women, as they identified as many as 77 indigenous women (including speculative cases) who have been killed by serial killers in Canada since 1980 (Baum & McClern, 2015). As Savarese (2017) has argued with indigenous women, "responsibility [for violent crimes or deaths is 'imposed onto suffering bodies'" (p. 161). In the case of Amber Tucarro who was murdered in 2010, "[b]ecause the family was poor and Indigenous, it seems that Amber's disappearance was characterized as resulting from her choice rather than from foul play" (Savarese, 2017, p. 166). Therefore, while we see fairly consistent hard data concerning missing and murdered indigenous women in Canada, there seems to be some discontinuity insofar as the identification of the causes of these trends as well as the proposed measures taken by legal authorities.

It has been suggested by a growing number of academics and social activists that the factor that differentiates these two differing approaches is the recognition of Canada as a settler-colonial nation, and the effect that this has had on indigenous communities (Wolfe, 2008; Savarese, 2017; Park, 2017; Razack, 2016; Hunt, 2015; Farley, Lynne, & Cotton, 2005; Edmonds, 2010; Bourgeois, 2015). While a thorough review of Canadian-Indigenous relations is outside the ambit of this chapter, a brief review is necessary as a background to the ongoing issue of settler-colonialism missing and murdered indigenous women and girls in Canada.

The country now called Canada was once the sovereign land of multiple First Nations. The English and the French laid claim to different areas of the country during the height of western colonialism. The difficulty of settling Canada, however, as well as pressures from her southern neighbor (America) led to certain promises being made by the English government to First Nations in Canada in exchange for political, economic and military support (Russel, 2017). In 1763, King George III in the Royal Proclamation made guarantees to First Nations inhabiting the land they claimed as their new territory:

*And whereas it is just and reasonable, and essential to Our Interest and the Security of Our Colonies, that the several Nations or Tribes of Indians, with whom We are connected, and who live under Our Protection, should not be molested or disturbed in the Possession of such Parts of Our Dominions and Territories as, not having been ceded to, or purchased by Us, are reserved to them, or any of them, as their Hunting Grounds (Royal Proclamation, 1763).*

In this statement there is both the recognition of Nations of Aboriginal peoples in what is to become Canada, alongside with the paternalism and dominion of the British Crown who will be their 'protectors'. This guarantee in the *Royal Proclamation* 1763 is also echoed in the re-entrenchment of the Canadian constitution in the *Constitution Act 1982*, in section 25 and section 35 where Aboriginal rights are guaranteed, but must be reconciled with the sovereignty of Canada.

Whilst it has been politically, economically and militarily beneficial at times throughout Canadian history for the governments trying to acquire and settle Canadian territory to make these promises, pre-existing Aboriginal rights were also rather inconvenient in the building of a new nation. First Nations people were also perceived as 'backward' and 'savage' requiring civilization, which also meant the surrender or cession of the vast territories that they had previously controlled for the settlement by western colonists. As such, multiple and protracted measures were initiated to 'civilize' the Indigenous populations in Canada. A primary instrument of this project was the *Indian Act,* which had (and still has) the goal of eliminating the Indian problem (Palmater, 2011). As Duncan Campbell Scott, Deputy Superintendent of the Department of Indian Affairs from 1913-1932 wrote, "our objective is to continue until there is not a single Indian in Canada that has not been absorbed into the body politic and there is no Indian question, and no Indian Department" (National Archives of Canada, n.d, 55 (L-3) and 63 (N-3)). One particularly aggressive measure for civilizing the Indian was the creation of residential schools, whereby all Indian children were removed from their homes and educated in government institutions rife with neglect, abuse, and death (Truth and Reconciliation Commission of Canada, 2015).

The overall effect of Canadian policies towards indigenous peoples was devastating. In 1991 a Canadian Royal Commission was established to examine the issues relating to Fist Nations-Canadian relations, which was published in 1996 with 94 calls to action addressing issues such as First Nations self-government, residential schools and missing and murdered Indigenous women. As the report observes:

*Policies of domination and assimilation battered Aboriginal institutions, sometimes to the point of collapse. Poverty, ill-health and social disorganization grew worse. Aboriginal people struggled for survival as individuals, their nationhood erased from the public mind and almost forgotten by themselves (INAC, 1996, para 78).*

It is not surprising that the legacy of these policies of domination and assimilation have both material and ideological effects on Indigenous women. Canada actively tried to eradicate the 'Indian' for over a century. Residential schools separated families, created a legacy of abuse, and eviscerated Aboriginal communities. If the discourse around 'Indians' is that they have had to be eradicated, then what is the position of Indigenous women in the eyes of the settler population? What is the position of indigenous women in their communities? RCMP research on missing and murdered indigenous women locate the causes of violence in family violence, intoxicants, and crime primarily within indigenous communities. Indeed the hard data does seem to suggest these conclusions. The question, however, is whether there is a limitation or bias in this data or its methodology that shields it from broader circumspection?

## THEORETICAL FRAMEWORK AND METHODOLOGY

This chapter aims to compare key existing research on the issue of missing and murdered indigenous women and girls in Canada, to examine whether the methodology utilized in approaching the issue affects the conclusions. The theoretical framework upon which this examination will be conducted is discourse analysis, as primarily articulated by Michel Foucault. Discourse analysis recognizes all acts of speech and writing as interventions on a field of microstructures of power. In this framework, such statements have a material existence and create material effects (Foucault, 2003). These statements aggregate to become

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discursive formation, which operates upon a field of power. Power, however, is polyvalent, immanent and relational (Scott, 2012). Power operates not in one direction but is exerted through every statement (Foucault, 1976). Power is immanent because it operates as an omnipresent force that is grounded in the world (Foucault, 1976). Power is relational because it can only be explained in the context of its expression. As such the examination of statements (research) can give insight into broader structures of power operating in society. In this case, one of these major power effects emerges from settler-colonialism. Discourse analysis is, therefore, a mechanism to understand whether research on missing and murdered indigenous women disclose any power effects from settler-colonialism or other factors.

To apply this framework to the current examination, each research study of violence, and in particular violence against Indigenous women and girls, are seen as discursive formations that exert power effects upon the landscape of Indigenous/Canadian relations. The choice of methodology, the methods for collection of data, and the resulting conclusions affect the power relations between Indigenous women and girls, Indigenous men, and non-Indigenous Canadians. For example, in discourse analysis, a collection of crime statistics that are not differentiated for cultural identity would not be recognized as prioritizing the particular experience of the victimization of Indigenous women and girls. Quantitative collection of data over a large population undifferentiated by identity, for example, presents data that does not privilege the experience of Indigenous women and girls. Research such as the NIMMIWG report, however, that privileges women's stories over large sample quantitative data does give voice to a traditionally marginalized group whose experiences have traditionally not been heard. As such, the methodology that will be utilized in this chapter is the collection and review of existing statistics and reports relating to violence against Indigenous women and girls.

## DISCUSSION

### Comparing the Research on Missing and Murdered Indigenous Women and Girls

As discussed above the issue of missing and murdered indigenous women and girls in Canada has been the subject of numerous reports over the last 20 years. Various national and international government bodies, law enforcement, and Indigenous political organizations have studied the frequency that Indigenous women experience violence and the "solve rate" of crimes against Indigenous women (NWAC, 2010; RCMP, 2014; RCMP, 2015; AFN, 2013; MMIWG, 2017; MMIWG, 2019). The Native Women's Association of Canada, for example, has been documenting the systemic violence against Indigenous women and girls for over four decades (NWAC, n.d.). As a result of decades of research, in 2013 the Assembly of First Nations published *A national action plan to end violence against Indigenous woman and girls*, which called for, amongst other things establishing "[a]n independent National Public Commission of Inquiry on Violence Against Indigenous Women and Girls [which] must focus on developing action plans to address violence and the factors that lead to it, inclusive and reflective of the perspectives of Indigenous women, First Nation, Inuit and Métis communities, and the families of missing and murdered women"(AFN, 2013, p. 4). The Canadian national law enforcement body, the Royal Canadian Mounted Police, undertook a national operational overview of missing and murdered Aboriginal women in 2013, publishing a report on the matter in 2014 (RCMP 2014), with a follow-up in 2015 (RCMP, 2015). In

December 2015 the Government of Canada began the process of establishing a national inquiry into missing and murdered indigenous women, which commenced on September 16, 2016, and published an interim report in 2017 and a final report in 2019. The data collected in these differing reports all point to Indigenous women being at greater risk of violence than non-Indigenous women.

In 2010 the Native Women's Association of Canada published *What Their Stories Tell Us: Research findings from the Sisters In Spirit initiative*, a report which was the culmination of five years of research into missing and murdered indigenous women. This report both gathers the hard data on missing and murdered indigenous women and situates it within a broader context through "stories and experiences shared by families of missing and murdered Aboriginal women and girls" (NWAC, 2010, p. i). The hard data demonstrated that more indigenous women went missing or were murdered between 2000 and 2008 than non-Indigenous women. Indigenous women "represent approximately ten percent of the total number of female homicides in Canada even though Aboriginal women make up only three percent of the total female population in Canada" (NWAC, 2010, p. ii). These women were more likely to be young, and often these women were mothers and left children behind. Additionally, Indigenous women were more likely to be killed by a stranger than non-Indigenous women. The NWAC also found that the murder of Indigenous women is more likely to remain unsolved, though it varied from province to province (NWAC 2010, p. ii). Beyond the hard numbers, however, the NWAC has expanded the purview of their research:

*Prior to the Sisters In Spirit initiative, academic literature on violence and violence experienced by Aboriginal women focused on domestic or family violence rather than violence rooted in the systemic, gendered racism facing Aboriginal women. While academic literature on violence still largely focuses on family violence, NWAC has tried to expand the scope of literature on violence. The initial research question of the initiative boldly challenged the context in which violence impacts Aboriginal women in that it asked specifically: ―What are the circumstances, root causes and trends leading to racialized, sexualized violence against Aboriginal women in Canada? This question challenged the assumptions of violence against Aboriginal women and girls. While NWAC has shifted away from this language, the initial question broadened the context of violence to ask if Aboriginal women and girls are victimized because of their race and gender, and if the experiences of violence go unnoticed by police, the justice system, government, and society because of their race and gender (NWAC, 2010, p. 3).*

Therein the life stories of Aboriginal women also became an important source to understand the roots of these trends, in addition to the bleak quantitative data. This methodological approach, therefore, privileges the experiences of Indigenous women and girls, rather than them being small figures within larger quantitative data sets.

That is not to say that general Canadian crime statistics do not also identify the issue. In 2014 the RCMP released *Missing and Murdered Aboriginal Women: A National Operational Overview*. This report's main findings were that there was indeed an overrepresentation of Aboriginal female victims of homicide between 1980 and 2012. Aboriginal female homicide victims represented 16% of all female homicides. Out of the entire population of women in Canada, only 4.3% are Aboriginal women (in 2011). As of 2013 there were '164 missing Aboriginal females which was 11.3% of the total number of missing females (1,455 total). The most recent was reported in September 2013' (RCMP, 2014, p. 8). Concerning yearly trends, incidents of non-Aboriginal homicides have decreased, but with Aboriginal women, they have not. Indigenous women accounted for '8% of female victims in 1984 as compared to 23% in 2012' (RCMP, 2014, p. 10). There is also a differentiation in the cause of death for indigenous women.

*Among Aboriginal female victims, approximately one-third (32%) died as a result of a physical beating. This was the most frequent cause of death among Aboriginal female victims and was reported almost twice as often as it was for non-Aboriginal female victims (17%). Aboriginal and non-aboriginal female victims of homicide were similarly likely to be victims of stabbing (31% Aboriginal versus 27% non-Aboriginal). Non-Aboriginal female victims were more likely to have died as the result of a shooting (26% versus 16%) and were also more likely to have been strangled, suffocated or drowned (22% versus 13%) (RCMP, 2014, p. 10-11).*

In accounting for the perpetrators of violence against Aboriginal women the RCMP report identifies various categories of offenders. They note characteristic of offenders with relationships to the victims, a previous history of family violence, gender and age, employment status, involvement in illegal activities, use of intoxicants, suspected mental or developmental disorder, and motive. Of note, offenders are more likely to be unemployed (41% to 26%), more likely to be involved in illegal activities (71% to 45%) as well as more likely to have consumed intoxicating substances (71% to 31%). These trends with offenders also hold with trends for victims (RCMP, 2014, p. 12-14).

*Aboriginal victims were less likely to be employed than non-Aboriginal victims (16% versus 40%). Aboriginal victims were more likely to support themselves through illegal means (18% versus 8%), be unemployed but still part of the labour force (12% versus 8%), and be on some form of social assistance or disability insurance (23% versus 9%). This is in line with data from the 2006 census about the Aboriginal population in Canada (RCMP, 2014, p. 17).*

Aboriginal victims were also more likely to have consumed an intoxicant before the violent incident (63% versus 20%), as determined by coroner examinations of victim's bodies after death (RCMP, 2014, p. 17). The RCMP report, however, does not find that participation in sex work in a significant factor, as "the percentage of Aboriginal female homicide victims involved was slightly higher than that of non-Aboriginal female homicide victims (12% versus 5% respectively) which are both relatively small components of the available population…As a result, it would be inappropriate to suggest any significant difference in the prevalence of sex trade workers among Aboriginal female homicide victims as compared to non-Aboriginal female homicide victims" (RCMP, 2014, p. 17). These statistics identify un-employment, illegality, disability, substance abuse, and disability as key factors in Indigenous victimization. While this may be accurate statistically it does present a picture of the victim's (and perpetrators) culpability for their victimization.

Research emanating from the NIMMIWG, however, identifies quite different factors in the cause of violence against Indigenous women and girls. In 2019 the final report of the NIMMIWG national inquiry was released. This document, *Reclaiming Power and Place,* asserted that the phenomenon of NIMMIWG is "about deliberate race, identity and gender-based genocide" (MMIWG, 2019, p. 5). This finding emerged from a distinctly different methodological approach. Firstly, the research was founded on an intersectional analysis, which is explained in the broadest terms as examining:

*…more than a single identity marker and includes a broader understanding of simultaneous interactions between different aspects of a person's social location. For example, rather than using a single-strand analysis of sexual orientation, gender, race, or class, intersectionality challenges policymakers and program developers to consider the interplay of race, ethnicity, Indigeneity, gender, class, sexuality,*

*geography, age, and ability, as well as how these intersections encourage systems of oppression and, ultimately, target Indigenous women, girls, and 2SLGBTQQIA people. Intersectional understandings reflect a recognition that oppression at the personal and structural levels creates a societal hierarchy, and that this requires policy tailored to the needs of those who experience discrimination (NIMMIWG, 2019, p. 104).*

This intersectionality is examined by focusing on relationships and "moments of encounter" (MMIWG, 2019, p. 125). As such this research is based upon the stories of Indigenous women and girls whose agency and voices have been previously marginalized (MMIWG, 2019). The resulting findings are far-reaching engaging broad aspects of Canadian law and society including culture, health, security and safety (MMIWG, 2019).

These findings can again be contrasted with other national statistics. While the MMIWG, NWAC and the RCMP studies point to a higher representation of indigenous women as victims of violence, even characterising it as genocide, there is other data which suggests that Indigenous women have similar levels of satisfaction with police and their safety. An RCMP report released in 2011, using data from the General Social Survey (GSS) on victimization in 2009 (Brennan, 2011) reported data on Indigenous women's perception of safety and policing. While "the rate of self-reported violent victimization among indigenous women was almost three times higher than the rate of violent victimization reported by non-indigenous women" (Brennan, 2011, p. 5), in a somewhat contradictory finding the GSS results show that indigenous and non-indigenous women had similar levels of satisfaction with their personal safety (4 in 10). Aboriginal women also reported similar satisfaction with police performance as non-Aboriginal women.

*When asked about the performance of their local police service, Aboriginal women's ratings of the police were very similar to those provided by non-Aboriginal women, with two exceptions. Aboriginal women were less likely than non-Aboriginal women to state that the police were doing a good job of "enforcing the laws" and "treating people fairly". Among all other measures of police performance, there was no difference between the proportions of women who said police were doing a good job (Brennan, 2011, p. 13).*

Despite the quite marked differences in levels of violence against Aboriginal women, the GSS discloses a very similar satisfaction with safety and police performance which seems an odd contrast to the many stories the NWAC have documented in their research.

Whilst this is a rather cursory review of the research available, as necessary in a chapter such as this, there are some divergent perspectives. RCMP reports suggest that Indigenous victimization and its causes are rooted in Indigenous communities and behavior. The NIMMIWG identifies "deliberate race, identity and gender-based genocide" (MMIWG, 2019, p. 5) as a root cause. While the NWAC and NIMMIWG have numerous stories from Indigenous women identifying their experiences of marginalization when they are victimized, RCMP surveys show a similar satisfaction rate with the police and personal safety. It will be argued below that one of the factors contributing to these contradictory conclusions is research methodology. Statistics Canada and RCMP statistics rely on large data quantitative data, whereas the NWAC and NIMMIWG have instead used qualitative approaches prioritizing the voices and experiences of Indigenous women and girls. The question therefore becomes does methodology matter? And further why does methodology matter?

## Does The Methodology Matter?

Even a cursory comparison of RCMP and NWAC research evidences a radically different approach, or methodology, towards missing and murdered indigenous women. The key question that this chapter is concerned with examining is whether this methodological divergence matters. Amongst indigenous scholars the answer to this question is an unqualified yes. Linda Tuhiwai Smith, in *Decolonizing Methodologies: Research and Indigenous Peoples* makes the argument that "[r]esearch has not been neutral in its objectification of the Other. Objectification is a process of dehumanization. In its clear links to Western knowledge research has generated a particular relationship to indigenous peoples which continues to be problematic" (Smith, 2012, p. 39). She has argued that the entire approach to the research of Indigenous peoples is premised on a colonial paradigm:

*A continuing legacy of what has come to be taken for granted as a natural link between the term 'indigenous' (or its substitutes) and 'problem' is that many researchers, even those with the best of intentions, frame their research in ways that assume that the locus of a particular research problem lies with the indigenous individual or community rather than with other social or structural issues. For example, researchers investigating poor health or educational under achievement among indigenous communities often focus on the community as the sole source of the problem and, because this is their focus, obviously fail to analyse or make sense of the wider social, economic and policy contexts in which communities exist. Often their research simply affirms their own beliefs. For indigenous communities the issue is not just that they are blamed for their own failures but that it is also communicated to them, explicitly or implicitly, that they them selves have no solutions to their own problems. This view is exacerbated by media and politician rhetoric about the general hopelessness or corruption of indigenous communities and indigenous peoples. This environment provides an absolutely no-win position and sets up the conditions for nurturing deep resentment and radical resistance from indigenous groups. In the research context the terms 'research' and 'problem' are also closely linked. It becomes somewhat complicated for indigenous researchers to discuss 'research', 'problem' and 'indigenous' without individuals or communities 'switching off because of the history of defining indigenous peoples as . . . the problem. For many indigenous communities research itself is taken to mean 'problem'; the word research is believed to mean, quite literally, the continued construction of indigenous peoples as the problem (Smith, 2012, p. 92).*

The argument here is that the construction of western knowledge, disciplinary organisation, and research methodology produces a discourse on Indigenous people that represents them as the 'other', and an inferior one at that. If we consider the RCMP national operational overview's representation of Indigenous women (and Indigenous male perpetrators) as unemployed, users or intoxicants more likely to be involved in criminal activity Smith's observations about the blame for Indigenous problems being located in Indigenous communities seems rather relevant. These concerns have even been about the National Inquiry into Missing and Murdered Indigenous Women and Girls. As Razack (2016) has observed,

*Inquiries often function to reproduce colonial truths. In the case of an inquiry into missing and murdered Indigenous women, the colonial truth that is reproduced can be a story about Indigenous dysfunction rather than a story of colonial violence and dispossession. In a country where colonialism is widely denied, this is a frightening possibility. Treacherously speaking in the language of healing and reparations, the colonial state can maintain its legitimacy through inquiries (p. iv).*

Even a cursory examination into the existing research exposes some of the methodological issues with the settler-colonial approach to missing and murdered indigenous women. The RCMP data, whilst is no doubt a thorough quantitative account of their records, is reliant on law enforcement data, which may not account for incidents that are not reported or investigated. This data is also quantitative and orients the issue within the broader scope of women and violence, which may not be tailored methodologically to obtain the best and most complete data from marginalized communities. Are the surveys and methods of gathering information trusted by indigenous participants, or even accessible to them considering the less favourable economic circumstances of indigenous women in Canada? The data may disclose that Indigenous women are more likely to be victims, however, beyond a large data analysis of perpetrator, cause of death and other factors such as intoxicants and criminal involvement the data speaks little beyond the victims being made to appear culpable in their victimisation. This is not to say that based upon the numbers available to law enforcement that these conclusions are not accurate from one data analysis standpoint, but they are the product of a methodology that ultimately reinforces a narrative of indigenous women and communities as the cause of this overrepresentation in the first place. Indigenous women and communities are seen as the 'problem', as Razack has argued. It seems the hard data, and how it is being interpreted, is a "story about Indigenous dysfunction rather than a story of colonial violence and dispossession" (Razack, 2016, p. iv).

The NWAC's approach to missing and murdered indigenous women and girls instead has adopted a qualitative and more indigenous methodology towards the issue.

*Above all, this research is designed to honour the woman and girls lost to violence, their families and communities. To this end, NWAC has developed a community-based research plan to guide the research in a culturally appropriate and respectful way. The approach to community-based research is rooted in the principles of relationship, reciprocity, collaboration, and equal partnership between researchers and participating family members. This methodology privileges the experiences of Aboriginal women, girls, and their families as well as incorporates key principles of participatory action research. In doing this work, NWAC is guided by the ethics of sharing, caring, trust, and strength and the analysis of the data reflects a grounded theory perspective. As an inductive approach, grounded theory holds that ―conclusions must be grounded in the data collected, that researchers should build theories that reflect the evidence rather than attempting to make the data fit into preconceived hypotheses (NWAC, 2010, p. 17).*

NWAC research, therefore, emanates from a methodology of respect, reciprocity, and collaboration rather than a generalised data-driven approach. While there is no strict understanding of indigenous methodology, there is some consensus of what indigenous research must be. One central aspect is that it is community-based. Smith (2012) has argued that "[i]n all community approaches *process* - that is, methodology and method are highly important. In many projects the process is far more important than the outcome. Processes are expected to be respectful, to enable people, to heal and to educate. They are expected to lead one small step further towards self-determination" (p. 128). Community research speaks not only to analysing the scale of the issue but moving forward to address and prevent further violence.

To illustrate this rather theoretical discussion in a more meaningful context, an examination of the issue of Indigenous women, violence and sex work is rather illuminating. As was earlier discussed, in the RCMP 2014 national overview, it was concluded that only 12% of Aboriginal female homicide victims were involved in the sex trade in comparison to 5% for non-Aboriginal women, and as such "it would be inappropriate to suggest any significant difference in the prevalence of sex trade workers among Aboriginal

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female homicide victims as compared to non-Aboriginal female homicide victims" (p. 17). While not particularly wanting to engage in the rather callous analysis of whether a 7% difference is significant or not, this conclusion is problematic for other reasons. Alternative research has indicated that anywhere from 14 to 60 percent of the survival sex trade is young indigenous females (Sethi, 2019) This suggests that the RCMP data may be incomplete (if indigenous women are missing whether they are involved in sex work may not be public record, or alternatively it may be likely that women do not want to disclose this as their profession), which then underestimates the issue. A more systemic analysis argues that the Canadian state "has been built on and sustained through the trafficking of indigenous peoples, including children. In turn, the acts of trafficking by the Canadian state have carried consequences for generations of indigenous peoples that correlate with contemporary predictors of vulnerability for being targeted for human trafficking" (Borgeois, 2015, p. 1463). By underestimating indigenous women in the sex trade the national law enforcement agency may ultimately be replicating the settler-colonial mandate which ultimately underlies the issue that fundamentally needs to be addressed – attitudes towards women as a result of settler-colonialism.

Methodology, therefore, does matter. As Karetak and Tester (2017) explain, Inuit traditional knowledge (Inuit Quajimajatuqangit or IQ), to cite one of the many First Nations in Canada's ethical and philosophical world views, seeks holistic thinking:

*IQ is more than a philosophy. It is an ethical framework and detailed plan for having a good life. It is a way of thinking connecting all aspects of life in a coherent way. Western European culture and science, by contrast, tends to divide aspects of life into pieces that can be dissected, isolated and studied (p. 3).*

An issue such as missing and murdered indigenous women and girls when 'dissected, isolated and studied' not only fails to contextualize the problem in a full and meaningful matter but also serves to reinforce the objectification and marginalization that contributes to the devaluation of indigenous women in the first place. It is not then simply a matter of obtaining 'good' data, but indeed a matter of profound urgency that researchers, academics and policymakers begin to think about 'decolonizing methodologies' so as not to reinforce the discourse which underlies the victimization they seek to analyze and address.

## CONCLUSION

The above analysis and discussion are not intended to be a thorough examination of all of the data on missing and murdered indigenous women and girls in Canada. With the available research and reports that would be a far more monumental task. The purpose of this chapter is simply to provide some background and discussion of the issue to highlight how methodology can impact the perception of violence against marginalized communities. To provide one last small illustration, the Canadian Museum of Human Rights now houses the REDress Project. This is an installation art exhibit by Métis artist Jaime Black who collected 600 red dresses from community donations to hang in public places as a statement "to draw attention to the gendered and racialized nature of violent crimes against Aboriginal women and to evoke a presence through the marking of absence" (Black, 2014). These dresses are a striking metaphor for missing and murdered indigenous women and girls in Canada, which speaks also to the question of whether the methodology matters. I suppose one could simply count the dresses. If each dress represented a missing and murdered indigenous woman or girl one would get a fine numerical account

of the problem. This analysis, however, is limited by its failure to imagine each woman or girl who is absent, who should be wearing these dresses while spending time with her family or raising her children. It is in the absence of the recognition of these women's real lived experience where they become merely catalogued and absent numbers. It also fails to interrogate why each of these women and girls became victims in the first place. In death the quantitative statistics do not represent these women and girls as rights bearing humans, but rather only as an absent figure with intoxicants in their corpses when autopsied, with a history of criminal association, or other life choices that operates to imply blame on the victim.

This is not to say that a strict quantitative data approach produces 'incorrect' data. Within its context it is accurate. It is to say that the methodology of this data collection often ends up replicating the settler-colonial attitudes long held that believes in the 'Indian problem' because this is its context. As such, the settler-colonial methodology tends to replicate the settler-colonial truths underlying the "systematized devaluing of Indigenous lives that runs through the institutions of contemporary Canada" (Razack, 2016, p. iv). In this context academics, researchers and policymakers must become more familiar with and open to approaches being promoted by Indigenous methodologies, and other appropriate qualitative approaches that "honour multiple truths" (Kovach, 2009, p. 27) to understand victimization of indigenous women and girls in Canada. This methodological shift has had the effect of transforming the issue of missing and murdered Indigenous women in Canada from an 'Indian problem' to a problem of systemic discrimination and devaluation against Indigenous people borne from a settler-colonial history (2019, p. 5). NIMMIWG even goes so far as to say that it represents genocide". Indeed, such a methodological shift may present researchers, academics, and policymakers a more nuanced and useful approach for all marginalized communities. Victims of crime have been quantified, dissected and isolated enough.

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## KEY TERMS AND DEFINITIONS

**Assembly of First Nations (AFN):** A political organization representing First Nations in Canada.

**Indian and Northern Affairs Canada (INAC):** The government ministry in charge of Indian affairs (as of September 2019 has been divided into two ministries: Crown-Indigenous Relations and Northern Affairs Canada, and Indigenous Services Canada).

**National Inquiry Into Missing and Murdered Indigenous Women and Girls (NIMMIWG):** An inquiry launched in 2016 to examine systemic violence against Indigenous women and girls in Canada.

**Native Women's Association of Canada (NWAC):** An organization representing Indigenous women in Canada (First Nations on and off reserve, status and non-status, disenfranchised, Métis, and Inuit).

**Royal Canadian Mounted Police (RCMP):** The federal national police force in Canada.

**Royal Commission on Aboriginal Peoples (RCAP):** A Canadian Royal Commission to investigate Indigenous issues in Canada established in 1991, who published the *Report of the Royal Commission on Aboriginal Peoples* in 1996.

**Truth and Reconciliation Commission of Canada (TRC):** A commission established in 2008 to examine the impact and legacy of residential schools in Canada.

Chapter 3

# Pregnancy Vlogs and Online Victimisation of Women:
## A Critical Legal–Victimological Analysis From Global Perspectives

**Debarati Halder**

*Karnavati University, India*

## ABSTRACT

*Often it is told that womanhood comes to full circle when a woman becomes a mother. Being a mother either biologically or by way of adoption is indeed a unique experience because it not only gives the joy of nurturing another life, but it also may make the woman more responsible in every sense. For every woman, the phases of motherhood bring special moments. For some, these phases may start right from the day of conceiving; for some they may start when she decides to adopt a baby; for some they may start right from the moment of the birth of the baby. In this digital era, many couples (especially women) like to capture the moments of motherhood by making digital photo albums or vlogs. In India, this phenomenon is rapidly catching up. Pregnancy photo shoots, baby birthing photos and videos, newborn photo shoots, etc. are trending. YouTube and Instagram are the chosen platforms to upload such videos or images. YouTube especially provides a wonderful opportunity to easy creation of amateur vlogs.*

## INTRODUCTION

Often it is told that womanhood comes to full circle when a woman becomes a mother. Being a mother either biologically or by way of adoption is indeed a unique experience because it not only gives the joy of nurturing another life, it may make the woman more responsible in every sense. For every woman, the phases of motherhood bring special moments. For some, these phases may start right from the day of conceiving, for some, it may start when she decides to adopt a baby, for some it may start right from the moment of the birth of the baby. In this digital era, many couples (especially women) like to capture the moments of motherhood by making digital photo albums or vlogs. In India, this phenomenon is

rapidly catching up. In this digital era, many couples (especially women) like to capture the moments of motherhood by making digital photo albums or vlogs. In India, this phenomenon is rapidly catching on. Pregnancy photoshoots, baby birthing photos and videos, newborn photo shoots, etc. are trending nowadays.

YouTube and Instagram are chosen platforms to upload such videos or images. YouTube especially provides wonderful opportunities for the easy creation of amateur vlogs. YouTube users may also use specific tags for listing the video with certain streams, like pregnancy and childbirth, medical learning, fitness during pregnancy, know-hows of childbirth and neonatal care by new parents, etc. Many users love to share such vlogs or images (through other social media platforms and digital messaging apps) with their virtual friends and groups. I have come across several such videos and images which may have been as old as two, three or even five years old. But they may not always bring back good memories. Pregnancy and child birthing videos and images are hugely consumed by porn industry consumers as well. Several researchers on pornography, including non-consensual and revenge porn, have revealed the existence and growth of different sorts of porn content, which may include black porn, older women porn, nude porn, voyeur, amateur porn, big belly porn, and preggo porn.

The last one, i.e., preggo porn, is actually made with women showing different types of pregnant belly formations, very slow movement of pregnant women with huge bellies, (supposed) movement of the baby within the belly and the corresponding gasping or painful twitching of the body of the pregnant woman and necessarily the breasts, which may be half covered. These contents are made by porn actors who may or may not be pregnant in real life. Generally, these porn actors are clad in underwear right from the beginning of the video, to give the impression of real-life birthing scenes. Several videos also show women slowly removing clothing. Such videos may give the impression that the woman suddenly developed labour pain at home or someplace other than the hospital. All such videos may have similar tag lines as the original pregnancy and birthing videos, i.e., "pregnancy," "childbirth." The ancillary tag line could be "fake" or "prank" or "sexy preggo." Such taglines may also pull the real pregnancy and birthing videos into the pool of sexually consumable content.

Getting sexual gratification from birthing scenes and scenes of labour pain is indeed a sign of perversion. But what is more disheartening is how the porn industry has grown preggo porn streams based on this perversion. If one notices the comment sections of such videos, one might see that the woman in the video may be asked to act more accurately in the next video. The woman may also be asked to make videos with different pregnancy postures and sounds of pain which may create more erotica. The producers and actors of these videos may earn a good profit, depending upon their presentation and "perfect" acting. Unfortunately, the real pregnancy vlogs may also be consumed with equal "interest." A new mother may get trolled in the comment section for her belly shape or for taking too much time to make "birthing sounds" or "labour pain moments," which may be sexually gratifying for consumers of the videos. Some may even get trolled for "wasting time" for the viewer. Often the creators of genuine vlogs may not have time to look into the comments, which could be extremely disturbing for any new mother. Even if the creator disabled the comments, the links of the videos may still be shared with malicious intent to consume them as porn.

While victims may definitely take the matter to a website for removing the offensive posts or to the police and courts to take action against the comment-maker for making obscene, sexually explicit or misogynistic or (as happens in many cases) racist and hate comments, the website, the police, and courts—and above all the families may find it hard to prevent themselves from "victim blaming" for uploading "those private moments" for public viewing. In certain situations, the content may even be

considered non-consensual porn (but not revenge porn) in case the police and the courts decide to book the perpetrators who may have made obscene, sexually explicit or misogynistic or racist and hate comments or who may have shared the video as porn content to others, either for unethical gain or just for the sake of sharing "another general category porn content." Primarily, the victims may, however, be benefitted by-laws addressing harassing, obscene, misogynist speech; in the United States,

The First Amendment's guarantee of free speech had provided a long arm to protect speech which may offend women in various ways. In my earlier research, I had observed that "Prevalent cybercultures including ridiculing women with harsh taunting languages along with the elasticity of First Amendment guarantees helped to cultivate cyberbullying adult women and cyberhate speech targeting women as a fast-growing cyber offence against women……………………….. The hardest truth is, such cyberhate and defamations against women in the US are rampant not only for bloggers but for women in the social networking sites, chat rooms and other cyber hangouts like YouTube, personal websites, etc." (Halder & Jaishankar, 2011, p. 74-75). In such a case, laws relating to obscene speech, hate speech may provide solace to women victims. I have further observed that "……Apart from judicial interpretations of the limits of the First Amendment guarantees; hate speech and adult bullying targeting women, defamation of women, etc, are regulated largely by federal provisions meant to restraint workplace gender harassment and domestic violence or dating violence. In these provisions, harassment, stalking and sexual harassment eclipse the issues of victimization of women through online hate speech, flaming/ bullying speech, defamatory gestures, etc.. This is evident from provisions such as Chapter 71, Part 1 of Title 18 of the US Code penalize using of obscene languages in communications through mail service and radio broadcasting." (Halder & Jaishankar, 2011, p. 76).

In Canada on the other hand, this sort of victimisation may be considered offensive when seen in the light of pornography. But even in the understanding of pornography, it may be seen that comments posted in the comment sections of the videos may not attract many penalties unless it is threatening or grossly obscene. It may be considered erotica. In this regard, my observation is as follows:

According to Casavant and Robertson (2007, p. 2), "A great deal of the difficulty in discussing pornography results from lack of agreement over what is meant by the term. Except for a 1993 amendment regarding "child pornography," the criminal law does not use the word "pornography" but rather "obscenity" (Casavant & Robertson, 2007). They have further shown two contrasting definitions of pornography which makes defining pornography even more perplexing. According to one explanation, very much sexual depictions can be called "erotica" and sexual material with relatively inexplicit but demeaning content can be called "Pornography" (Casavant & Robertson, 2007, p. 2). The other explanation states:

"At the same time, much conventional pornography depicts naked women, and it is argued that such material perpetrates images of women as sexual objects and, thus, can victimize women directly and indirectly" (Casavant & Robertson, 2007, p. 2).

Casavant and Robertson (2007) further point out that pornography has become easily accessible due to the internet. "It has also been suggested that community standards have changed to the point where 30% of all Canadian newsstand sales in the mid-1980s consisted of periodicals that would have been illegal 20 years before" (Casavant & Robertson, 2007, p. 2). Casavant and Robertson (2007) have even discussed the Fraser Committee's opinion on pornography. They opine that

"The 1985 report of the Special Committee on Pornography and Prostitution (the Fraser Committee) made several significant findings on pornography in Canada. The Committee declined to give an explicit definition of what it considered "pornography," principally because there is no accepted definition in the community at large. It acknowledged the validity of the idea that pornography should be distinguished

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from erotica and agreed that, although it is violent pornography that is of most concern, to some extent there is a continuum from apparently mild sexually offensive material to violent material" (Casavant & Robertson, 2007, p. 4).

They also felt pornography may even be harmful to women when it depicts violence or even demeans women (Casavant & Robertson, 2007). But hopelessly nothing was done to criminalize softcore pornography which demeans adult women except stretching the meaning of voyeurism to be suitably fitting for the internet era."(Halder & Jaishankar, 2011, p. 88-89)

In the UK on the other hand, such communications may be regulated by the Protection of Harassment Act, 1997. This may also be extended to regulate offensive communication through the public network which may include social media sites. In my earlier research, I have observed that "…………….. it is unfortunate that there are no separate gender protective laws to protect women from cyber offensive communication including sending defaming offensive messages or even obscene messages to female victim's inbox other than the above-mentioned Acts. Analyzing the Communications Act 2003, it could be seen that this law was made to regulate cyberspace (which was partially fulfilled by Protection from Harassment Act, Malicious Communications Act, and Telecommunications Act) and broadcasting in general. As such Chapter 1 of this Act under section 127 penalizes improper use of public network communications with 6 months imprisonment or a fine not exceeding level 5 on the standard scale or both. It is to be noted that the term "improper use" has been meant to describe offensive communication including sending offensive/threatening/harassing emails/obscene remarks/materials etc which were also formerly penalized by Malicious Communications Act….. …….But the question is how far communication through the internet can be offensive against women as per English laws? The legislations we have discussed prohibits grossly offensive communication which also includes obscene remarks or materials. None as such covers adult gender harassing remarks, gender-discriminatory remarks or even gender-based bullying remarks. This could be due to less legislative concentration on gender-sensitive issues other than basic equal payment or economic security guarantees. However, the new Equality Act 2010 promises better management of gender-based communication crimes in cyberspace from a holistic approach as this Act covers gender-based harassment and victimization as prohibited conduct." (Halder & Jaishankar, 2011, p. 98-99).

In India, such communications may or may not be considered offensive. However such communication may essentially be considered as erotica. Indian understanding of erotica differs from Canadian or US or UK understanding. Most often it is understood that comments to such videos may have been made to harm the modesty of the woman concerned. In such cases, S.509 of the Indian Penal Code may be applied: this provision prescribes punishment for making gestures, commenting anything orally on the appearance and character of the woman concerned, for harming the modesty of women, the inappropriate representation of the women concerned, etc. S.509 IPC states that "Whoever, intending to insult the modesty of any woman, utters any word, makes any sound or gesture, or exhibits any object, intending that such word or sound shall be heard, or that such gesture or object shall be seen, by such woman, or intrudes upon the privacy of such woman, shall be punished with simple imprisonment for a term which may extend to three years, and also with fine".

But a new mother may not be saved from the acute trauma and depression which may arise from this. Pregnancy vlogs may be considered as unique examples of rights to the expression which should not be violated at any cost. This chapter proposes to research the causes of victimisation of pregnant women online who wish to make pregnancy vlogs, patterns of victimisation from the perspective of the consumption of such videos by the porn industry, and challenges that may be faced by criminal justice

types of machinery and victims when it comes to the prevention of victimisation. While the 'victims' may definitely take the matter to the websites for removing the offensive posts or to the police and courts for taking action against the comment maker for making obscene, sexually explicit or misogynist or (as it may happen in several cases) racist and hate comments, the website, the police and courts and above all, the families may find hard to prevent themselves from 'victim-blaming' for uploading 'those private moments' for 'public viewing.

In remote possibility, the content may even be considered as non-consensual porn (but not revenge porn) in case the police and the courts decide to book the perpetrators who may have made obscene, sexually explicit or misogynist or racist and hate comments or who may have shared the video as porn content to others either for unethical gain or just for the sake of sharing 'another porn content'. However, technically, the legal provisions for voyeurism may also be applied in this regard along with provisions for making word, etc. for harming the modesty of women, inappropriate representation of woman concerned, etc. when such audiovisual contents are captured without consent of the would-be mother and further, shared to third parties with an ulterior motive. In the US, voyeurism including video voyeurism is regulated by Section 1801 of Chapter 88, Part 1 of Title 18, USC, which speaks about video voyeurism. This provision says that "Whoever, in the special maritime and territorial jurisdiction of the United States, has the intent to capture an image of a private area of an individual without their consent, and knowingly does so under circumstances in which the individual has a reasonable expectation of privacy, shall be fined under this title or imprisoned not more than one year, or both." (subclause a). The definition of the term "broadcast" is particularly noteworthy here: Subclause 2(b) defines it as follows: "the term "broadcast" means to electronically transmit a visual image with the intent that it be viewed by a person or persons". This may be applied when the victim may have been photographed without consent and the said audio-visual clipping may have been distributed to third parties without consent.

Voyeurism laws in Canada, however, have distinct features. Following is my observation in this regard:

Section 162(1) of the Canadian Criminal Code explains the crime of voyeurism in the following words: …"Everyone commits an offence who, surreptitiously, observes including by mechanical or electronic means, or makes a visual recording of a person who is in circumstances that give rise to a reasonable expectation of privacy, if (a) the person is in a place in which a person can reasonably be expected to be nude, to expose his or her genital organs or anal region or her breasts, or to be engaged in explicit sexual activity; (b) the person is nude, is exposing his or her genital organs or anal region or her breasts, or is engaged in explicit sexual activity, and the observation or recording is done for observing or recording a person in such a state or engaged in such an activity; or (c) the observation or recording is done for a sexual purpose." ……………Subsection 4 penalizes distribution of voyeur pictures, clippings, etc and subsection 5 prescribes punishment for the offence of voyeurism which can extend to 5 years imprisonment or summary conviction or both. Since the language of the section carries out the criteria of "forced pornography", …………………..It criminalizes an offence which is done (i) for sexual pleasure of an unwanted viewer; (ii) invades the privacy of the victim; (iii) visual recordings are captured without the consent of the victim; (iv) published / printed / circulated for the "sexual enjoyment " of a larger audience and it harms the reputation of the victim ; (v) it violates the core value of right to life, security and peace as well as pulls on discrimination on the basis of sexual harassment when the victim is a female. However, for terming it a typical forced cyber pornography, we must team up the offence of voyeurism with Section 342.1 (unauthorized use of a computer), when taken in its' broadest sense for the application, which helps to circulate the offence to millions of cyber users. (Halder & Jaishankar, 2011, p. 87-89)

In India, voyeurism is addressed by S.357C of the Indian Penal Code which penalises capturing private parts of the body of the woman without consent and any act including sexual acts which is expected to be done in private and circulation of the same without consent. This provision, however, restricts the gender of the victim to only women and girls. Further, this provision has also emphasised the fact that women who may be porn actors or sex workers, may also be covered under this provision and they should not be targeted for victim-blaming or unequal, treatment of laws because of their involvement in the sex trade industry.

While the above mentioned legal provisions may go ahead to safeguard women to a certain extent, in reality, this may not happen. The new mother may not be saved from acute trauma and depression which may arise from this. Pregnancy vlogs may be considered as unique examples of rights to an expression that should not be violated at any cost. The liberal interpretation of laws may show that women making their pregnancy and birthing vlogs may attract penal provisions especially when it may be considered as showcasing sexually explicit contents including erotica. This is because many women may not know how to categorise these videos for awareness, education and medical studies. YouTube provides a mechanism for adding a tag for indicating the specific purpose of the video. It also provides a mechanism for explaining the details of the video. Women who may be uploading their pregnancy and birthing videos may not use these features for detailing as for which purpose these videos may be used. Resultantly, such videos may be consumed for porn purposes. As has been discussed in the above paragraphs, while online victimisation of women by way of pornography, revenge porn, voyeurism, stalking, unethical access to data and hate speech may have been addressed by several researchers, the issue of online victimisation of women due to pregnancy and birthing vlogs have not yet received much attention from researchers. This chapter aims to fulfil this lacuna. This chapter is divided into three parts including the introduction. The second part discusses the types of creators of pregnancy vlogs and patterns of victimisation of women in this regard. The third part consists of discussion, conclusion, and suggestions.

## TYPES OF "CREATORS" AND PREGNANCY VLOGS

Pregnancy vlogs may show nude or semi-nude bodies of women which may be of big, awkward shapes due to the shape of pregnant bellies and breasts. These vlogs may be made by three groups of people, who, for t this chapter, I refer to as "creators." These creators may be (i) medical practitioners/trainers; (ii) expectant mothers and fathers and their families; and (iii) porn models. Each of these creators may have distinct reasons and purposes for creating videos. The first group of creators, i.e., medical practitioners and trainers, may create pregnancy vlogs for educational purposes (Huh, Liu, Neogi, Inkpen, & Pratt, 2014). These videos and blogs (vlogs) may explain medical conditions, the birthing process, pre- and post-neonatal care, etc. Several such vlogs are created for paramedic purposes as well. The second type of creators, i.e., the expectant parents and families, may create pregnancy and birthing vlogs for their records.

It is important to note that in both of these cases, obtaining consent from the patient and hospital authorities (in case the video is being made in hospital) is necessary. In the former case, the hospital may collectively obtain the consent of the patient, her family and the doctors and paramedics who are involved in the birthing process (Mostert, Bredenoord, Biesaart, & van Delden, 2016). In the latter case, mostly it is on implied consent of the woman that the pregnancy vlog is made, either by the woman herself or by her husband or family members; or by the commissioned photographer. However, this author has

not come across any video made by either the 1st or 2nd type of creator who has consented to circulate it for any purpose other than educational purposes or for creating a social media personal record. The third type of creators, i.e., the porn models stand apart in this regard. These users create videos, not for any educational purpose or any social support cause. They create them for porn video consumers. These models may be commissioned by porn content creators/distributors. They may earn based on views, sharing, and subscription as well. One more significant characteristic of preggo-porn made by porn models is that the model may or may not be pregnant in real life. Based on the general characteristics of pregnancy and birthing vlogging videos that may be understood from the various videos if searched on YouTube with keywords such as "pregnancy," "pregnant woman," "labour and delivery", "labour pain," "big pregnant belly," etc, the following types of videos may be found:

## Pregnancy Photo Shoots and Vlogging

In such a video, women may be seen photographed with pregnant bellies. Some women share monthly updates of the growth of their bellies whereby they also share about changes in their lifestyle, food habits and also physical discomfort that they face due to bigger stomach size. The videos may be made by including still and audio-visual clips as well. These videos reveal pregnant women showcasing their bare bellies, petting their bellies, husbands or male partners hugging these women from behind, putting their hands on the women's belly, kissing the belly, trying to hear the heartbeat of the fetus by pressing their ear against the belly, etc. Several women also show the pregnant belly adorned with heart signs, tattoos, etc. They may also show signs of the tiny legs of the fetus in their belly. While these videos may be made by expectant parents, a brief analysis of the videos on YouTube shows that those videos show-casing sloth movement of the pregnant women who may be attractive and maintaining a good physical structure (compared to others who may gain fat due to pregnancy), women admiring their pregnant form who may be semi-nude, rubbing of the pregnant belly or showing baby movements in the belly with/ without sounds of uncomfortableness, receive more views and sexual comments.

## Labour Pain

These videos contain audio-visual matters. Interestingly many creators of such videos may not show the birthing process, but only the process of the commencement of pain; writhing in pain; walking with pain; uncomfortableness while sitting, lying down, walking, etc., due to pain. Such videos may also show medically prescribed activities for reducing stress caused by pain. This can include body movements under paramedic supervision, beating hard surfaces to reduce stress, biting non-toxic hard or soft objects, being comforted by male and female companions by belly rubbing, soft patting on the back, head, wiping the face and body with damp cloths, etc. These videos may have sounds of pain and moaning by women. Interestingly this category of the video is consumed more as compared to simple pregnancy updates or photoshoots.

## Labour Pain and Birthing Process

This category of video may not necessarily be shot with doctors and paramedics, unlike the videos that will be discussed under the next heading. But they may have multiple persons present for the birth. These may include friends and husband of the woman who would be delivering the baby etc. Several videos

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also show home birth, and in such cases, apart from the pregnant woman, other caregivers may be seen as well. In cases of hospital births, the videos may show medical procedures, equipment, and birthing. In both cases (these may not necessarily include C-section births), the labour pain scene may occupy the majority of the video. This author, however, has also come across videos where birthing scenes have been depicted by porn models and children (especially girls who may be doing role plays for birthing mothers as pranks) where the main subject would be writhing in acute labour pain and acting out the delivery of the baby. The latter part could be depicted by dolls or even pet animals.

## Labour Pain, Birthing Process and Neonatal Care

This category of video may show the presence of paramedics and doctors who would guide the new parents for neonatal care. Such videos may also include scenes of acute labour pain and birthing. But these may not necessarily be played by porn models or children.

As the above discussion suggests, while expectant mothers may make or consent to make videos falling in the above three categories for beautiful pregnancy memories, their main objective may not be to earn money by posing as porn models or be consumed as pregnant porn models. On the other hand, porn models who create pregnancy vlog may or may not be pregnant in real life. But they may create these videos to be consumed as porn and earn money as preggo porn models. Children (especially adolescent girls) may not create these videos either for earning money or for a pregnancy memoir. They may upload such videos on YouTube for fun. Medical practitioners and trainers, on the other hand, may not create, upload and circulate these videos without the permission/consent of the expectant mothers and their companions who may be eligible to provide consent on behalf of the patient, i.e., the expectant or new mother.

## Patterns of Online Victimization of Pregnant Women and New Moms In Pregnancy Vlogs

Consuming pornography has been considered illegal in different jurisdictions only when it falls into some strict criteria: for example, when a child is depicted as a necessary object of sexual abuse (Halder & Jaishankar, 2013) or when a child is depicted performing self-sexual gratification, etc (Halder & Jaishankar, 2013). Further audio-visual or still images of women may also fall within the category of illegal pornographic content when the image is that of a person who may have either been physically and sexually violated and when not in a position to give consent for being captured in audio-visual contents and consequently for the circulation of such image (Halder & Jaishankar, 2012; Holly & Courtenay 2015; Campbell & Raja, 1999). However, the content which may have been uploaded/created or circulated with the consent of the owner of the content or the person who has been the subject of photograph or the video, and such video has not violated any law or norms as mentioned above, may not attract stricter liability for the creator/circulator. However, YouTube as a platform has strict guidelines to not allow the creation/uploading/circulation of contents for which the creator/uploader/circulator has no copyright. YouTube has strict guidelines for the submission of the copyright takedown notice. https://support.google.com/youtube/answer/2807622

This chapter will not address this issue. But what interests this author is, apart from the copyright violations, what are the forms of online victimization of pregnant women?

In my earlier research titled "Online victimization of Andaman Jarawa tribal women: An analysis of the "human safari" YouTube Videos (2012) and its effects" (Halder & Jaishankar, 2014), I discussed the sexual commodification of Jarawa women through YouTube for the porn market. This sexual commodification does not happen solely by circulating pictures and audiovisual clippings of naked Jarawa women; comments posted by viewers, most of which are sexual in nature, play a major part in turning these women into sex objects on the internet. (Halder & Jaishaknar, 2014). Feminist scholars like MacKinnon have emphasized that the body of women itself is a consumable object from the perspective of pornography (MacKinnon, 1989). Further, the body shape of women may also cause different types of erotica for men who enjoy consuming porn. These may include black porn, Asian porn, fat porn, preggo porn, blond porn, Latino porn and also older women porn.

Pregnant women are consumed as porn materials essentially because they symbolize sex. Videos created by expectant parents may be categorized under preggo porn not only because the woman herself wishes to be photographed in a condition which symbolizes post "successful intercourse between man and woman" but also because the very body-frame may cause erotica for different men. This erotica is expressed through the comments posted in the comment sections of the videos for pregnancy vlogs. These comments may be sexually explicit and may also show that the commentator would like to have violent sex with pregnant women. These comments may further attract trolls. The trolls may or may or may not carry on sexual comments but may also target the woman for her race, color, belly shape, culture and even her lifestyle, which may cause harm to her unborn fetus. The trolls may attract other commentators who may come up to defend the expectant mother and express their views against the sexual and sexist comments. As such, the pattern of victimization of pregnant women may be categorized as below:

Sexual bullying and trolling: In such cases, the videos may be used as mashed up videos to create content for sexy pregnant women, big belly, etc. These videos infringe on copyrights. They may also infringe on privacy rights and also attract sexist, misogynist and hate speech. However, in the case of porn models, it may be different. As these models are commissioned for creating such content, the sexual comments in the comment section may add to revenue generation. But in such cases also, commentators may have the liberty to post violent sexist, misogynist comments. For example, consider the comments under one of the labour pain and birthing videos where commentators have asked, "why the would-be mother would look glamorous while 'pushing.'" Or, for example, some have also commented on the presence of too many people in the labour room, which may be harmful to the new mother and the baby. For example, see the video @ https://www.youtube.com/watch?v=uoT7hVb4DSo Accessed on 12.07.2019o

Again, for example, there may be comments on the pre-birthing activities which may reduce stress. Consider some comments for example, which may suggest that the mother may be a smoker. This may further attract trolls to attack the new mother for her lifestyle. For example, see https://www.youtube.com/watch?v=yHN1eUtCMB8 Accessed on 12.07.2019

Some comments may also suggest that the woman in labour or the pregnant mother showcasing her belly may not be pregnant, but capturing her moments as pregnant just to earn revenue and "fame as a pregnant model." For example, see https://www.youtube.com/watch?v=8sj-qQ3vJy4 Accessed on 12.07.2019

There are, however, several videos that showcase younger women, especially teenagers in labour. Such videos not only attract sexual bullying but also attract trolls who comment on the sexual habits of the adolescent girl and her partner. For example, see https://www.youtube.com/watch?v=dUXQR5jLl2k accessed on 12.07.2019

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Categorizing videos as preggo porn or porn videos: A majority of the videos may fall in this category either because they are made by pregnant porn models or because the videos have hashtags like "beautiful pregnant," "preggo," etc. These videos have remarks from commentators who viewed them for porn consumption. For example, consider comments like "can you do my but big this," (which was posted by one commenter) or comments asking for availability of the pregnant woman for real-life sexual intercourse. For example, see https://www.youtube.com/watch?v=aSTd580kCOI Accessed on 12.pp7.2019

Comments such as these may make the videos and the content creators fall within the category of porn videos and this may remain on the internet for a long time, misleading the general audience about the real purpose of the video.

Exposure of sexual contents to children and adolescents: While the above videos may still be within the category of "adult jokes," "sexual jokes," what may be more worrisome is the availability of such videos for adolescents and children, which may occur when keywords such as "reproduction," "funny videos," "pranks," etc., are used. Here, it is not the content creator only who may be subjected to porn content, but the viewer (i.e., children) may also be considered as consumers of porn content. In several cases, YouTube may not ask for age verification of the viewers for such videos. The viewers may simply access the videos by logging into their YouTube accounts or Gmail accounts. This may be extremely dangerous as the accounts thus used for viewing contents may be used for reaching out to viewers to suggest more such videos of the same nature.

## DISCUSSION

As the discussion above suggests, three typical concerns may be noted here: (i) speech crimes; (ii) infringement of privacy; and (iii) exposure of contents to children. All three discussions may be made in light of YouTube policies and also on the general understanding of First Amendment laws. YouTube has strict guidelines for the removal of content which falls under the category of nudity or sex. This also includes certain acts that are depicted in videos according to YouTube policy guidelines. These are as follows:

- Depiction of genitals, breasts, or buttocks (clothed or unclothed) for sexual gratification
- Pornography depicting sexual acts, genitals, or fetishes for of sexual gratification
- Masturbation or fondling of genitals, breasts, or buttocks
- Using or displaying sex toys to provide viewers with sexual gratification
- Celebrity wardrobe accidents or nude photo leaks
- Violent, graphic, or humiliating fetish content where the purpose is sexual gratification
- Nudity or partial nudity for sexual gratification
- Explicit or implied depiction of sex acts for sexual gratification
- Animated sex acts, pornography, or fetish content
- Non-consensual sex acts or unwanted sexualization
- Bestiality or promotion of bestiality
- Incest or promotion of incest
- Aggregating content for sexual gratification

Any sexual content involving minors. This list is provided at https://support.google.com/youtube/answer/2802002?hl=en under the column "other types of contents that violets this policy".

As this list suggests, all contents which showcase nude or semi-nude pregnant bodies may to a certain extent fall in the category of prohibited content. But in this regard, the illegality of the content needs to be checked, along with the text accompanying the content. This text can be that of the creator him/herself or that of the commentators. YouTube has created policies for flagging off comments which may fall within the category of bullying and sexual harassment. This list includes the following:

- Revealing someone's personal information, such as their address, private email addresses, private phone numbers, passport number, or bank account information
- Content that is deliberately posted to humiliate someone
- Content that makes hurtful and negative personal comments/videos about another person
- Content that incites others to harass or threaten individuals on or off YouTube
- Content featuring non-consensual sex acts or unwanted sexualization
- Content threatening specific individuals with physical harm or destruction of property
- Content featuring abusive or threatening behavior directed at a minor
- Sexualizing or degrading an individual who is engaged or present in an otherwise non-sexual context
- Content claiming that specific victims of public violent incidents or their next of kin are actors, or that their experiences are false

This list is available @ https://support.google.com/youtube/answer/2802268?visit_id=1-636215053151010017-1930197662&rd=1&hl=en However YouTube also specifies that publishing widely available public information including public official's office phone number may not be considered offensive under this list.

As can be seen from the above, the comments which may mislead viewers about the real identity of the people in the video or the purpose of the video maker may also be regulated. But at the same time, the elastic stretching of the First Amendment guarantee has caused intermediaries to make policies that do not consider all comments offensive if such comment does not meet the criteria of the intermediary. This is from the personal experience of the author in her designation as cybercrime victim counsellor and managing director (hon) of Centre for Cyber Victim Counselling at www.cybervictims.org

As such, several comments remain even when they are reported because the intermediary may not have considered them offensive.

Pregnancy vlogs may be circulated among porn consumers without the permission of content creators. The link may be shared with different groups on social media platforms. Apart from this, cases of voyeurism may not be ruled out, especially if it is in a hospital or an unauthorized person has clicked the pictures or taken the videos. This infringes upon the privacy of the woman concerned. Even though YouTube has policies for safeguarding the privacy of the individual concerned, This can be seen at https://support.google.com/youtube/answer/2801895?hl=en

the responsibility would be shared with other intermediaries when the link is illegally and unethically shared by perpetrators to other web platforms including adult sites. However, in case the video is downloaded and parts of the video are shared on different platforms, the case may have to be dealt with under copyright protection policy and privacy infringement policies which may be created based on Digital Millennium Copyright Act and EU General Data Protection Regulations.

YouTube also provides strict guidelines for child safety as well. The guidelines Available at https://support.google.com/youtube/answer/2801999?hl=en

clearly state that material which shows contents like "minors engaged in provocative, sexual, or sexually suggestive activities, challenges and dares, such as kissing or groping" See ibid may also be considered as violative of the principles of YouTube. But, as discussed earlier, the age restriction mechanism of the intermediaries is still not satisfactory. This is mainly because the service providers may not always ensure the use of the e-platforms is only by individuals who are above the restricted age. Children may use the emails or social media profiles of their parents, thereby making it easy for them to view adult content. However, as discussed above, in reality, the comments posted to the pregnancy and birthing vlogs may be majorly considered as erotica and not violative of any laws.

## SOLUTIONS AND RECOMMENDATIONS

Intermediaries, however, need to be stricter in age restriction mechanisms. This may prevent illegal and unethical exposure of sexually explicit content, including the birthing process when performed by adolescent children. Intermediaries should also be more sensitive to victim-impact statements. It is expected that if intermediaries become more vigilant in regulating content sharing, including sharing of speech, women may feel safer and online crimes against women may be controlled. Further, women and their families must also be sensitised about the proper use of YouTube as a platform and the uploading features including detailing about the video, using proper taglines. This may reduce the chance of streaming the video as erotica. In several cases, husbands or male partners may upload such pregnancy and birthing videos. They may also be considered liable for making the contents available for the porn market. In case the video had been made with the consent of the woman concerned, it may in such cases become necessary to show that uploading and circulating of such video had been made with the consent of the wife/partner concerned who may have been the subject matter of the video. Hence it is necessary to sensitise both the expecting parents about uploading features of the web platform for safer streaming and broadcasting.

## FUTURE RESEARCH DIRECTIONS

Since the vlog is a medium in which lots of information go to the public, it is necessary for the legal protection for pregnant women whose rights might be compromised should be studied. In this way, the body of literature that will be available for future empirical and theoretical interventions could be enhanced.

## CONCLUSION

As the above discussion suggests, pregnancy vlogs may be perceived as sexual commodification videos under different circumstances. This author argues that perpetrators may victimize the women concerned based on the language used in the comment section and also by way of sharing the videos in question. This can be done by categorizing them as pregnant porn. Further, when it comes to the creation of content by porn models, even though they may agree with agents who have the right to circulate the videos, it is not necessarily known whether the models were coerced to enter into such agreement or whether there were any other illegalities involved in making the contract. Whether there was any contract for these videos

to be taken down after a certain period of time, whether the pregnant models were rape victims, or how they would be treating their children once they are born so that the children would not be stigmatized because of their mothers' acts as preggo porn models are not known. This is mainly because performing in such videos may also impact the health of fetuses in a narrower way. Seen from this perspective, it may be understood that there is a dual responsibility to control the victimization of the pregnant women showcased in such videos: the expectant mother and her family should be responsible for protecting the privacy of self and also the baby. However, this responsibility is conditional and may be completed only when the intermediary also provides proper facilities to prevent infringement of privacy by restricting the circulation of the links to other web pages or websites. This may be done by alerting the original content creator when the link is shared with different platforms by third parties. However, this may seem an unacceptable suggestion as intermediaries continue to press on the plea that they may not always be able to monitor violation of privacy unless it is reported.

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## KEY TERMS AND DEFINITIONS

**Pregnancy:** This is the time during which a baby or babies grows in the womb of a woman.

**Pregnancy Vlogs:** May be considered as unique examples of rights to expression which should not be violated at any cost.

**Vlog:** This is a video blog or video log often shortened to vlog which stands for a kind of blog having a video as its major medium.

**Women:** Women are adult female human beings.

# Chapter 4
# Colonialism and Victimization Narratives in the Context of Africa's Development

**Johnson Oluwole Ayodele**

https://orcid.org/0000-0002-1297-4043

*Lagos State University, Nigeria*

## ABSTRACT

*The chapter appraises the implications of victimization inherent in colonialism for the development of Africa. It analyses pre-colonial, colonial, and post-colonial (decolonization, neo-colonial, meta-colonial, globalization, and meta-decolonization) periods. It holds that post-independence development failure of Africa is rooted in its history of predatory colonialism. The vestiges of colonial norms, institutions, and society are the perpetual contraptions that made postcolonial development bottlenecks inevitable in Africa. It suggests that Africa must liberate itself from the violence of cognitive imperialism that impedes the emergence of truly African development values. It should discard the existing bourgeois decolonization and adopt the meta-decolonization option which this chapter proposes. This will truly Africanize a development agenda in Africa, by Africans and for Africa. Thus, Africa's abundant resources will promote a broad-base for her inclusion in the global development contest as a productive independent key player.*

## INTRODUCTION

In spite of the extent to which nature favours Africa with enormous natural resources, it is a tragic paradox that the continent remains underdeveloped. At the root of Africa's underdevelopment narrative is her unique history of how slave trade facilitated the forced removal from the continent of millions of African people. Slavery was used to strengthen and enrich the declining economies of the West, but colonialism later dealt a deadlier blow on the development profile of Africa. Without the European intervention, Africa's development experience would not have included the norms of colonialism that have permeated the African psyche, sustains the spirit of underdevelopment and cushions its attendant poverty on the continent. The problems of colonialism transcend politics and economy to involve the

socio-cultural issue. These concerns cause its multiplier effects that are anchored on meta-colonialism, justified by globalization and driven by cognitive imperialism difficult to separate from Africa's under-development. The decolonization that the colonized Africans trusted failed to deliver on its mandate because it was bourgeois.

Rodney (2009) insists that the principal agencies of Africa's underdevelopment over the past five hundred years are the slave trade and colonialism. Other scholars have examined the ethnic fragmenta-tion of the continent (Easterly & Levine 1997) and Africa's adversarial geography (Sachs & Warner, 1997). Nkrumah (1963) emphasized the borrowed-foreign solutions that Africans failed to "brew … with home-grown ones" (p. 12) and harmful impact of the slave trade (Inikori, 1992; Nunn, 2008). It is instructive that the African countries from which the Europeans took the most slaves remain the poorest today (Nunn, 2008). Despite this, the claim that Africa is more underdeveloped today than it would have been had the predatory colonialism not intervened (Heldring & Robinson, 2013), may seem irrational. Nevertheless, the problem of constructing a persuasive research design to investigate its impact permits diverse assessments of the role of colonialism (Heldring & Robinson, 2012). Having coexisted with racism, cultural domination, and systemic violence in Africa (Bulhan, 2015), the effects of colonialism have imposed criminal victimization on the welfare of critical stakeholders (Justice Canada, 2013). Africans must strip false decolonization of its deceptive sense of independence. Its associated "fancy dress parade and the blare of the trumpets" (Fanon, 1963, p. 59), must give way to the decolonization of African minds (Senghor, 1957). With the removal of all these hindrances, any intervention will transcend the issues of territorial autonomy (Bogaerts & Raben, 2012), to deliver on its mandate.

Despite post-colonial development aid from the West, Africa remains underdeveloped (Alemazung, 2010). World Bank data in 2015 indicated that the number of poor Africans increased from "411.3 million in 2010 to 415.8 million in 2011" (Sedghi & Anderson, 2015). Why will it not when Europe continues to facilitate international financial crimes that perpetuate modern colonialism-induced poverty in Africa? The seizure of the over \$267m laundered through the US banking industry by Nigeria's Abacha and his associates has demonstrated (Jersey's) committed opposition to international financial criminality (McRae, 2019). This confirms the long-term outcome of the reckless economic and cultural exploitation of Africa by the Europeans. Africa's abundant human and material resources notwithstanding, the continent still experiences socioeconomic regression (Salisu, 2001). These contradictions make underdevelopment one of the new evils of colonialism that torment Africa (Mosisili, 2003). Could colonialism be responsible for Africa's development paradox which predisposes the continent to the highest levels of criminal vic-timization across the globe (Di Tella, MacCulloch, & Nopo, 2008)? This is the gap in knowledge which meta-decolonization framework could bridge to reestablish Africa without replicating the brutalities of decolonization (Anderson, 2006). This chapter examines how the various phases of colonialism impact victimization to alter the direction of Africa's development to proffer lasting solutions by answering the following questions. (i). What are the precolonial features that shore up victimization in the context of Africa's development? (ii). How have the structures of colonialism encouraged victimization in the context of the development of Africa? (iii). Why did the decolonization fail to develop Africa? (iv). How can meta-decolonization reconnect Africa with its pre-colonial pace of development to make Africa greater and more comfortable for Africans?

## BACKGROUND

The colonial history and trajectory of development in Africa during the colonial phase account for the power relations that gave rise to the form of development which Africa experienced under the colonial regime. Today, experience has shown that colonialism, from its conception, has cultural and psychological interests beyond its narrow original economic and political borders. The British colonialists administered African colonies by an indirect rule using local chiefs for administrative functions. The French strived to transform Africans in French colonies into French men and women overseas (Eko, 2003). Consistent with the position of the French, the Belgians and the Portuguese, once an African had acquired their education to become a competent user of their values, he/she qualified to be "assimilated into their culture" (Rodney, 1972, p. 247). In the quest of France to "frenchify" such Africans (Eko, 2003), the "new converts" became an *assimilée* for the French, or *assimilado* or *civilisado* for the Portuguese (Rodney, 1972, p. 247). For convenience in the late 19th and early 20th centuries, the French colonial policy shifted from direct rule to indirect rule (Bleich, 2005; Mamdani, 1996). However, many scholars have argued that the colonialists used an indirect rule to govern most African colonies (Beck, 2001; Betts & Asiwaju, 1985; Crowder, 1964; Mamdani, 1996).

To promote comprehension, it is important to explain some concepts in this chapter. Development remains elusive and resistant to a one-size-fits-all definition (Ayodele, 2017). As a product of the cultural refinement of interactions in micro, macro-political and economic engagements, development aims to achieve social integration, inclusive investment actions for the progress of the individual, groups, and the affected society. The variable that influences the direction of development in this chapter is victimization. Karmen (2010) sees it as an asymmetrical, interpersonal relationship that is abusive, painful, destructive, parasitical and unfair. The context in which development and victimization have interacted is colonialism. This is an economic, political, cultural, and psychological power structure in which the autonomy of a nation or a people hinges on the power of another nation, making the superior nation an empire, the dominated one, a colony respectively.

The way colonialism has changed forms in Nigeria makes neo-colonialism topical. Neo-colonialism is the power structure that enables the powerful former colonial rulers to deploy capitalist and social forces to tie their former colonies. The colonialists use their new indigenous rulers as accomplices, to their apron strings, for their benefits somehow perpetually. Similarly, meta-colonialism features as a revival of or the latest alteration to "an old system of colonial exploitation and oppression that masquerades in the more savoury euphemism of globalization" (Bulhan, 2015, p. 244). Since decolonization resists easy definition or periodization, like the process itself, writing the history of decolonization in Africa remains fraught and contested. In its shallowest and narrowest form, therefore, decolonization refers to the transfer of sovereignty from colonizer to the colonized (Smith & Jeppesen, 2017). This chapter conceives meta-decolonization as a concept that valorises the core interest of decolonization on a triad of steps. First, it focuses on the dismantling of cognitive imperialism. Second, it recovers the course of progression of the colonized (Africa) from colonial socioeconomic captivity. Finally, it re-invents the cultural individuality of the colonized as a means of stabilizing its customary development against all forms of regression.

Evidence of large settlements all over the landmass recognized today as Africa suggests the existence of "flourishing communities, well-adapted to the possibilities of their environment" (Hall, 1981, p. 3). Some empirical studies have found evidence supporting the claim that a country's colonial heritage

(Bertocchi & Canova, 2002; Price, 2003) and the character of the colonizer (Grier, 1999; Bertocchi & Canova, 2002) are significant factors in its subsequent development wellbeing. Other studies have found a link between the current under-development status of Africa, the slave trade and colonial rule (Nunn, 2007). In former colonies, the colonizer's primary interest on extraction further led to the establishment of weak institutions of private property which continue up to the present day (Acemoglu, Johnson, & Robinson, 2001, 2002). On studying the long-run effects of Africa's slave trades, Nunn (2004) finds that the larger the number of slaves taken during the slave trades, the poorer is the country's subsequent economic performance. Therefore, "there is no doubt that a large number of negative structural features of the process of economic underdevelopment have historical roots going back to European colonization" (Bairoch, 1993, p. 88). The Afrocentric School holds that pre-colonial Africa was almost a perfect community because its rules ensured that everyone was his/her brother/sister's keeper (Igboin, 2015).

## COLONIALISM, VICTIMIZATION, AND AFRICA'S DEVELOPMENT

Nkrumah (1963) looked at the vast abundance of Africa's natural endowment and saw them "to be greater than that of almost any other continent in the world" (p. 216). Nevertheless, the reckless appropriation of these resources by the European invaders of Africa and the self-seeking focus of their African accomplices has made the continent the "least developed region in the world" (Fonchingong, 2005, p. 2). The loss of the continent's productive management to colonial manipulation was extremely negative. Therefore, the loss of the management of the continent's productive capacity to colonial manipulation was extraordinary in some bad ways. It subordinated Africa's pre-colonial self-reliant identity to the international economic order. There is a relationship between colonial heritage and contemporary economic performance (Bertocchi & Canova, 2002; Price, 2003). The pre-colonial states are vital for modern growth (Englebert, 2000; Gennaioli & Rainer, 2007). "There is no doubt that a large number of negative structural features of the process of economic underdevelopment [of Africa] have historical roots going back to European colonization" (Manning, 1981, p. 124). Indeed, if Africa had been left alone to develop at its pace, it is most likely that Africa might have evolved in its natural way, even better than it has today.

In pre-colonial Africa, the forms of victimization known to the peoples now called Africans did not impede their development. Financial indiscipline was "introduced by England and France and other colonial rulers by the monetary economy, cash taxation and the use of the divide and rule method" (Hrituleac, 2011, p. 44). This heritage was later expressed in the criminal activity of African leaders, by manipulating, the slave trade that they "commodified their subjects and sold them off cheaply" (Hrituleac, 2011, p. 20). Heldring & Robinson (2013) contend that to the extent that most of Africa spent two generations under colonial rule, contrary to some recent explanations, which emphasize the merits of colonialism, the intense experience has considerably arrested economic development across the continent. Therefore, relative to any plausible counterfactual, Africa is now poorer than it would have been had colonialism not occurred.

Figure 1 shows the historical path of colonialism and its generation of victimization to impede the development of Africa. For covert selfish reasons, the colonialists decimated the indigenous population. Regrettably, decolonization agenda did not reverse the colonial mindset; rather, it triggered neo-colonial values which stimulated meta-colonization. Globalization emerged ostensibly to address the contradictions inherent in meta-colonization but favours developed against the interests of developing countries.

*Figure 1: Analytical/conceptual framework*
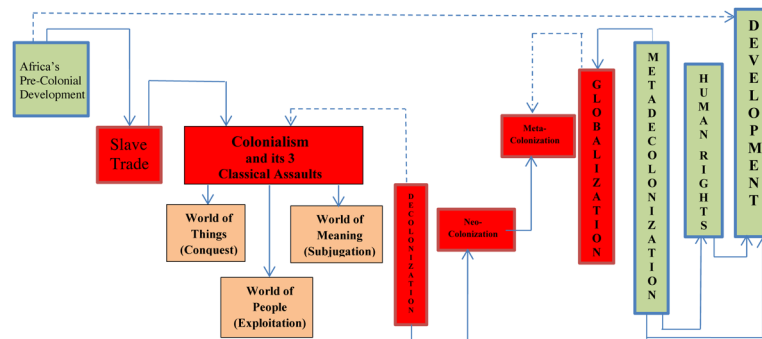


Africans must recover their identity from the abyss of "personlessness" into which colonialism had forced it before the continent can use its productive resources to promote sustainable development. On the whole, the slave trade anesthetized Africa's pre-colonial development from the point where colonialism hijacked the continent's development for the exclusive benefit of colonial interests. The ascendancy of meta-decolonization is expected to heighten human dignity by underscoring human rights which constitute the basic components of sustainable development in Africa for Africans.

## Theoretical Framework

This chapter adopted *Dependency Theory*. Modernization theorists had attributed the underdevelopment of third world countries to certain cultural characteristics, or their failure to adhere to some overt economic policies. Raúl Prebisch and Hans Singer developed dependency theory as the 1960s and 1970s response to modernization theory and free trade policies, which took their roots in the West. Different stands of the broad school of dependency theory exist. They all rejected the anti-historical approach of modernization theory to development. The basis of their rejection is its failure to explain the importance of the role of global economic and political structures. Conversely, dependency theory focuses on the historic role which colonialism played in defining the positions of different countries within the global economy. The pattern of profits transfers of the *core countries* of the North to benefit from their extraction of wealth from the *peripheral countries* of the South indicates skewed economic relations. In their effects, the framework impoverished the South. It was at this point that the various strands of dependency theory started to differ. Those who follow Frank's (1966) theory of the development of underdevelopment contend that development in core countries always engenders underdevelopment and poverty in the periphery. Conversely, the advocates of *dependent development*, following Cardoso & Faletto (1979), and Evans (1979), claim that with the right policies a narrow form of development is conceivable within the system. Irrespective of the dependency theorists' perspective, three key features of dependency theory remain fundamental: "(i) The international system consists of dominant and dependent states. (ii) The external forces are significant in terms of the economic activity of dependent states, and (iii) Relationships, based on strongly historical patterns of skewed economic power relations between dominant and dependent states are a dynamic process that sustains the patterns of inequality" (Romaniuk, 2017, p. 482-483).

## STUDY AREA

Pre-colonial Africa possessed perhaps as many as 10,000 different states and polities (Meredith, 2006) that are characterized by many different sorts of political organization and rule. Africa is the second-largest and second-most-populous continent in the world, next to Asia in both categories (UNDESA, 2017). With 1.2 billion people (UNDESA, 2017), as of 2016, Africa accounts for 6% of the Earth's total surface area, 20.4% of the total land area and accounts for about 14.72% of the world's human population (Sayre, 2009). The average population of Africa is the youngest amongst all the continents (Swanson, 2015; Harry, 2013). The median age in 2012 was 19.7 when the global median age was 30.4 (Janneh, 2012). The continent is separated from Europe by the Mediterranean Sea and connected to Asia at its northeast end by the Isthmus of Suez, 163 km (101 mi) wide (Drysdale & Gerald, 1985). In all, Africa has 54 sovereign states, including Madagascar, numerous island groups, and the Saharawi Arab Democratic Republic, a member state of the African Union whose statehood Morocco contested (Asante, 2007). The socioeconomic health of Africa has implications for the wellbeing of the entire world. Although (primarily subsistence agriculture) still dominates the economies of many African countries, the exploitation of these resources became the most significant economic activity in Africa in the 20th century (Middleton, McMaster, Dickson, Nicol, Clarke, & Kröner, 2018).

## METHODOLOGY

To analyse the implications of the inherent victimization of colonialism in Africa's development, a variety of empirical studies from different parts of the world in the context of colonial hostility to the development of the colonized territories are reviewed. Colonized societies, their cultural identities, and economies suffer unjustifiable infliction of pain on their vulnerable members including any colonial acts which threaten the political, cultural, and economic independence of the colonized societies. This chapter's analysis of secondary data includes studies emanating from developed, developing and underdeveloped regions of the world. Within this scope, the analysis involves violence, which calculated colonial occupation of indigenous territories unleashed on the political, social, cultural, and economic psyche of the colonized people.

## RESULTS

The following sections present the results from the analysis of the different secondary information reviewed in accordance with the four research questions of the study.

## PRECOLONIAL STRUCTURES, VICTIMIZATION, AND DEVELOPMENT IN PRECOLONIAL AFRICA

This section presents a brief introductory insight into the trajectory of pre-colonial Africa. It presents how well it responded to a home-grown model of governance, indigenous rulemaking processes, and its pursuit of development. It shows the extent to which inherent colonial victimization acted as intermediary

to this original effort. Pre-colonial Africa comprised of small family groups of hunter-gatherers; a more organized component of social groups; highly structured clan groups in the Horn of Africa; and self-governing city-states and kingdoms (Mokhtar, 1990). "There were more than 10,000 states and kingdoms before the arrival of the Europeans, and African civilizations varied greatly in size and structure..." (Falola & Fleming, 2009, p. 123). Intricate social structures which were occasionally "complemented by the development of the state were already present" (Amin, 1972, p. 506). Therefore, numerous societies had established customs, laws, ethics or rituals that enabled them to solve conflicts and ensure order. Little wonder that "Negroes possess some admirable qualities… seldom unjust, and have a greater abhorrence of injustice than any other people… There is complete security in their country. Neither traveller nor inhabitant in it has anything to fear from robbers or men of violence" (Battu´ta, 1929, p. 329).

The origin of the colonization of Africa started between "13 November 1884 and 26 February 1885" at the Berlin conference which had the allocation of African regions among the European powers as its primary agenda (Chamberlain, 2013, p. 53). Following the conference, European powers shared out Africa (Hossain, 2016). The appreciation of the historical precedents that gave rise to colonialism, its social and intellectual underpinnings, its continuing along with changing aspects, and the consequent increasing tragedies are necessary for an understanding of the development disaster of Africa. Bulhan (2015) identified "three antecedents of the adversarial and exploitative violence of colonialism for succeeding generations" (p. 241-244). The thirst for materialism, cultural supremacy and ambition drove European colonization of Africa. The mission used religion and racism to rationalize the loot and killing of non-Europeans that characterized the Crusades that started in 1095. Then Pope Urban II urged Christians to protect the Eastern Orthodox Christians against Muslims. He canvassed for the liberation of Jerusalem and wanted safe passage for Christian pilgrims. This was the manifest objective. The latent motivation for the Catholic Church was competition from competing kings and warlords who threatened the Church's authority and the monopoly it enjoyed in Europe. The Pope had promised to forgive the people of their sins if they killed Muslims believing that they would return to Europe sinless, wealthy, and glorious (Graham, 2006).

## Colonialism, Slave Trade, Victimization, And Development In Colonial Africa

In this section, the contributions of the inherent victimization in colonialism to the dearth of development that the continent still faces in the 21st century are reviewed. The subsequent colonization of the Americas presented Europeans' new chances for material manipulation, cultural domination, and self-aggrandizement through claims of religious and racial superiority (Quijano, 2000). The colonization of America subsequently fuelled the capture, transport, and enslavement of Africans in the Americas and the Caribbean. The Atlantic Slave Trade represents the largest importation of slaves in the history of the world. This trade did not only trigger immense suffering for persons forced into slavery but also enabled Europeans to expand their settlement in the New World and earn substantial capital for Europeans to finance the industrial revolution (Williams, 1966). Slavery had three significant outcomes. First, it pauperized and depopulated the African continent by derailing its political and development trajectory. Second, the system of slavery strengthened the dominant-dominated relations between Europeans and non-Europeans, making racism the primary justification for colonial exploitation that continues to the present in different guises. Third, Europeans and their descendants reaped cheap labour, material, and political benefits from slavery.

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Colonialism has stages in Africa. Classical African colonialism was the starting point of its socioeconomic oppression. Colonialism "refers to political and economic relations by which one nation dominates and exploits another" (Bulhan, 2015, p. 241). While Europeans left the shores of Africa several decades back, European values still drive colonial interests in the continent and remain vigorously vibrant especially among young Africans. The manifestation of these values reflects the ostensibly imperishable character of the adopting European ways of doing things in Africa. "A critical legacy of colonialism not sufficiently analysed is the way formerly colonized peoples acquire knowledge, understand their history, comprehend their world, and define themselves" (Bulhan, 2015, p. 241). The second stage is neo-colonialism. It does not have a visible institutionalized political structure and a direct military presence of the former colonizer. To ensure the physical control and direction of the state ideology and economy of the liberated colonies, the colonizer's values remain. The systems and structures of exploitation do not require the "physical presence of and supervision by the colonizers" (Okolo, 1986, p. 296-320) for their effects on the psyche and operations of the African systems to linger. The third stage is the meta-colonialism or coloniality or meta-colonization. It is the newest stage of colonialism. The most contemporary adjustment of colonialism to the politics of power relations between developed and underdeveloped regions of the world has appeared as meta-colonialism. Meta-colonial Africa emerged immediately after the neo-colonial epoch. Meta-colonialism shares some basic characteristics including similar geography and societies of the Atlantic Slave Trade, classical colonialism, and neo-colonialism. Meta-colonial Africa is the complete voluntary rejection by Africans of their customary values that characterize them as Africans besides the blackness of their complexion.

The European scramble for Africa was to seek market for its finished products, to find raw materials to expand and service its ailing industries, and reinvesting its profits into their economy (Adas & Stearns, 2008). Additionally, colonialism victimized Africa by promoting intense despondency and increasing dependency instead of prosperity (Alemazung, 2010). Moreover, "colonization obstructed the internal process of state formation and the development in Africa and left scars of corruption and political instability" (Hrituleac, 2011, p. i). Kalman (2010) revealed the implications of colonial violence for the development of Africa. The first colonial assault was the occupation of land by force of arms (Bulhan, 2015, p. 242-243). Europeans who did not understand Africa's custom about the land that held Africans together caused its societies to collapse (Achebe, 1958).

Applying colonialism, the Europeans used coercion to manipulate the indigenous populations into reluctant submission, but the colonized never remained passive as colonial bureaucrats reconstructed the world around them (Cooper, 2002). Indigenous reactions demonstrated reasonable suspicion of Europeans efforts to interfere into deep-rooted agricultural practices and African domestic life (Hodge, 2016). The inherent violence in the organization and propagation of the European empire transcends mere juridical mechanisms. It includes the abolition of native "society and culture, economic restrictions, and even prohibitions concerning dress and housing: a daily affirmation of the superiority of whiteness and the values, habits, and ideas of the colonizer" (Fanon, 1961, p. 9-12). The harmful impact of the slave trade (Inikori, 1992; Nunn, 2008) and the arbitrary nature of post-colonial national boundaries (Englebert, 2000) are some of the reasons for the relative poverty from which Africans suffer. Moreover, "Europe is responsible before the human community for the highest heap of corpses in human history" (Césaire, 2000, p. 45). Thus, sustainable development for Africa cannot take an enduring root in the hostile environment created by Europe.

## DECOLONIZATION AND ITS FAILURE TO PROMOTE AFRICA'S DEVELOPMENT

There was no straight single path that led to the end of the European empire in Africa, just as there was never one united voice raised in defiance of colonial rule (Hunter, 2015). To evolve a development-compliant understanding of the concept of decolonization, an adequate reflection on the experiences of the colonizer and the colonized is vital. The absence of either of the stakeholders in decolonization often indicates the fundamental flaw that blurs the difference between "true and false decolonization" (Fanon, 1961 p. 9-12). For this, Hargreaves (2014) insists that the process of decolonization "is still far from complete" (p. 21). Therefore, the most authentic Africanist focus of decolonization is "the abolition of all prejudice, of all superiority complexes, in the mind of the colonizer, and also of all inferiority complexes in the mind of the colonized" (Senghor, 1957). The corruption of the African mind by colonialism has subsisted for centuries. The correction of its effects cannot take place without objectifying it so that the dimension and method of administration can be desirably objectivized. The first approach to decolonization in Africa was structural political deprogramming. This approach, however, proved one-sided. It was also haphazardly executed by the entrepreneurs of decolonization who viciously took advantage of the overt need for Africans to disengage from the colonial inequity.

The advocates of initial decolonization might have understood decolonization simply from its being "the change that colonized countries experience when they become politically independent from their former colonizers" (Oelofsen, 2015, p. 131). This misconception accounts for their misunderstanding the essence of this important struggle and the abysmal failure of the struggle. Individuals whose mindsets had been captured by the meta-colonial trap may not be recoverable to participate in Africa's development. Rather than being assets to the economic progress of Africa, they are burdens because they have been irredeemably caught in the web of false decolonization. In this regard, the bourgeois decolonization has manifestly failed to move the development of Africa to a point at which it could transform the continent into an international tourists and investments' destination. To effectively decolonize Africa, de-colonizers must acknowledge the violence of religion, language, and values of technology that make Westernization an inevitable route to the emancipation of the individual and collective mind.

### Neo-Colonial Victimization Ant Its Major Roles In Africa's Development

The failure of decolonization prepared a fertilized background for the ascendancy of neo-colonial victimization, which significantly impacted Africa's development. Technology is a piece of "cultural information about how to use the material resources of the environment to satisfy human needs and desires" (Nolan & Lenski, 2006, p. 37). Before the advent of modern science and its application of technology, "Africans had known how to brew beer," they distilled local gin, preserved corpses, wove cloths, made pots, built houses, healed diseases using herbs and roots, reared cattle and many more (Abanyam, 2012, p. 105). Colonialism dislocated Africa's indigenous technology and creative initiative. For instance, "about 300 million tons of hazardous and non-hazardous waste was produced in Western countries during the 1980s and about 50 million tons of that waste was exported to African countries" (Pinzon, 1994, p.176). Koko, Nigeria was an illegal site where an Italian company dumped approximately 800 million pounds of industrial and nuclear waste in 1988. From the waste, harmful substances dripped into a nearby river resulting in "serious negative medical consequences" (Pinzon, 1994, p.176). Africa was a deliberate target of the west-induced environmental victimization that contributed to the poverty and underdevelopment of the continent.

## HOW META-COLONIZATION VALUES MORPH INTO COLONIZATION OF THE AFRICAN MIND

Africans are the original human beings. The colonialists, unfortunately, came to redefine the originality of the people, not in light of their realities, but with the incomplete understanding of the colonialists about them. The colonized were taught to define the values of the colonizers as an objective yardstick for the measurement of the suitability of other non-European values. Based on this skewed criterion, the colonized adjudged their ways of life as being of less comparative value to those of the colonizers. Using their colonized mentality, Africans take pleasure in increasing their inferiority through the internalization of the norm and values of their colonizers. As a result, they compromise their self-esteem. They look down on themselves and what they stand for in the worldview of their oppressors (Pyke, 2010). African countries are replete with instances of the perversion of cultural heritage by some citizens in their voluntary acknowledgment of the superiority of their colonizers' ways of life.

Leaving the level of economics to the layer of legality, meta-colonialism ensures that the international laws that the Europeans instituted become the fair and necessary regulations that drive the behaviour of the "civilized" individuals in the context of national and international relations. This is the global colonization of individual and group behaviour (Bulhan, 2015). The liberty and abundant opportunities, which the Europeans and their descendants enjoy, transcend their land boundaries. After depleting the terrestrial resources; they now embark on outer space exploration for the colonization of the Moon and Mars. Conversely, the European meta-colonization mission in space is likely to portend unforeseen limitations and restrictions worse than that foreseen and portrayed by earlier scholars. For example, urban communities in Africa have become a gallery for prevalent poverty and filth, which endanger public health. This is the "colonization of space" (Bulhan, 2015, p. 246). To most contemporary Africans, traditional medicine is demonized because they believe it is Spiritism. It is excessively bitter, irresponsive to measurement, pharmacological components are not explicit. Its advantages are marred by the absence of an expiry date and not being a product of formal content analysis. As a result, of the massive discredit, Africans have been estranged from their natural medicines and now travel to the West for the management of their ill-health. This is colonial victimization of traditional medicine.

The African value system has changed from its collective orientation to assume Western individualistic structure. Instead of intensifying their use of African norms, values that are consistent with Western society overwhelm and corrupt the African way of life (Ahule, 2012). This is colonial victimization of reverence. Customary homes have ceased to be places of affection and safety. As a result of meta-colonization, most African homes in contemporary times have lost their emotional touch to become loci of undue socioeconomic competition and aggression. They are no longer homes but houses. Beyond that, having adopted the use of the Internet, Europeans assume the right of surveillance of technology users and access to unfettered information. They monitor the communication participants, time, place, and purpose of communication. This is meta-colonization of digital information (Bulhan, 2015). The universal use of wristwatches has become a global norm. This is meta-colonized "regulation of human energy" and life (Bulhan, 2015, p. 247). At the level of meta-colonialism, the Europeans maintain global supremacy of intelligence, power, beauty, and wealth. This is colonial victimization of values. Michael Jackson who reconfigured his face to look Western is a sad example. Similarly, many black people following the internalization of white as better mentality have used chemicals or electrical devices to bleach their blackness, wear wigs to hide their natural hair, and inscribe tattoos all over their bodies. This is colonial victimization of natural beauty (Bulhan, 2015).

Meta-colonialism, like its numerous precursors, also adores Western education and knowledge as the sure-fire path to enlightenment and the "good life," but belittles and diminishes native education and knowledge. This is colonial victimization of indigenous knowledge (Bulhan, 2015, p. 247). The advocates of meta-colonialism project use Western education in non-European societies in a way that devalues indigenous languages. For example, Africans who gained their education in neo-colonial educational systems choose to speak English or French as a marker of elitist literary dexterity. They increasingly forsake their indigenous language. Some Christian pastors will reject the christening of a child in respect of whom its father objects to a European name. To most of these names, the majority of Africans cannot relate in practical terms. This is another example of colonial victimization of identity (Bulhan, 2015). Sponsors of meta-colonialism also insist that redemption and salvation come only through the European religions by denigrating the religious heritage of non-Europeans. This is colonial victimization of faith. Most urban communities in Africa have unwittingly become "concentration camps of disease and death. Some are even turned to dump sites for toxic waste including nuclear and medical wastes from the West." This has significant health implications. This is colonial victimization of space poisoning (Bulhans, 2015), which cause terrible damages to the African environment. Medically, the European inoculation does exactly what African scarification works for. Theirs is explainable because it is scientific; African's is Satanism because it is "not" explainable. This is colonial victimization of medical discovery (Bulhan, 2015, p. 248) and medical technology.

## Globalization: A Stylized Tool For Meta-Colonizing The Neo-Colonized African Mind

Kwame Nkrumah of Ghana coined the term 'neocolonialism' to mean the endpoint of the most outrageous genre of Imperialism. For its operators, it implies power devoid of responsibility, and for its victims, it is an abuse without compensation (Northrop, 2012). The way the modern European capitalism manifests in the everyday lives of the world's poor is globalization, which can inoffensively be referred to as neo-colonialism/imperialism (Boron, 2005) or as a rediscovery of colonial practices (Barker, 2006). Globalization is largely committed to the perpetuation of the economic problems that characterize classical colonialism. The way globalization has been insidiously embedded into the consciousness of people today portrays it as a neo-colonial/imperialist ideology that does not require a rigid and direct political network. Because neo-colonialism developed from colonialism it can be argued that it is the harbinger of meta-colonization of the African mind. The Internet influences Africans with access to adopting the Western way as the standard measure of acceptable behaviour. Some analysts have warmheartedly defined globalization by presenting it as the gratification of all goodness. It is true that globalization has accelerated "global telecommunication infrastructure, cross border data flow, the Internet, satellite networks and wireless telephones …" (Adesina, 2012, p. 193). At the same time, the Internet has presented challenges including escalating insecurity, inequality across and within nations, instability in financial markets and environmental decline (Bretherton & Ponton, 1996), and promotion of loathsome alternative lifestyles such as same-sex marriage.

## Meta-Decolonization: A New Paradigm For Oxygenating The Progress Of Africa

Meta-decolonization represents a paradigm shift founded on new, more comprehensive, less assuming, and more logically connected approaches to delink the development of Africa from colonial control. While neo-colonization is re-embedding colonialism and meta-colonial values on the continent, meta-decolonization is committed to complete "dis-embedding," of the effects of the colonial pathologies in Africa. As a formerly colonized continent, Africa can develop by breaking away from the vicious circle of dependence and exploitation (Rodney, 1972, p. 30-31). Africans need to think "about themselves in new ways" (Lewis, 2000; Skinner, 2011, p. 300; Hunter, 2013), to get things going the African way. Meta-decolonization is a meta-solution to a meta-colonial deadlock which cognitive imperialism constitutes to the development of Africa. The recovery of African individuality that was inadvertently lost to the European deception of "profit and power," was masterfully presented as civilization under colonialism in the 19th century "at the heart of empire" (Levine, 2007, p. 107).

Objectively appraised, about 400 years of the trans-Atlantic slave trade and the crowning of Africa's losses with colonialism could not have moved Africa closer to development than underdevelopment. Bauer's (1981) claim that historical explanations of the so-called underdevelopment are excuses for the present-day shortcomings. It is akin to expecting smoke without fire. In the context of development, "the foundation for failure was laid in Africa during colonialism and is sustained through colonial legacies with the accomplice of African elite leaders" (Alemazung, 2010, p. 60). Since colonialism has a predominant influence and grip on "the thought, behaviour, and generally the life of colonized peoples" (Bulhan, 2015, p. 240), to decongest the minds of Africans, a rigorous decolonization agenda that surpasses the bourgeois framework is required to eliminate the foreign values that have been superimposed on the African psyche. With the disappearance of the nationalist generation, which had imposed hasty decolonization agenda on Africa, now is the opportune time to launch a truly African value-driven decolonization project (Gilley, 2017).

To effectively counter colonialism in its varied guises, the proposed meta-decolonization will follow the pattern, which Bulhan (2015) described in his meta-colonial projection to articulate effective deprogramming agenda. According to Bulhan's plan, this chapter begins with the meaning, origin, process, and apostles of meta-decolonization. If the everyday lives of Africans are meta-decolonized, new awareness will cause a new way for Africans to see themselves relative to their development and international competition. Within this framework, the development of Africa can have sustenance and be more meaningful. Relying essentially on the data obtained from the Colonial Office files for the period after 1938, Flint (1983) proposes how decolonization consciousness began as a movement for colonial restructuring in British Africa. He examined the theoretical underpinnings of the movement and the genesis of self-government initiated in London for Africa. In the characteristic colonial one-sidedness, Flint (1983, p. 389) discountenances the need to factor in the African narrative when he claims "I make no apologies for this because the dynamic for change, before 1946 at the earliest, lay there, and not in Africa." His admission shows a classic flaw in his scholarship on the account of decolonization of Africa. This objection is anchored on the Yoruba proverb from Nigeria, which disavows the possibility of a barber cutting the hair of someone in his/her absence. Any decolonization project that occurs in the absence of Africa is at best pseudo decolonization, which is ineffective.

## IMPLICATIONS OF THE REVERSION OF THE COLONIZED AFRICAN MIND FOR DEVELOPMENT

The understanding of decolonization by meta-decolonizers, who see it as transcending mere political independence to include how "former colonial subjects were encouraged to think…as a result of the economic and cultural power the former colonizers wield" (Oelofsen, 2015, p. 131), captures the essence of the phenomenon. The core focus of meta-decolonization is to return the colonized people to their pre-colonized status quo that re-establishes the people's original identity. To recover Africa's conquered identity, development strategies should be crafted in African languages and with school curricula that are constructed cognizant of African values. The compassion that the West grants the colonized African is not equitable. There can be no compassion more equitable than a public apology for the European misadventures in Africa followed by meaningful reparations. African scholars should partner with priests of traditional religions to document how to promote authentic African faith. African youths should follow the pattern of the traditional age group system to constitute intra-continental vanguard for the prevention of environmental damage through toxic waste dumping. To counter the unique genre of economic, wealth, and self-evaluating colonization, an exceptional mechanism of decolonization will be required. Africa may need to evolve its currency that should have the capacity to compete favourably with the existing global medium of exchange to enhance the African fiscal identity. Meta-decolonization could provide a blueprint for this radical leap.

Most of the contemporary young Africans are willing victims of colonization of individual and group behaviour. Elders are recklessly disparaged. The modern youths believe that the decision-making power of the elderly is not founded on ethics and ethos that derive from universal norms of science. Nevertheless, the wisdom of the elders still matter. This naivety is not completely severable from the ever-rising incidence of divorce, suicide, and exclusion that is rampant in contemporary African society. In the context of the colonization of space, there is no arguing the fact that the Europeans had beaten Africans to it on earth. This should not be repeated in outer space. From the example of how the Europeans scrambled for Africa under the observation of Africans, there is a need for Africans to join in the technological scrambling for the delineation and full occupation of space so that Africans can occupy the African space. It is encouraging that Africa projects to embark on space travel, though this has been slow, it is hopeful. Africa sees space programs as a significant component of economic development and accepts that developing technology drives growth. Space is a great area for technology development. Collaboration is the only answer for upward development (Sharpe, 2018) among African countries.

To meta-decolonize the colonization of medicine, Africans have to take advantage of the fact that in modern times, about twenty percent of the people in the United States use herbal products for numerous health reasons (Bent, 2008). Increasing the percentage of the patronage of African medicine by citizens in developed countries would help boost Africa's development. African scholars should partner with traditional medical practitioners to explore how the processes and philosophies of African medicine can be explained to the understanding of Africans, not the Western audience. If African medicines cure African afflictions, an international acknowledgment may not be required because foreigners will secretly patronize them. If they are found efficacious, criticisms will melt into acquiescent acknowledgment. If Africans begin to Africanize socialization, stand between Western trendy ideas, and their children, true African values will emerge to provide valuable living blueprints to help guide the younger African generations. Africa has a traditional form of marriage. It followed customary due process before the Western marriage concept challenged it. Contemporary Africans who have been socialized in Western

education view traditional forms of marriage negatively forgetting that the critical witnesses of traditional marriage are not individuals invited from far and wide. The parents of the bride and bridegroom, as well as the community, are the cultural witnesses. No documents whatsoever are involved in traditional marriages. Its cement is the integrity of the families of the bride and bridegroom. Today, a certificate is the insignia of marriage. This is the colonization of marriage that needs to be meta-decolonized for the African family to endure.

Using the Western televisions and the electronic media including the Internet, Europe, and the US are internationalizing their values and alternative lifestyles that are intolerable to African culture. For instance, using nudity in the form of pornography, homosexuality, and same-sex marriage to invade and essentially endanger other cultures especially African values is a kind of global victimization which meta-decolonization should reverse. The West typifies modernity. To attain modernity, other societies must be Western in terms of religion, language, and technology that the global values of science drive (Wallerstein and cited in Chang, 2008). In Africa, dressing goes beyond covering the wearers' nakedness. More often, it is on African's sense of self. Today, the premium is placed on the use of foreign fibres on the pretext that they are more original and durable. This is meta-colonization of clothing. Disturbed by the celebration of nudity on campus, the Lagos State University (LASU), Nigeria in February 2017 took a bold meta-decolonization step to curtail the cultural erosion. It introduced and enforces a new dress code for its students (Pulse, 2015). Reinforcing this position, LASU published what it categorized as indecent in November 2018 (ngscholars, 2018), and significantly abated the nuisance at the points of entry into the campus. However, experience has shown that undergraduates have found ways around this control.

Before the advent of the colonialists, Africans did businesses and maximized sustainable profits. European due process did not work on the African continent and must be meta-decolonized to become useable in the African context. All African foods fill the stomach, while some go beyond this customary function to improve the ailing parts of the body. The foods that contemporary Africans eat need to be meta-decolonized to make Africans take advantage of their health enriching native foods. Customarily, most of the African histories and pearls of wisdom are conveyed to young Africans by their parents through storytelling. Today, due to colonized socialization, Nickelodeon; SpongeBob, square pants, and others on the television have replaced the African customary tale by the moonlight. Meta-decolonization should underscore the necessity of the bonding that arises between storytelling parents and their children. It is changing the colonial mindset, within the context of the meta-decolonization framework that offers a genuine opportunity to reclaim African misapplied assets and resources to give them resilience regardless of its vulnerabilities. Meta-decolonization can counter these invasions to the advantage of contemporary Africans.

## SOLUTIONS AND RECOMMENDATIONS

The first decolonization in Africa failed because it turned out to be a non-toxic anticolonial tool. To prevent the tragedy, meta-decolonization should destroy cognitive imperialism root first to deprive colonial values of their inequality-sustaining die-hard character. Meta-decolonized Africa should develop the continent from within for optimum efficiency. Africa should be suspicious of Switzerland because she encourages stolen money from Africa to be starched in coded accounts within her borders. This disposition teams up with other factors to put Africa's development in limbo. Meta-decolonization should be made to reinforce native knowledge by portraying globalization as a stylized instrument for

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meta-colonizing the already neo-colonized African mind. This effort will discourage the continued co-lonial victimization of (indigenous) knowledge and its owners. Since colonialism has scuttled Africa's development; meta-decolonization should strengthen the effects of colonialism to objectify its effects so that it can desirably objectivize the dimension and method of its delivery.

## FUTURE RESEARCH DIRECTIONS

Being a historical subject, this chapter presents some lines of thought for future study. There is a need to investigate how the development of Africa could be taught in African schools, using African languages as a way of underscoring the significance of Africans' natural resources and values. It is through research that Africans can promote individual competencies and enrich collective empowerment for the greatness of Africa. Research should evaluate the impact of meta decolonization to determine its potency in Africa.

## CONCLUSION

This chapter has examined the question of colonial victimization concerning the long-standing dynamics of African development. It considered the trajectory of colonialism, neo-colonialism, meta-colonialism, globalization and recommends meta-decolonization as a viable solution to the victimization that charac-terises all the variances of colonialism in Africa. The chapter traced how development was a victim of colonialism in Africa. Numerous empirical works indicate significant relationships between colonial-ism and post-independence economic development for most African countries. It reviewed important linkages among different historical epochs to espouse the negative impact of colonialism on Africans. The effects came through the policies of the direct and indirect rule on post-colonial development of African countries. It addressed how some Western writers see only the positive aspects of colonialism from the colonizers' point of view and ignore the colonialism-induced agony of the colonized. To gain true liberation, Africa must first liberate itself from cognitive imperialism to competently "develop from home-formulated ideas" (Palmer, 2007, p. 1). To broadly decolonize African development, agents, their language, the process, and the agenda of decolonization must be Africanised to achieve an all-inclusive, attainable and sustainable development for the continent. Africa could not do as well as it could have done were its development not truncated by the violence of colonialism. In the periods of neo-colonialism and meta-colonialism, Africa could not initiate sustainable development because of the entrenched Western values that neo-colonial and meta-colonial institutions have produced. These values reproduced ineffective development mindsets which must change to achieve a positive future that Africa deserves.

## ACKNOWLEDGMENT

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## KEY TERMS AND DEFINITIONS

**Cognitive Imperialism:** The mental control of a people by their former colonial masters to take political and economic advantage of them.

**Colonialism:** The foreign acquisition of partial or complete political control over a country for its economic advantage.

**Decolonization:** The reversal of colonialism by former colonial-victim countries.

# Section 2

# Vulnerability and Victimization Prevention

Chapter 5

# Measuring Corruption Victimization and Strengthening Corruption Cleanup in Developing Countries:
## What Has Worked for Anti-Corruption Reforms and What Has Not Worked in Africa

**Waziri Babatunde Adisa**

*Department of Sociology, University of Lagos, Nigeria*

## ABSTRACT

*Corruption is one of the greatest challenges of development in developing countries particularly in Africa where the state is run like a personal enterprise. Since the end of the Cold war, the international community has shown considerable interest in the study and control of corruption in developing societies leading to billions of dollars investments in anticorruption cleanups. This chapter argues that although there has been considerable success in the measurement of corruption using corruption perception index, BEEPS, PETS, case studies, and direct observation, and despite the sub rosa nature of the problem, only marginal success has been achieved in measuring corruption victimization in many of these societies. The consequence of this is a lack of synergy between corruption victimization data sets and anti-corruption programs.*

## INTRODUCTION

Since the end of the Cold War in 1989, corruption cleanups have multiplied in the Third World following the collapse of one-party regimes and the return of democracy to many African countries (Kaufmann & Dininio, 2007; Mungiu-Pippidi, 2006; Stefes, 2007; Sequeira, 2012). Before then, corruption cleanups had been perceived largely as the business of individual governments in the developing world while the international community concentrated on foreign-aid support for development in the region. To the disappointment of the international community, however, most of such aids found their way into the private accounts of the political elite in the Third World, who had, after their countries became independent, proceeded to capture the state and convert its resources to personal use. Undeterred by international sanctions, most African leaders looted the state treasury and transferred the stolen funds into foreign accounts while the economies of their countries and their people suffered for decades (Meredith, 2005; Mbaku, 2000).

At the end of the Cold War in 1989, the international community started to take a different view of corruption in the developing world. Several factors have been linked to this development. The first was the realization by aid donors e.g. the World Bank, IMF, United Nations, United States, and the European Union, that the cause of underdevelopment in Africa and the rest of the Third Worldwas not lacked resources but absence of purposeful leadership that would shun corruption and channel national resources towards development programs(Kaufmann & Dininio, 2007).

While this thinking was dominant, the ideological change from a *bipolar to a unipolar world*, as occasioned by the end of Cold War politics, also alerted the West as to the need to encourage democracy in the Third World while stemming the tide of corruption there. During the Cold War, many one-party regimes and military dictatorships in Africa, Latin America and the Arab world had enjoyed the support of some Western countries, particularly the two key players in the Cold War, which had broken out in 1979 following Russia's invasion of Afghanistan (Ake, 2000; Seligson, 2002).

As part of the politics of the Cold War, either superpower had struggled to maintain several countries as allies as it canvassed its ideology of capitalism or communism. Because of its influence in Africa, Latin America, and Southeast Asia, the United States received more support than the Soviet Union (Union of Soviet Socialist Republics [USSR]) from many political leaders in these regions. Bent on winning the Cold War, the United States and the USSR turned a blind eye to corruption in Africa, Asia, and Latin America even as they supported non-democratic governments in the regions. Consequently, many African countries fell under the control of corrupt rulers, who plundered state resources, thus ruining the economy and plunging their people into the abyss of recession and poverty (Ake, 2000; Meredith, 2005).

With the return of democracy to Africa and most parts of the Third World, the issue of corruption took center stage in the international community during the post-Cold War era. As a follow-up to the development agenda occasioned by the end of the Cold War, the United States and European countries agreed to critically examine the implications of corruption for development in the Third World, including Africa where many nations had now transitioned to democracy but still lacked appropriate institutions to push reforms. Fighting corruption in Africa was therefore seen as an opportunity to help deepen democracy, entrench the rule of law and ensure inclusive governance that would accelerate the pace of economic growth and development on the continent. Mbaku (2000) notes that this position was not surprising, considering the level of malfeasance in the public service of many African countries in the 1980s. By the end of the 1990s, Mbaku adds, most of these countries were unable to provide basic infrastructure for their citizens.

Burdened by the challenge of poverty in the Third World, the international community began to promote a new phase of research into corruption in the post-Cold War era (Kaufmann & Dininio, 2007; Tanzi, 1998). This development naturally heralded a new beginning for the study of corruption and aggressive corruption cleanups in developing countries. How far has this measurement of corruption gone? To what extent has it benefitted corruption cleanups in the developing world? These are some of the issues that this study addresses.

## BACKGROUND

### Breaking The Barriers To The Study of Corruption: The Cold War And The New Agenda For Development In The Third World

Corruption has always been an important subject of discourse in the social sciences, particularly since the end of the Industrial Revolution and the emergence of modern bureaucracy where functionaries of complex organizations are expected to adhere to the ethics of public administration. However, not many researchers have investigated the implications of corruption for development (Kaufmann & Dininio, 2007), perhaps because of the clandestine nature of most acts that might be described as constituting corruption.

Unlike other areas of development that are amenable to measurement, the secretive nature of corruption makes it particularly difficult for any serious empirical measurement unless a researcher can link a corrupt act to a public servant. For instance, in trying to account for the reasons why there is a high prevalence of malaria in a country, health workers might assess the availability of mosquito-treated nets and evaluate the malaria-related services rendered to the public by public officials. Similarly, if the problem is about a lack of water supply, a researcher might decide to determine whether there is a breakdown of the pipes supplying water to a community. By investigating the breakdown in water supply, the researcher might discover that pipes supplying the water to the community are too old and have been overstretched by an increase in the number of community residents. The study might further reveal inadequate infrastructure and maintenance services in the water supply to the people.

While it is easy to measure other aspects of development, corruption has over the centuries defied any empirical measures. This challenge has particularly constrained the efforts of government and non-governmental organizations in helping societies to curb corruption and bring corrupt leaders to book (Seligson, 2002). In the 1990s, the attitude to the study and control of corruption completely changed following the fall of the Berlin Wall, thus marking the end of the Cold War.

Kaufmann and Dininio (2007) aptly capture the scenario thus:

*Not so long ago, corruption remained an issue on the fringe of international development. Development practitioners and leaders from developing countries avoided the issue because it was considered a matter of a country's internal politics and not an impediment to development. Some academics even made the claim that corruption facilitated development by greasing the wheels of a rigid administration. The "Washington Consensus" (or development paradigm) of the early 1990s made no mention of corruption control or governance in its list of 10 key reforms. To the extent that it was considered, the paradigm suggested that corruption control was a by-product of development" (Kaufmann & Dininio, 2007 p. 13).*

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However, in 1996, the world witnessed a dramatic change towards corruption research following a speech made by the World Bank president James D. Wolfenson at the annual general meeting of the World Bank and the IMF. The speech marked a turning point in the empirical analysis of corruption. Another key document in this regard was perhaps the World Bank's startling publication on corruption in the developing world, *Helping Countries Combat Corruption: Progress at the World Bank Since 1997* (Kaufmann & Dininio, 2007). Since then, what progress has so far been made about development?

## MAIN FOCUS OF THE CHAPTER

## The Concept of Corruption

Corruption is a very difficult concept to define in the social science literature owing to its culture-specific nature and the fact that it relates to the legal, moral and historical stages of society. For instance, early attempts at studying corruption focused more on its moral effect on society and its implications for the problem of social order (Simpson, 1977). In this sense, corruption is seen as amoral behavior that offends the norms of society and exemplifies a state of moral depravity in an individual (Ekeh, 1975; Simpson, 1977). Moralistic assessment of corruption was, therefore, more akin to religion and culture. Because of the relative nature of what constitutes 'morality' – although it is not hard to claim that there are uniform moral standards across generations and civilizations –the idea of defining corruption as moral depravity was jettisoned at the earliest stage of corruption research (Simpson, 1977).

The subsequent attempt to define corruption involved the use of historical analysis, i.e. defining corruption about the history and current stage of development in a country. This analogy distinguishes between traditional or less developed societies and modern societies where the state operates on the rule of law and civil servants are expected to respect the ethics of their office. In this context, corruption is defined as the abuse of public office for private gain. Bayley (1966), for instance, states that corruption "is a general term covering misuse of authority as a result of considerations of personal gain, which need not be monetary". While Bayley's definition covers non-monetary actions that violate the expectations of a public office, Nye (1967) seems to provide a more comprehensive analysis of corruption. According to him, corruption is "any deviation from formal duties of a public role because of private-regarding (personal, close family, private clique) pecuniary or status gains; or violates rules against the exercise of certain private-regarding influence" (p. 419).

Interestingly, historical studies motivated new ways of investigating corruption in government and complex organizations in developed and developing societies but failed to resolve the problem of how to separate corrupt acts from non-corrupt acts since the running of modern government and bureaucracy is also influenced by culture. Considering that the practice of government varies across cultures, it may be difficult to conclude that any act of a civil servant that violates the formal rules of a public office in Nigeria could be automatically deemed corrupt in the US or Saudi Arabia(Simpson, 1977). Notwithstanding its limitations, the historical research approach was instrumental in exposing corruption in America's political machine as demonstrated in the works of Odegaard (1931), Senturia (1931), Banfield and Wilson (1963).

The reformists are another set of researchers who accepted the definition of corruption as the abuse of public office for private interests but were keenly interested in identifying aspects of corruption that damage the public interest. The approach, which is known today as the public-interest approach, holds

that corruption is any act that violates the formal rules of a public office and also corrodes government efforts at improving the welfare of the citizenry (see McKitrick, 1957; Wraith & Simpkins, 1963; Mbaku, 2000). The reformists note that while corruption may have its functional role in demystifying abuse of public power, the damage it does to society's moral fabric and capacity to develop is more far-reaching than its positive impact (Simpson, 1977).

The next set of researcher-theorists on corruption were the functionalists, who were inspired by Robert K. Merton's analysis of complex organizations. Merton had in 1948 shown that a component or unit of formal organization can perform either manifest or latent functions (Merton, 1948). He argued that researchers should try and determine both the latent and manifest consequences of social behavior for the stability of an organization. Inspired by this theoretical insight, several researchers began to consider whether corruption is beneficial for the stability of democracy or the public sector. For instance, Banfied (1961) and Huntington (1968) were able to establish that corruption is functional for the stability of public bureaucracies in developing countries because it eases the entry of a rigid system for other citizens. Although the functionalist perspective was very instrumental in explaining the problem of corruption in non-Western societies in the 1960s, it began to lose relevance in the late 1980s following the realization that corruption was indeed responsible for the backwardness of many African countries.

The market-centered analysis is another perspective on corruption. To the proponents of this school, corruption is an act that subverts the normal functioning of a public office and consequently affects the smooth running of the economy of a country (Mbaku, 2000). Market-centered theorists believe that corruption cannot be curbed in an economy where bureaucrats are provided incentives that motivate them to engage in rent-seeking. Mbaku (2003) notes that in Africa bureaucrats attempt to increase their level of compensation by lobbying politicians and engaging in acts designed to subvert the smooth functioning of public service. Mbaku also observes that many civil servants illegally increase their compensation by providing services to interest groups that are determined to subvert the existing rules of redistributing wealth. Although researchers have come to recognize the diverse nature of corruption, its negative consequence on the economies of many developing countries has popularized the market-centered approach over others.

Despite the complexity in the definition of corruption, the international community, the World Bank and the UN seem to be more comfortable with the public interest and the market-centered approaches. It is, therefore, no wonder that most measures of corruption have kicked off from the "public interest approach". This is not to dispute ongoing debates on the universal definition of the phenomenon.

## MEASURING CORRUPTION AND CORRUPTION VICTIMIZATION DEVELOPING COUNTRIES: SUCCESSES, CHALLENGES AND THE WAY FORWARD

Earlier attempts at studying corruption were mostly theoretical and descriptive, given the complex nature of the problem (Seligson, 2002; Sequiera, 2012). Corruption is a clandestine act that is difficult to unravel by researchers either in the public or private sectors. Unlike other aspects of development, corruption raises many issues when researchers attempt to measure it. The concerns may even be more cumbersome when a researcher's interest is in measuring "corruption victimization", considering that one act of corruption can have multiplier effects on society even as it involves multiple actors. For instance,

when trying to measure infant mortality in maternal and reproductive health, it is easy to ask a medical doctor to count the number of deaths of children recorded in a public hospital. It is however much more difficult to ask truck drivers to state how many police officers collected bribes from them in a week while on the road. How to determine the sincerity of the truck drivers and the difficulty of estimating how much was paid to police officers make the measurement more problematic and cumbersome. Moreover, the truck drivers may be unwilling to state the names of the police officers who collected the bribes. Equally, it may be difficult to estimate the impact of such incidence on truck drivers' business and socioeconomic well-being.

## From Archival Records To Corruption Perception Index (CPI)

Before the 1990s, the most practical way of measuring corruption and determining the level of corruption victimization in society was to resort to police reports. The number of police officers that collected bribes or of public officials that were convicted of corruption would be determined and a conclusion would then be reached on the possible causes of corruption in the society. Although police reports were useful, they were limited in scope because they were unable to capture unreported corruption cases (Seligson, 2002).

Despite the shortcomings of police reports, many police formations in developed and developing countries still rely on them to determine how politicians launder government money into private pockets. As already noted, police reports contain only cases that proceeded to court as "corruption incidents" given the fact that a suspect remains innocent until proven guilty by the court. While police reports arelimited in scope, most attempts to use Crime Victimization Surveys, which are not focused on "corruption victimization "have failed to achieve the anticipated results. This is often because most of such *surveys* tacitly ignore the idea of corruption or passively replace it with other measures, thus making the CVS inadequate to measure corruption.

Worried about the limitations of the police report, court cases, and CVS, researchers in the 1990sdesigned innovative methodologies that sparked new thinking about the challenging problem of corruption in developing countries. The first practical attempt at measuring corruption was via the Transparency International Corruption Perception Index (CPI). This innovative methodology surpassed the previous descriptive approaches to studying corruption, which relied on theories and the history of corruption in the developing world. In quick succession, the World Bank introduced the Bribe Payers Index (BPI) to estimate the extent to which a business person is likely to encounter corruption in a country. While the CPI is a survey of experts and public opinion on corruption across 150 countries, the BPI surveys rely on investors' assessment of the likelihood of paying a bribe in 60 countries (Sequeira, 2012). Later, the CPI and BPI were supported by the International Country Risk Guide and World Bank Governance Indicators.

For the first time in corruption research history, the CPI, BPI, ICRG, and WBGI produce yearly aggregates of corruption that show the quality of governance, including perceptions of abuse of power and systemic corruption across countries (Sequiera, 2012 p. 4). The CPI is particularly useful in producing comparative analysis and composite measures of corruption across different countries of the world. It starts with the least corrupt countries with the aggregate score of "0" to the most corrupt with the aggregate score of "10". The Corruption Perception Index is particularly useful at three levels.

One, it identifies countries that are more vulnerable to corruption in the developed and developing worlds (giving policymakers the power to "name and shame" the heavily corrupt countries). Two, it helps to redirect anticorruption policies and programs to states that are possibly suffering from "systemic

corruption" and "state capture". Three, for the first time in the history of corruption research, the CPI helps to generate large data sets that can help researchers to gauge the extent to which corruption affects economic growth and reduces foreign investment (Stefes, 2007). The CPI motivated some researches on national economies carried out in the mid-1990s. For instance, Mauro (1995) found that an increase in a country's corruption level can cause a decrease in the country's GDP and consequently foreign investment (Hellman, Jones &Kaufmann, 2000; Tanzi & Davoodi, 1997).

Although the CPI has provided the international community and national governments with useful data sets to fight corruption, it also has its limitations. One, it suffers from a "perception error", a problem associated with the fact that participants in the survey may be responding to different aspects of corruption in a country. Since the business people sampled are from different ethnic, cultural and racial backgrounds, their perceptions of corruption might have been colored by their socioeconomic background and personal experiences. Two, the CPI faces the methodology challenge of sample bias. Sequiera (2012)explains that

*Sample bias emerges if an international firm's exposure to, and therefore knowledge of corruption in a given country, is determined by the proclivity of a particular business to engage in corrupt behavior in the first instance and by the type of business activity it is involved in. If international businessmen are involved in the oil sector in Nigeria and this is perceived as being a particularly corrupt sector, Nigeria is likely to rank higher in the corruption index than other countries with higher variance in the distribution of corruption and international businessmen across sectors (p. 5).*

Three, the CPI has also been criticized for being a "subjective measure". By interviewing international businessmen, the measure assumes that the knowledge of these business actors can be used to aggregate the magnitude of the problem of corruption in the developing world. Four, by using a "proxy measure", the CPI is also likely to suffer from "the utility problem" (Urra, 2007). The utility problem arises when a government decides to use the aggregate measure of corruption provided by the CPI without considering the views of local actors. Citizens who encounter a country daily will, of course, be more informed about corruption than businesspeople whose interaction with the country may be only occasional. In developing countries where corruption is systemic, the corruption perception index will misrepresent the type of complex corruption networks used by politicians to capture the state and amass its wealth for themselves (Stefes, 2007).

## Survey-Based Measures of Corruption: Using Beeps to Test Corruption Victimization

Following the realization that perception-based surveys could not explain the many shapes and forms of corruption, academic researchers shifted to the use of surveys to measure corruption victimization. The World Bank Enterprise Survey (BEEPs) is one of such surveys that concentrate on micro-level data of firms to gauge the level of corruption experienced by businesspeople. In addition to BEEPS are the World Bank Business Enterprise Economic Surveys and the International Crime Victimization Surveys designed to capture corruption victimization experiences of people in 49 countries.

The World Bank, in conjunction with the United Nations and the European Union, has also designed certain surveys for measuring the efficiency of judicial systems, the integrity of the courts and corruption of court officials in the developing world. The aforementioned instruments have sparked many policy

reforms and corruption cleanups in the courts, leading to the removal of judicial officers and the eradication of bureaucratic bottlenecks to justice administration in developing countries, particularly in the former Soviet Union countries and Africa where systemic corruption has virtually eroded the judiciary's independence(World Bank, 2006).

BEEPS is a good measure of corruption but it runs into some of the problems faced by the CPI. Although BEEPS usually focuses on business people who interact with specific firms, its disadvantage is that it assumes that the local actors, who probably host the community, do not matter. It is these local actors that shape the dynamics and mechanics of corruption in such societies. This is why it is necessary to capture the experiences of local actors who probably interact with firms. Information from local actors can blur the difference between the *insiders and outsiders* of the organization being studied (UNDP, 2008).

Like the CPI, BEEPS faces the challenge of which aspect of corruption should be handled first. Accepted that firms pay more bribes to survive in the environment, it may be necessary to determine which aspects of a firm's business activity increases its vulnerability to bribes. By doing this, the corruption victimization surveys will seek to achieve an objective assessment of corruption across different segments of a firm and, implied in this process, is the tailoring of anti-corruption programs and policies towards the needs of the firm.

Unless corruption victimization surveys cover an adequate number of firms in a country, it may be difficult to generalize based on their outputs in a country with ethnic, religious, racial and political complexities. Besides, there are differences in organizational contexts, culture and power play which shape the dynamics of corruption in the different segments of society. Considering the diverse nature of corruption, it may also be important to properly conceptualize aspects of corruption that are being investigated at the outset of the research. This is necessary to avoid misrepresentation of the experience of corruption. For instance, it will be improper to restrict the corruption victimization question to "Have you ever been asked to pay a bribe in the last 6 months?" without providing an additional question on the type of bribe paid and the reason why the bribe was paid. Owing to the ability of survey-based research to detect specific instances of corruption victimization, it offers a higher degree of validity and objective measure of corruption victimization (see United Nations Development Programme, 2008).

Given the complex nature of corruption, BEEPS has also been criticized for being inadequate to capture the direct experience of corruption. This must have necessitated the emergence of more objective measures of corruption, such as experimentation, direct observation, public expenditure surveys, and case studies. Each measure introduced comes with its strengths and weaknesses.

## Measuring Corruption Through Direct Observation

Direct observation of corruption and corruption victimization is increasingly being adopted in developed and developing countries. Indirect observation, the researcher directly observes forms of corruption within a social setting. On the other hand, the researcher may decide to be a participant-observer. By participating in the corrupt deal, he acquires first-hand information about the dynamics and mechanics of corruption. This method is particularly useful in countries where citizens are not willing to respond to survey questions or support efforts at combating corruption (Sequiera, 2012).

Unlike other measures, the DO moves a researcher closer to reality and connects them with first-hand information for detecting critical actors in a corrupt deal. For instance, Olken and Barron (2009) used observation to detect how truck drivers were making over 6, 000 payments to the police on their route to and from the Indonesia province of Aceh (see Sequeira, 2012). Direct observation can also be used

by anti-corruption agencies or police intelligence to crack down on offenders of the law. In Nigeria, the Economic and Financial Crimes Commission (EFCC)introduced this approach by posting its officials to the field to observe vote-buying during the country's 2019 general elections (Ejike, 2019). One of the journalists who covered the election, Ejike said about the approach:

*It was a case of the Eagle eye sharply roving round, 360 degrees, to strike any agent of vote-buying. The operatives of the EFCC were unmistakable in their outfit and mission, as they moved from one polling unit to another, taking up strategic positions, while acting on intelligence reports. At various polling units visited by EFCC operatives across the country, the fear of the EFCC became the beginning of sanity and wisdom for those who had strategized on how to share funds to induce voters. Many of them, for fear of being arrested, scampered to their various hideouts, muttering words like, "which one concern EFCC with election ooo". In Gombe, two-vote buyers, who hitherto thought it was business as usual, were arrested by operatives of the EFCC, with wads of naira in their hands, as officers of the anti-graft agency effectively aborted their plans and took them into custody, as part of investigating a larger syndicate of vote-buyers.*

It is worth noting that direct observation has been useful in many jurisdictions to detect if corruption occurs. However, it suffers from lack of macro-level data for generalization. Direct observation may not even show the extent to which an illicit transaction has been occurring. This is where longitudinal surveys may suffice to fill the gaps created by one-off assessments by a researcher through DO. A more critical problem with this methodology is the problem of sensitization and stigmatization by a hostile public. Stefes (2007) notes that people generally have an aversion for anti-corruption programs and may stigmatize individuals who are fully involved in the fight against corruption. This methodological difficulty in DO is what has led to the use of expenditure tracking surveys.

## Expenditure Tracking Surveys – The Limits In Transition Societies

Public expenditure is an integral aspect of government because the amount of money the government spends on public infrastructure and social services will determine the level of support it gets from the citizens. Public expenditure, therefore, forms an important aspect of governance in the developing world (Seligson, 2006; World Bank, 2012). While the government is expected to spend on public infrastructure, the people also expect politicians and public officeholders to be accountable to the citizens. But this is not always the case.

In most developing countries, public expenditure does not usually follow specified procurement rules and regulations as the elite struggle to subvert the rules and exploit the opportunity to amass enormous wealth for themselves and their cronies. Stefes (2007) notes that in societies where corruption is systemic, the rules governing public expenditure no longer matter and that what matters is the ability to connect with appropriate corruption networks and capture the state. The consequence of this is the total breakdown of rules in the management of public expenditure. To reduce this widespread political opportunism in developing countries, a new approach to measuring corruption in public expenditure was introduced, i.e. the Public Expenditure Tracking Survey (PETS).

PETS is a diagnostic tool used to determine the level of accountability and transparency in the management of public funds. It uses audit reports and information gathered from service providers to track the quality of service rendered by public officials in the management of public resources. Similar to

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PETS, there is the Quantitative Service Delivery Surveys (QSDS) framework, which is designed to assess the quality of service delivery of public and private organizations. By generating micro-level data, PETS and QSDS have significantly revealed the impact of procurement leakages on road construction in developing countries (World Bank, 2011). These approaches have also helped in uncovering "quiet corruption" in the education sector of Afghanistan (World Bank, 2011).

PETS is particularly useful because of its tendency to uncover the corruption tunnels in a public or private organization. When officials of anticorruption agencies can uncover incriminating papers indicting public officials, it may be asserted that corruption has occurred in the institution. Again, this measure of corruption has its limitations. One of the limitations of PETS is lack of researcher access to service providers and budgets (Gurkan, Kaiser & Voorbraak, 2009). There is also non-disclosure of full information to researchers, which may undermine the validity of the results generated via PETS.

In their assessment of PETS for the World Bank, Gurkan, Kaiser and Voorbraak (2009) reported that the 1996 Uganda PETS was the best PETS ever conducted, considering that the project was able

*to trigger a concrete set of policy actions such as publishing intergovernmental transfers of public funds in major newspapers and replacing the central supply of in-kind materials with school-based procurement. The smart information and communication campaign on the PETS results, combined with a strong political interest in reforms, contributed significantly to make real change possible (Gurkan, Kaiser & Voorbraak, 2009 p. 3-4).*

While PETS worked successfully in Uganda, it met some resistance in the health sector in Nigeria (see Gurkan, Kaiser & Voorbraak, 2009). What then can developing nations do to benefit significantly from the array of corruption surveys and anti-corruption programs?

## Measuring Corruption By Qualitative Assessment – Case Studies And Interviews

In recent times, qualitative assessment of corruption has become dominant in the field of corruption studies following the realization that survey-based research often leaves out citizens' qualitative assessment of corruption, even though majority of people in the developing world still live in rural areas and are possibly not literate enough to have been captured by large surveys. Given the fact that survey-based research is often restricted to numerical evaluation of corruption, researchers have come to recognize the need to support such macro-level data with citizens' narratives about corruption. Unlike the macro-level composite measures, qualitative research critically examines citizens' stories, voices, case studies, life history, ethnography and interpretation of corruption in their countries (UNDP, 2008). Qualitative research probes deeply into the culture of corruption and the channels through which corrupt money is transmitted to formal organizations. The implication of using the qualitative method is that the government is armed with adequate information about the nature of corruption in the society and who the perpetrators are in the public and private sectors. Additionally, anti-corruption agencies can use these initial case studies to enrich their intelligence about the dynamics of corruption in society.

Although the qualitative method seeks to connect the researcher to the natural environment, it tends to provide a bulky data set that is hard to summarize and difficult to compare across countries (UNDP, 2008). In addition to this is the fact that it usually gives varieties of narratives of experiences of corruption which may be difficult to aggregate, unlike cross-sectional surveys which can be aggregated into

large data set. This is one of the reasons why the United Nations Development Programme stated that no single data set can effectively measure corruption in developing societies. Alternatively, researchers have had to combine composite measures such as CPI and BEEPS with interviews to produce robust analyses of corruption in less developed countries.

## THE POLITICAL ECONOMY OF CORRUPTION MEASUREMENT AND ANTICORRUPTION IN AFRICA

The current interest in the study of corruption in Africa has been studied from different theoretical perspectives, especially modernization theory, dependency theory, and the political economy approach. In this study, the Marxist political economy is amplified to explain the reason why the war against corruption in Africa as well as most of the developing world has persisted. The Marxist political economy is particularly suitable for the work because it provides both the historical contexts of the problem and the hidden agenda of imperial capitalism for the nations of the Third World.

Although corruption is a global problem, it is more particularly inimical to development in the Third World, where millions of people live in abject poverty and lack access to education and decent health care. It is a problem not because these countries lack natural resources and do not have the wherewithal to turn around the economy but because, for decades, most of the political leaders in the Third World have not been committed to the process of achieving political and economic development. While proponents of modernization theory will assume that as developing societies mature in age and politics, political and economic structures that will eradicate corruption and deepen probity in government will flourish, the theory leaves out much of the argument about the historical contexts of the problem. For instance, Mungiu-Pippidi (2006) argued that the war against corruption in Africa and the majority of developing countries is not only a war against abuse of public office but a war against particularistic traditions that flourish in societies that are yet to develop and modernize their institutions. Mungiu-Pippidi's argument is hinged on the modernization thesis that corruption is a symptom of development crisis found in societies that are yet to modernize their societies and transit into advanced capitalist nations where both access to government's positions and the distribution of governmental powers to the various segments of society are usually based on universal criteria. No doubt, modernization theory is a useful theoretical construct for explaining how political and economic values from the West diffuse into non-Western societies and ultimately help such societies to modernize. However, it does not explain the hidden agenda of the developed capitalist societies, who want to set the developmental agenda for non-Western societies without considering the peculiarities of the developing world.

Because modernization theory fails in this area, dependency theory may be deployed to explain the fact that both the development agenda and the reform process in the Third World are a continuation of the imperialist/capitalist agenda witnessed in the 19th Century Third World. For dependency theory, the problem is not with the reform of the state suggested by the West but the way the agenda is set for non-Western societies. This theory urges the developing nations, including many African countries currently implementing corruption cleanup reforms, to be wary of methodologies imposed on them by the advanced nations (Ake, 2000).

Like modernization theory, dependency theory may not provide a holistic picture of the problem of corruption and the supposed intention of global and national actors in the anti-corruption programs, hence the adoption of the political economy approach in this study.

The political economy approach assumes that the peripheral nations are in a world system where both access to the global economy and the development agenda are determined by the core. Since Africa is on the periphery of the world system, it is a consumer of ideas and not the originator of global ideas about development. Congealed in Wallenstein's system theory, the peripheral political economy approach claims that the sudden shift of development agenda to the Third World, including the war against corruption, is to help deepen capitalist interests in the Third World and make them available for exploitation.

This approach has also influenced the attitude of the West to African leaders' commitment to the war against corruption. For instance, in Nigeria, where the Federal Government claims to have made remarkable efforts in fighting corruption in both the public and private sectors, criticism of the Nigerian government's disobedience to court orders and abuse of the rule of law has not been sharp from countries with vested interests in the nation's economy. Equally, the United Nations Commission for Africa (2016) has cautioned that African countries must be wary of the methodologies for studying corruption which do not emphasize how foreign companies bribe local firms and in the process engage in corrupt practices that eventually impoverish millions of people.

## BOLSTERING CORRUPTION CLEANUPS IN AFRICA THROUGH MULTIPRONGED APPROACH TO CORRUPTION SURVEYS AND STRATEGIES

Following the review of theoretical and methodological approaches to measuring corruption around the world, it is clear that corruption experiences differ across cultures and political systems. The review has equally shown that developing nations may not be able to move at the same pace with the developed world, where public institutions are more inclusive, accountable and transparent in their desire to make visible changes in the well-being of the citizenry (Acemolgu, James &Robinson, 2013). Nevertheless, developing nations can learn from using empirical research to vigorously pursue and implement anticorruption programs.

Anticorruption programs work better when they are informed and driven by research. Research-driven corruption cleanups help to indicate the nature of corruption in a society. It equally maps out the sections of the society that are exposed to particular cases of corruption victimization. Because of the low level of research-driven public policymaking in Africa, most anticorruption cleanups have not been built on strong empirical foundations, thereby forcing the government to resort to a "state-centrist approach" to fighting corruption (Stefes, 2007). The "state-centric approach" relies largely on the investigation of corruption incidents by anti-corruption agencies or the police. It involves working closely with the courts to prosecute suspected public officials. Because most post-colonial African states are state-centered, their approach to governance and anticorruption cleanups has been dominated by the state (Ake, 1996; Mbaku, 2000). The state-centric approach is good because it helps create awareness that government will no longer tolerate corruption. Paradoxically, it imposes fear in the minds of the citizenry and violates the rights of corruption suspects whose names may have been marred by media propaganda.

As African countries consolidate on their democratic systems, it is apparent that they need to demystify the way corruption is fought, as well as the way corruption cleanups are implemented by the state. The state-centered approach, which is inherited from colonialism and decades of military intervention in politics, might not achieve the desired results in the 21st Century. This position is taken because the

state-centered approach is deepening 'the state-civil society divide', making it difficult for the government to transit to a "state-in-civil society" (Stefes, 2007). Governance works better when the opinions of citizens are sought about public expenditure and there is assurance about transparency of government, quality of service delivery and the level of accountability of public officials. Besides, it guarantees the citizens their social, economic and political freedoms while integrating them into the state's projects (Gastil, 2008). In countries where citizens are carried along in the anti-corruption programs, civil society organizations are more likely to help citizens hold government accountable for their actions. Weakening civil society powers is like reducing the chances of uncovering the dynamics of corruption victimization suffered by citizens in the affected countries.

## Two Decades of Anticorruption Reforms In Nigeria And South Africa: Lessons For Other African Countries

The return of democracy to Africa in the 1990s has led to several reforms in many African countries, leading to a change of attitude of the public to corruption in government. As such, the two decades of reforms so far recorded in Africa hold different lessons for African leaders. While the political systems of the majority of African countries remain volatile and unresponsive to the demands of democratic public service engagement, there is hope that Nigeria and South Africa can provide leadership that will take the continent to the next level.

South Africa's anticorruption legacy predates that of Nigeria, being rooted in the country's apartheid history. On its part, Nigeria's anticorruption cleanup is informed by its colonial legacy and decades of military intervention that institutionalized the culture of corruption in government and the public service while eroding the value of merit in the larger society (Ekeh, 1975; Mbaku, 2000).Of course, no country will fight corruption without having records of corruption. The Black-White dichotomy in South Africa and the struggle against racism were two factors that played a major role in the emergence of democracy in the country in 1994, leading to reforms in the public service and the war against corruption in the country. Notwithstanding their checkered history of political conflicts, both Nigeria and South Africa have come out very strong in the anti-corruption landscape in Africa. Nigeria presents an interesting example in this regard.

Nigeria has over 350 ethnic groups with a history of political and ethnic conflicts, following the amalgamation of the Northern and Southern Protectorates by the British in 1914. With rich and diverse resources, Nigeria has since the 1960s, after the departure of the colonialists, emerged as one of the major oil-producing countries in the world; ironically, however, the country is home to some of the world's poorest populations (Mbaku, 2000). Faced by bad leadership, poor governance of the public sector and protracted military rule, the Nigerian economy has since the 1980s been transiting to and out of recession, leaving no one in doubt that the economy has been badly managed (Okonjo-Iweala, 2012).

Confronted with different types of economic volatilities, corruption, and inefficient public service, Nigeria was forced in the early 2000s to embark on sweeping reforms to change the political economy of the country. At the time, Nigeria was deeply indebted to the Paris Club, a situation that ultimately caused a low level of interest from foreign investors. Given this background, President Olusegun Obasanjo, who

had ruled the country in the 1970s – in relatively more well-off times –was again saddled with the task of reforming the public service and redeeming the Nigerian image before the rest of the world. The first task embarked upon by President Olusegun Obasanjo was to set up Presidential Economic Management Team comprising a former World Bank Economist, Dr. Ngozi Okonjo Iweala, Nasir El Rufai, Obi Ezekwesili, and Charles Soludo, among others (Okonjo-Iweala, 2012). The team consequently mooted the idea of setting up a Debt Management Office that would manage Nigeria's huge debts to the international community.

Following the creation of the Debt Management Office, sweeping reforms were carried out in the public sector which led to the establishment of the Independent Corrupt Practices and other Related Offences Commission (ICPC) in 2001 and the Economic and Financial Crimes Commission in 2004 after the passage of the bill into law by the National Assembly. In addition to these are the anti-corruption agencies created by the 1999 Constitution such as the Code of Conduct Bureau and the National Judicial Council.

While the creation of the Code of Conduct Bureau and the National Judicial Council had been preconceived by the military, the creation of the EFCC was a child of necessity (Ribadu, 2010). At the time the EFCC was established, Nigeria was notorious for different types of economic and financial crimes, particularly advance fee fraud and cybercrime. Undeterred, many cybercriminals exploited the flexibility and porosity of Nigeria's security system to defraud foreigners. This legacy continued for several years after Nigeria's independence, until the country was sanctioned by the Financial Action Task Force (FATS) for non-compliance to global financial regulations on money laundering and other illicit financial flows (Ribadu, 2010).

Worried by these sanctions, President Olusegun Obasanjo initiated the process of establishing an independent economic and financial anti-corruption agency that would be capable of fighting financial crimes in the country and stabilizing the nation's economy. Eventually, the EFCC was established, with Nuhu Ribadu leading the campaign against corruption, money laundering and financial crimes in Nigeria. Within a few years of its establishment, the agency succeeded in arresting and prosecuting politically exposed persons and cybercriminals. One of the major convictions secured by Ribadu was the conviction of a former Inspector-General of Police, Tafa Balogun, for corruption-related charges running to N5.7 billion (Human Rights Watch, 2010). Tafa Balogun's conviction seemed to have shattered the belief that the EFCC would not be able to prosecute the "untouchables" in the Nigerian society, thus quickly leading to a new orientation among members of the public on government's unwillingness to no longer tolerate malfeasance in the public sector (Alli, 2013).

The EFCC has equally made appreciable progress under its successive leaders – Ibrahim Lamorde and Farida Waziri. It was under Waziri that the EFCC launched a series of anti-graft battles against corruption in the banking sector, leading to the arrest and prosecution of Cecilia Ibru, a top banking executive. It is interesting to note that, under the administration of President Muhammadu Buhari, the agency has been unrelenting in its war against corruption as it secured a total of 312 convictions between January and December 2018 (see EFCC, 2018). Also, shortly before the 2019 general elections, the EFCC secured the convictions of two former governors, Joseph Dariye and Jolly Nyame (Sanni, 2018). The Code of Conduct Tribunal also secured the conviction of the immediate pastChief Justice of the Federation, Walter Onnoghen, for false declaration of assets (Nnochiri, 2019).

The EFCC has equally helped the government of Nigeria recover millions of naira stolen from the government's coffers through the Whistle Blowing Policy. The most startling of this was the recovery of $43.4, #23.2 m and £27, 800 from the 7th Floor of an apartment in Ikoyi, Lagos (Sahara Reporters,

2017). Though the Whistle Blowing Policy has been commended as a potent instrument of fighting corruption, the willingness of public officials and members of the public to cooperate with the EFCC and other anti-corruption agencies in recovering stolen wealth, is perceived as a major challenge to the effective utilization of the policy (Salihu, 2019).

The EFCC is not the only agency that the Buhari administration has used to confront the scourge of corruption in government. The Buhari administration has also combined intelligence from the Department of State Security (DSS), the Nigerian Intelligence Unit, the ICPC, the Police, the Nigerian Immigration Service, and other security agencies in its effort to combat corruption in the public service. For instance, in 2016, the DSS invaded and arrested two sitting Justices of the Supreme Court, Justice John Inyang Okoro, and Justice Sylvanus Ngwuta, on allegations of bribery linked to the 2015 election tribunal (Sahara Reporters, 2016). Based on such achievements, President Buhari has received commendations for his bold steps in the fight against judicial corruption, as he appears to have gone beyond the mere rhetoric of the conventional tribunals, the legacy of successive military governments. At the same time, there have been strident criticism of the Buhari administration for disobeying court orders and abusing the judicial process. Similarly, some have criticized the government for flouting the provisions of the constitution for the prosecution of judicial officers for corruption and crimes. There is no doubt that Nigeria is still a transitioning democracy but flagrant violation of the principle of the rule of law by any arm of government is an invitation to anarchy (Ijalaye, 2008).

Arguably, Nigeria's corruption cleanups have not gone beyond the state-centric approach in which the state appears to be responsible for all the efforts to curb all forms of corruption in government and the private sector. It is important to note that no anti-corruption agency or security force in the country has dared to arrest and prosecute any former Nigerian president for corruption, despite allegations and counter-allegations against heads of government in the country. Closely related to this is the fact that Nigeria's anticorruption framework largely ignores the fact that empirical research is key to winning the war against corruption in Africa. This is one of the reasons why the state is hardly interested in or committed to empirical research on corruption victimization. According to Baliki (2013),

*Victimization surveys in developing countries have not attracted researchers and policymakers until very recently. Apart from the International Crime Victimization Survey (ICVS), there exists no structured international victimization survey that is representative across all regions. The UNODC, on the other hand, has funded an ongoing project to undertake a consistent victimization survey worldwide, but data has only been collected for several African countries. More recently, the World Value Surveys (WVS), known for its extended regional coverage, has included victimization-related questions in the new wave survey of 2010-2012, but data is not fully and readily available for public use. (p. 1)*

South Africa has also made appreciable progress in practically fighting corruption and bringing the war to the doorsteps of politicians. By prosecuting former president Joseph Zuma for corruption, South Africa has set an example of uncommon courage to other African countries. Sudan is equally another worthy example in the fight against corruption involving a former president, who has now been sent to prison with a number of his cabinet members amidst chaos created by political conflict. Yet, none of these countries has a regular national corruption victimization survey that can help map victimization experiences in the public or private sector.

## SOLUTIONS AND RECOMMENDATIONS

Despite huge investments in corruption cleanups in the last decades, corruption has remained a persistent problem in the developing world. Perhaps, the problem is not a lack of reforms but most of the reforms in the developing world have not been driven by empirical data on corruption. This is why the measurement of corruption has remained very important to the struggle against corruption in the developing world.

Although many methodologies have been developed to study corruption and its consequences on development in Africa, this study avers that more attention is still needed to be paid to corruption victimization in the public and private sectors of developing economies. The study, therefore, makes the following recommendations for future research;

1.  Because corruption is a reflection of the development trajectories of a nation, this study suggests that both the measurement of corruption and corruption victimization must consider the historical contexts of the country being investigated.
2.  The study opines that corruption perception index (CPI) is no longer sufficient to reveal the debt of corruption problems in developing nations even if the methodology has gone a long way in providing an empirical basis for the study of corruption in modern society.
3.  It states further that the interest in corruption research in the developing world must be driven by the need to reform the public service and make government more accessible to the citizenry.
4.  The study also avers that the primary motive of investors in corruption research must not only be to shame nations and blame political leaders. The results of such research must be made available to policymakers in the different sectors of the society so that the government can track vulnerability and help block opportunism.
    4.  While the controversy over the definition of corruption continues, it is pertinent to note that future research on corruption in the developing world must critically engage the laws of individual nations proscribing corruption to establish social and cultural behaviors that have allowed corruption to flourish in many nations.
    5.  The study suggests that there is a need for the international community to invest more in surveys of corruption victimization in the public and private sectors, and such effort must include governments and experts from the countries being investigated.
    6.  The study also suggests governments of African countries should complement the prosecution of corrupt leaders with corruption victimization studies that capture the experiences of local actors and at the same time unearth the role of external forces in the promotion of corruption in Africa.

## FUTURE RESEARCH DIRECTIONS

Since studies on corruption victimization are few, further research may focus on the factors inhibiting non-utilization of corruption victimization measures in some countries and how these factors have influenced corruption cleanups in the developing world.

## CONCLUSION

This chapter has been a critical assessment of the measurement of corruption and corruption victimization in developing countries, especially in sub-Saharan Africa where many countries are yet to transit to empirically informed corruption cleanups. While it is true that many African countries are still in transition, there is need to ensure that democratic struggles to make the government accountable, improve the living conditions of the citizenry and stabilize the society are rooted in science and research.

It seems to be the case that what operates in many African countries today is a combination of the state-centered approach to corruption campaigns and use of corruption perception surveys to assess the level of corruption, where as many citizens experience corruption in their interactions with public institutions daily but do not have any means of reporting their experiences. The idea of relying on the opinions of international businesspersons to assess the level of corruption in individual African countries, while neglecting the robust cultural and historic experiences of the citizens with these institutions, may affect the effective implementation of anti-corruption programs in many developing African countries. In one of its reports on measurement of corruption in Africa, the United Nations Economic Commission cautioned that research on corruption in Africa should begin to examine the role of international actors, multilateral agencies and partners in entrenching corruption in Africa rather than castigating Africans as culturally permissive of graft and malfeasance in public life (UNECA, 2016).

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# Chapter 6

# Victimization, Cultural Imperatives, and Empowerment of People of Color in the United States

**Tamanna M. Shah**

iD https://orcid.org/0000-0001-9609-0191

*University of Utah, USA*

## ABSTRACT

*The high incidence of violent crimes in the United States of America, which include mass shootings, hate crimes, Islam bashing, murders, extortion, crimes against women and children, and white supremacist crimes, witnessed in last few years is a cause for great concern. The land of liberty is lately seeing increasing victimization of deprived or socially unempowered groups. This chapter looks at such victimization and the cultural supremacy that is giving rise to ethnic strife among people. It is argued that robust and well-evolved policies will reduce crime and empower marginalized groups, a majority of whom are women and children. The empowerment—social, cultural, economic, and political—and recognition of the challenge of victimization is the only solution. There is a need to recognize the egalitarian impulses for a better policy formulation devoid of prejudice to craft a secure future for the victims.*

## INTRODUCTION

Victimhood is a socially constructed concept and has a complex nature. There exist multiple understandings of victimhood constructed around various categories and types of victims, applied in varying situations. Therefore, it is vital to understand victimhood in a particular context. Victimhood should be understood both in the broader context of culture, class, and other sociopolitical factors and objective realities of the victims. "Social reality of victimization is a conflation of subjective and objective measures" (Findlay, 2009, p. 188). The indifference of privileged sectors to the misery of the rest is striking in the United

States, as also elsewhere in the world. Victims of discrimination in the United States, particularly people of color and immigrants suffer from loss of civil, political and socio-economic rights. Scholars have demonstrated that minorities, especially the Blacks and Latinos, are more likely to be violently victimized than the Whites (Catalano, 2006; Rand, 2009). However, the literature on the variations of the extant of victimization across gender, race and ethnicity, and the causes of disparities is scarce (Lauritsen & White, 2001). A lot of literature has documented the effects of the white supremacist movement as "one of the most enduring political subcultures in American history" (Simi, Blee, Demichele, & Windisch, 2017, p. 1). The modern world is racially organized. This white supremacist culture is deep-rooted hate and violence against 'others.' Many scholars argue that whites do engage in everyday racism against people of color (Essed, 1990; Feagin, 2001; Feagin, 2014).

From Du Bois to Fanon, the use of 'white' in a racialized sense has a long history. Charles Mills' theory is an account of the generation of white supremacy. However, the approach does not explain the way whiteness functions and maintain the system of white supremacy. People of color are vulnerable and at-risk when faced with constant racialization. They are victims of hate crimes, discrimination and oppression at the hands of the people with privilege. There have been efforts to document the hate crimes and the effects on victims (e.g., Hate Crimes Statistics Act, 1990), however, very little is known about people's perceptions and attitudes about these crimes. Crimes that are motivated by hate include words or actions intended to harm or intimidate an individual because of his or her perceived membership in or association with a particular group (Herek, 1989; Matsuda, Lawrence, Delgado, & Crenshaw, 1993).

Therefore, the goal of this paper is to assess the depth of victimization and cultural supremacy that is giving rise to ethnic strife among people. By exploring these dynamics and recognizing the challenge of victimization, I argue for robust and well-evolved policies that reduce crime and empower marginalized groups.

## BACKGROUND

### Being White

'Whiteness' is a color-blind ideology that makes whites refuse the reality of racism. It is socially constructed and bears the markers required for demarcation. The usual marker is the color of the skin, which shapes the perceptions and a person's worldview. The lived experience of the people of color is therefore not an individual's own but something given and determined by society. The definition of whiteness has changed over time and determined by people in power. In the 20th century, people from Eastern Europe were considered "non-white" and treated as people of color. Once they gain power and privilege, they include nationality in the whiteness (Johnson, 2006, p. 18), depicting the tendency of privileged whites to discriminate.

As Reskin (2003) clarifies, "Whiteness is a potential resource for all whites that others (who perceive their whiteness) confer and even impose on them (us) whether or not they (we) seek it. Even whites who abdicate racial privilege can readily reclaim it at the moment they cease to reject it actively. The automaticity of unconscious race stereotypes and in-group favoritism make complete abdication all but impossible. To paraphrase Thomas Wolfe on home, whiteness is where you can always go and where

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they always have to take you in…if you appear to be white" (p. XX). Whites in all social locations are relatively privileged in regards to similarly located racial minorities. While their access to cultural capital and other resources may vary, all whites have access to the symbolic capital of whiteness, or what refers to as the 'wages' of whiteness (Du Bois, 2007, p. 700).

Schaefer (1990) defines racism as "a doctrine of racial supremacy, that one race is superior" (p. 16). Some of the historical research points out that European immigrants were constructed as 'whites' (Bonnett, 1998; Jacobson, 1998; Roediger, 2007). Lipsitz (2018) argued that whites are 'invested' in the whiteness project since it is seen as providing material rewards and is a source of their identity construction. The privileged status of whites in the United States is a result of the oppression and discrimination of the people of color.

"In the white world, the man of color encounters difficulties in the development of his bodily schema. The consciousness of the body is solely a negating activity. It is a third-person consciousness. The body is surrounded by an atmosphere of certain uncertainty" (Fanon, 2008, pp. 110–111). Fanon's description shows how whiteness functions and how it gives people of color the meaning of their bodies. These are external clues established by whiteness for the people considered as the others or lower ones. Whiteness in all its realms functions as a 'convention' and a 'process of being,' which provides the ammo for social action and discrimination. It establishes the norms for the superiority of one body over the other based on color. In recent times, these markers have grown beyond just the body color to include ethnicity, religion, and language. The choice of dress, the color of the skin, or phenotypical features is associated with the process of embodiment (Longhurst and Johnston, 2014). Some scholars argue that racism is part of the broader racial domination project which is embedded in the society and propagated through the white identifiers (Bonilla-Silva, 2001; Robinson, 2000). Social scientists now have come to believe that race is a "socially constructed" category and is the "weaving of disparate elements into a complex and shifting totality" (Mitchell, 2012, p. 17).

Maynard (2012) reminds us that, "it is not necessary to be black to experience racism, as the experiences of the Jews and the Irish and current events in Europe testify" (p. 21). The current version of racism is not just directed towards darker skins but also the migrants and minority religious groups. This racism is no longer color-coded but a renewed form of the old racist order. It is what scholars like Fekete (2004) call xeno-racism. Fekete (2004) argues that it is the Muslim migrants in particular, who undisputedly bear the burden of suspicion and hostility. "White Muslims [too] are perceived as 'race-traitors' by white supremacists [and it is] a "re-manifestation of an already existent kind of racism" (Franks, 2000, p. 926). The demonizing of the 'foreign-born' is essentialized and culturally determined. This racialization emanates from the identification of "Islam as a 'Pakistani religion' or part of South Asian culture" (Moosavi, 2015, p. 44). A minority and racialized group, therefore, "not only experience a different reality than a group that rules, but a subordinate group may interpret that reality differently than a dominant group" (Collins, 1993, p. 184). Such subordination demands a negotiation of the sense of self and manages it with the images projected by others. The process of negotiation teaches the 'self' of the non-white to reconcile the contradictions or the dialectical tensions. Spaces are, therefore, positioned around whiteness, the effect of which is modified when a non-white body is presented. Such institutionalization of whiteness in the form of 'likeness' imparts discomfort for the non-white bodies, who share the same space as the whites.

Depenheuer's (2009) dichotomies - citizens versus non-citizens, enemies versus friends - are increasingly institutionalized within the law, social policy, and policing. Such racial profiling makes the people of color stand out, which re-affirms the white supremacy. "Race is a concept which signifies and symbol-

izes social conflicts and interests by referring to different types of human bodies" (Omi and Winnant, 1986, p. 55). The symbolization and demarcation of the body lead to traumatic stress reactions (Allen, 1996). Explicitly, scholars link racism to depression and anxiety (Lee, 2005), lower self-esteem and interpersonal problems (Liang & Fassinger, 2008). Scholars argue that apart from the racial profiling and the markers acting as barriers to success, there is also racial trauma endured in the process. This acts as an even more significant deterrent to progress. These vignettes illuminate that a racial lens of viewing and discriminating against people is universally persistent and inescapable. These "racial categorizations impact upon the body as a material object and of the complex and often painfully contradictory ways in which identities are lived out at the level of embodied experience" (Alexander and Knowles, 2005, p. 10). Scholars argue that post-civil rights era saw a shift from the color-blind racism characterized by an explicit reference to race to a more 'coded' language emphasizing presumed cultural and social differences as opposed to biological ones (Bonilla-Silva, 2001; Gallagher, 2003; Kim, 2000; Pierre, 2004). However, the 2008 elections in the United States raised questions about whether the country has entered a post-racial period, one marked by the declining significance of race and racism as a significant factor in the organization of society and opportunities for social mobility (Bai, 2008; McVeigh, 2019).

## Being The 'Other'

The color code that rules the way identities are negotiated is a historical tradition that dominates the society since millennia. Such national identity projects are intended to drive the 'others' out or create the insider-outsider tension to reinforce and perpetuate the color bias. Countries use the concepts of race and secularism to establish cultural and racial divisions in society. This is the process of identity negotiation where the people of color or the minority groups use to define and make sense of self as they interact with others. There is double negotiation that goes on: identities are 'made' not just through how others define us but also how we define ourselves. This results in a tension (Goodall, 2006) in some cases or coheres in others (Jung & Hecht, 2004). Such dialectical tensions have been newly problematized. It is in the everyday encounters that the experiences of domination and racialization become embodied (Peake & Schein, 2000). The name of a person, religion and language make people of color the 'suspect' category (Crenshaw, 1991). Du Bois (2007), in his book, exposed the white belief that Blacks are a 'problem.' The reality is not that the black people are a problem; it is the conditions that construct people of color as a problem, is of concern. Du Bois (2007) explored the concepts of minority consciousness and double consciousness to elaborate why they are of value, and situate them with the white supremacy.

Double Consciousness is phenomenological and an analysis of the formation of the self in racism. The Consciousness of one's body is a 'third-person consciousness,' and the feeling is one of negation (Fanon, 2008, pp. 110–111). The problem of the color-line then emerges from the 'veil of race' (constructive and structural element) giving rise to the double consciousness. The whiteness project has negative consequences not only on the identity of the people of color but also on humanity. Continued oppression and lack of opportunities gave rise to the resistance and demand for dignity and respect, which, for Du Bois (2007) is a determined effort at self-realization and self-development. In the process of the formation of identity, individual development and psychological well-being are crucial (Erikson, 1980; Rogers, 2011; Yalom, 1980). And these can be compromised in the face of white discrimination. Scholars argue that in the process of confronting race-related stress, emotional issues and trauma leads to the rise of the 'invisibility syndrome' (Franklin, 1999). The dominance of the white way of looking at

the 'others' result in psychological conditions. People of color perceive that their talents and identity are not recognized and view such dominance as slight or microaggression by the people of color (Franklin, 2004). "Unresolved psychological injury from slights can create debilitating symptoms" (Blitz, 2006, p. 13). Internalized racism is another aspect of the slight. People of color begin to believe their inferiority and accept negative views disseminated in society about their racial group (Franklin, 2004, p. 13).

## Globalization and Racism

Over the past many decades, the Black struggle is a politics of identity, battle for social worth and culture of self-expression. Race and ethnicity shape patterns of crime and victimization, in media representations and in criminal justice policy. However, what also shapes racism is the new global order and its "inclusive and exclusive nature" (Borja and Castells, 1997, p. 9). "Globalization or the trend of growing worldwide interconnectedness has been accompanied by several clashing notions of cultural difference" (Pieterse, 1996, p. 41). Globalization is a complex process that involves changes in politics, economy and the social fabric of society. While globalization and the neo-liberal economic order present opportunities for growth, it poses problems for regions disconnected from the global flows. They are forced to move from the previous condition of exploitation to a new form of structural and economic irrelevance. There is a transgression of geographical, national, cultural, and sociopolitical boundaries.

The nation-state was a result of industrial capitalism and is a historical process that transformed the socially controlled economies of the past into the *market economy* of the present (Boyer and Drache, 2005). Capital not only serves national but transnational needs of countries. Opening a country's economy to free trade increases competition, deregulation and privatization, which affects society. Globalization, on the other hand, imparts stability, order and social cohesion to this global capitalist system. However, while countries benefit economically from globalization, there are also cases of stricter immigration rules or labor laws in states. This creates a fertile market for racism. "The 'new' security agenda—focusing on ethnic conflict, terrorism, Islamic fundamentalism, drug trafficking and human smuggling—which supplanted Cold War ideology, has become seen as the dark side of globalization linking migration to crime, smuggling, terrorism and the policy issues of law and order across the globe" (Bosworth, Bowling & Lee, 2008, p. 263). The growing trend towards global interconnectedness or globalization is accompanied by the dissemination of culture across borders. Such dissemination of cultural differences gives rise to a clash of cultural notions while making the world smaller and smaller. "[C]ultural difference receding coincides with a growing sensitivity to cultural difference" (Tomlinson, 1999, p. 41). The increasing salience of cultural difference forms part of a general cultural turn, which involves a broader self-reflexivity of modernity. Racism is dynamic and brings a change in the social, political and economic functioning of a nation-state. It also challenges and causes resistance to the system. Today's racism, as we have seen, is embedded and shaped by globalization. Racism is not an isolated event, instead it interacts and influences the nation-states in the global processes. Therefore, globalization is "a process (or a set of processes) which embodies a transformation in the spatial organization of social relations and transactions" (Held, McGrew, Goldblatt, and Perraton, 1999, p. 16). In the current time, Therborn (2000) argues that the world is undergoing a sixth wave of globalization which has been triggered by the need to reduce protectionist measures, lower costs and the rise of Information and Communications Technologies (ICTs) around the globe (Naím, 2009). A reduction in protectionism is associated with neoliberalism, which is the newest form of globalization being witnessed around the world. Neoliberalism drives

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globalization and globalization is both an effect of and a move towards 'global neoliberalism' (Litonjua 2008). It entails maximizing economic freedom of the individuals, thereby reducing state intervention. It eliminates government-imposed restrictions on transnational movements of goods, capital and people (Harmes, 2012; Cohen and Centeno, 2006). As neoliberalism paved way for social efficiency, personal autonomy and equality, it also stripped the poor of jobs, wealth and racialized immigrants from Muslim countries (Peck, 2013). The process of neoliberalization has increased inequalities and insecurities and led to the rise of nationalistic and xenophobic movements. "Underlying neoliberalism's emphasis on competition and exceptional individualism is a belief in American meritocracy - that is, the idea that in the United States people compete against others on a level playing field" (Connors & Trites, 2019, p. 52). Neoliberalism relies on postrace discourse to offset such arguments where people receive benefits differently when they belong to a less privileged positions in society. To counter this racial segregation, neoliberalists resort to "power-evasive strategies such as blaming minorities of class and color for not working hard enough" (Giroux, 2003, p. 193). "In this way, neoliberalism reframes structural problems such as racism as individual problems. The result is a system that situates people who aren't perceived as contributing to society (e.g., immigrants, people with disabilities, the elderly, people receiving social welfare, etc.) as disposable" (Connors & Trites, 2019, p. 52).

## Victimization of The 'Other'

Racism incites violence and is embodied, cultural and psychological (Williams, 1991). The color of racism is visible in the attitude towards class and religion. Race is fluid and continuously reconstructed. Stratifying society into citizens, demi-citizens, non-citizens and aliens, demarcate people along racial, religious, and class lines. Scholars of the critical race theory (Bell, 2008; Delgado, 1989; Williams, 1991) and discourse analysis (Bourdieu, 1991; Dijk, 1993; Fairclough, 1989, 1989; Foucault, 1980) suggest that personal narratives bridge the epistemological gap that exists between white supremacists and the racialized others (Montoya, 2000; Delgado, 1989). The stories are not just individual productions of experience but cultural and ideological as well. These stories are produced within a social context that is influenced by culture (Ewick & Silbey, 1995) and thus echoes the constant reproduction of social relations. Despite the awkward moment of categorization, the silence that follows the question speaks to the white supremacist at the conscious level. They are conscious that they are engaging in the process of 'othering.' They are aware that such questions differentiate and demarcate and draw a line "between 'us' and 'them' - between the more and the less powerful – and through which social distance is established and maintained' (Lister, 2004, p. 101). The 'othering' reduces the self to a stereotyped category that is dehumanizing (Riggins, 1997, p. 9; Lister, 2004, p. 102). It is, therefore, the reduction and essentialization of the people of color and religious groups.

This 'othering' is achieved through the denigration, discrimination and hate crimes or bias crimes that are now on the rise in the United States. Hate crime "refers to criminal behavior motivated, not by hate, but by prejudice, although there is undoubtedly some overlap" (Jacobs & Potter, 1997, p. 1). Regardless of the types of discrimination, people of color are vulnerable to such acts. "Vulnerability is invoked as a fundamental, shared constitutive condition - a way of being open to being affected by and affecting others" (Gilson, 2016, p. 72). Other scholars describe it as being prone to wrongs, exploitation and threat to autonomy (Mackenzie, 2013). So, being affected or vulnerable heightens the sense of victimization among the people of color. Victimization entails being harmed in some way. It is believed

to connote powerlessness, weakness, and susceptibility to exploitation (Malinen, 2013). It signifies that when someone is perceived or labeled as a victim may "exacerbate exploitation" because one is viewed as especially susceptible (Alcoff, 2009, p. 134). Second, not identifying as a victim when one has been victimized is also worrisome. It prevents the victims from receiving support and forming 'a sense of unity' because it leads to underreporting and skewed statistics (Lamb, 1999, p. 120).

Scholars draw a relation between victimization and demographic characteristics like gender, race, and ethnicity. Two theories that show the relationship are the lifestyle model (Hindelang, 1978) and the routine activities theory (Cohen & Felson, 1979). The lifestyle model posits that our lifestyles, which consist of daily activities centered on vocation and leisure, are predicted mainly by individual character-istics and structural constraints based on these characteristics. The lifestyle pattern (or daily activities), in turn, influences the amount of exposure to places and individuals that present victimization risks. In a similar vein, routine activities theory suggests that daily or repetitive activities related to work, family, and leisure are essential. "The structure of these activities can impact personal victimization as well as the overall crime rate by increasing the likelihood of convergence in time and space between motivated offenders [and] suitable targets in the absence of capable guardians" (Miró, 2014, p. 1). Overall, these theories propose that variations in lifestyles and routine activities explain differences in victimization risks. These theories account for gender and racial/ethnic disparities in victimization using this premise. People of color as victims are often dehumanized, demonized, and criminalized. For example, Smiley and Fakunle (2016) show that media depictions of Black male victims are micro insults and micro in-validations.

In addition to lifestyle or daily activities such as workforce participation, structural constraints may also influence victimization. Structural constraints have a direct effect on exposures and associations conducive to victimization via the place of residence (Garofalo, 1987). The contextual features of com-munities not only determine individual and group adaptations but also influence victimization risks "by sheer proximity-and hence exposure-to potential offenders" (Garofalo, 1987, p. 38). From this perspective, race and ethnicity are not directly connected to victimization, rather are indicative of macrostructural factors that shape life. Research on lifestyle/routine activities theory that considers neighborhood condi-tions have found that neighborhood disadvantage is a significant predictor of victimization risk (Mustaine & Tewksbury, 1998; Sampson, 1987). The theory notes the importance of structural conditions (see Garofalo, 1987). Neighborhood theorists have long argued the significance of community context and its impact on individuals' experience with violence (Bursik, 2001; Shaw & McKay, 1969). Importantly, research in these areas suggests that racial and ethnic differences in victimization risks subside once community disadvantage is considered (Krivo & Peterson, 1996; Lauritsen & White, 2001; Mcnulty & Bellair, 2003; Peterson & Krivo, 1993). The disproportionate rates of victimization among Blacks and Latinos compared to Whites is not surprising then, given that they would not live in areas inhabited by the Whites (Massey & Denton, 1993; Sampson & Wilson, 1995). Sampson and Wilson (1995) in their study of the largest cities in the United States were unable to find one city in which Whites and Blacks live in ecological equality. Similarly, Massey and Denton (1993) document the historical context of these trends in residential segregation equating it to a system of apartheid that cannot be explained by economic differences between these groups and is rooted in deep-seated racism and prejudice in America. Consequently, Blacks, in particular, are more likely to be concentrated in neighborhoods suffering from extreme levels of social and economic disadvantage that are characterized by extremely high levels of disorder and crime (Krivo & Peterson, 1996; Massey & Denton, 1993; Skogan, 1990; Wilson, 1987). As

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Garofalo (1987) had proposed a decade earlier, Sampson and Wilson (1995) theorize that these structural disadvantages make residents (and in this case Blacks) particularly vulnerable to violence since these structural inequalities inadvertently curtail mainstream goals and values thereby exacerbating risks for violent offending and victimization in their communities.

Taken together, the existing research on violence and, particularly that on violent victimization-has emphasized the importance of both situational and contextual factors, including individuals' lifestyles as well as the environments in which they live. While scholars agree that these factors predict victimization risks, it remains unclear whether they are similarly related to victimization risks across gender- and race/ethnic-specific groups. The problem is that past works have considered ethnicity, race, and gender independently, largely disregarding their interaction and likely complex effect on risks for nonfatal forms of violent victimization. Feminist scholars, in particular, have critiqued criminological research and theory for ignoring the importance of gender (and its intersection with race, ethnicity, class, etc.) and "assuming that theories designed to explain male behavior are equally applicable to females" (Heimer & Kruttschnitt, 2006, p. 2). Furthermore, Lauritsen and Carbone-Lopez (2011) point out, relatively few works have considered the extent to which gender conditions the impact of ''known'' correlates of victimization (p. 1). In consideration of these assessments, we further assert that it is vital to examine whether gender and race/ethnicity moderates the relationship between victimization risks and theoretical variables consistently linked to victimization. We agree with feminist works that primacy must be given to gender and its intersection with other demographic characteristics to explain variations in victimization risks. However, we also critique feminist works in that they have focused almost exclusively on those forms of violence particular to females such as domestic violence and sexual assault, ignoring how these intersections are important to male and females' risks alike. These factions in the study of violence have limited our understanding of violence and the development of a comprehensive theoretical explanation of variations in victimization risks. As aforementioned, routine activities/lifestyle theories are commonly used to explain gender differences while neighborhood conditions are often purported to explain racial/ethnic differences in victimization risks. Yet, it remains unclear how these theoretical variables impact victimization risks across intersections of gender, race, and ethnicity. Therefore, we examine the importance of these factors and explore whether they present unique or common effects on victimization risks among non-Latino White males and females, non-Latino Black males and females, and Latino males and females.

Boyd-Franklin (2003) reports a dramatic increase in the number of people of color in the United States over the last 30 years. People of color can achieve a good life; however, they continue to experience covert forms of individual and institutional racism that can be emotionally abusive and traumatic (Boyd-Franklin, 2004; Cose, 1993; Feagin & McKinney, 2003; Hill, 1999). They feel a constant sense of vulnerability in their invisibility at the workplace (Franklin, 2004), which occurs in the form of biased promotions, opportunities and the 'last hired and first fired' (Boyd-Franklin, 2003; Cose, 1993; Feagin & McKinney, 2003; Hill, 1999). As a result of the continuous struggles with racism, people of color develop anger and rage (Cose, 1993). He reports several difficulties that these people experience like "the inability to fit in, low expectations by coworkers and supervisors, shattered hopes, faint praise, the presumption of failure, coping fatigue, self-censorship and silence to succeed" (Cose, 1993, p. 34). They also feel the pressure to stay quiet about their experiences and fear reporting incidents of racism.

## Racism and Resilience

"Criminal victimization is a visceral experience that produces multiple short-term and long-term negative consequences" (DeLisi, Jones-Johnson, Johnson, & Hochstetler, 2014, p. 86). It causes loss of life, reduced quality of life, medical issues, mental health issues, low productivity and loss of job, among other effects (Doerner & Lab, 2005; Flannery, Singer, van Dulmen, Kretschmar, & Belliston, 2007; Rand, 2008; van Wilsem, 2007). Other than the social issues of victimization, it is found that people of color experience depression, anxiety, self-blame, low self-esteem, and substance abuse (Flannery et al., 2007; Macmillan, 2001; Ruback & Thompson, 2001). "Individuals suffer from fear of want, fear of death, fear of starvation, fear of unemployment and all other kinds of fears…[t]he modern world is full of fear, and fear assumes a geopolitical connotation when applied or used by states against their probable adversaries as coercive strategies to obtain compliance" (Shah, 2013, p. 516).

Coping involves an individual's response to stress and life issues. It "refers to a person's cognitive and behavioral efforts to reduce a perceived threat or to manage emotions associated with stress" (Joseph & Kuo, 2009, p. 80). Lazarus & Folkman (1984) suggest that coping is a 'multidimensional construct' with two main categories: problem-focused and emotion-focused coping. The problem-focused coping strategies are directed towards the environment or the self like changing the meaning of the event and the emotion-focused strategy involves regulation of one's stressful situations and emotions without changing the reality of the event. The individual might distance, avoid, and blame to minimize the impact of trauma. The transactional model of stress and coping (Lazarus & Folkman, 1984) argues that racial interactions are perceived to exceed individual or collective resources and threaten well-being (Harrell, 2000). An individual's coping response is closely tied to the community values and beliefs (Lazarus and Folkman, 1984). However, with respect to individuals of African descent, only few studies have considered the cultural perspective in investigating coping (Lewis-Coles & Constantine, 2006; Utsey et al., 2000; Utsey, Brown, & Bolden, 2004).

While racism has mental and physical implications, "inner strength, resilience, personal and collective determination, and spiritual faith have allowed generations of people of color to develop effective coping mechanisms and to survive these traumas" (Blitz, 2006, p. 25). Resilience is the 'capacity' to adapt and assimilate despite the emotionally challenging situation. These "culturally constructed modes of adaptation, first learned in the family and at school, become the foundation for resilience across the years of childhood and adulthood" (Cohler, Scott, & Musick, 1995, p. 785). Hill (1999) documents "the strengths that have contributed to this survival: strong kinship bonds, spirituality and religious orientation, flexible roles, strong educational and work orientation" (In Blitz, 2006, p. 25). In cases of racial trauma, social networking, and techniques of overcoming the stressor is vital African American women (Mullings and Wali, 2000). African Americans help each other by utilizing their blood and non-blood extended family and friendship networks as a buffer against these traumas (Boyd-Franklin, 2003). Similarly, spiritual and religious orientation provides an opportunity to heal the pain of emotional abuse and psychological trauma. Clinicians can learn to practice spiritual beliefs and kinship bonds to heal people of color and deal with racial trauma. "Social change has the individual at the center. Individuals are the agents of social justice in the communities. Social justice cannot be ensured unless these cultural and social changes are recognized" (Shah, 2019, p. 2). With a change in attitudes it is possible to bring in a positive social change and ensure justice to people of color.

## CONCLUSION

In recent years, antiracist ideology is developed and practiced to end all forms of inequality (Chisom & Washington, 1997; Jones, 1997; Sue, 2003). Scholars argue that the first logical step in eliminating racism is to educate oneself and be empathetic about other cultures and practices. It is essential to acknowledge the existence of white privilege and its deep roots (McIntosh, 1998). The role of White people and persons of color in the process of moving toward antiracism is well documented (Sue, 2003). White individuals need to take responsibility for their actions and accept the presence of people of culture. America is a large and segregated country and for change to happen, it is crucial to have mutual goals to eliminate racism. Sue (2003) clarifies that whites should address their stereotypes, prejudices, biases, and fears and learn to get rid of them. One powerful aspect of White privilege is the ability to choose not to get involved. Training that offers whites the opportunity to expand their understanding of racism would allow change to occur. While people of color need to explore their own cultural experiences and values, as well as their prejudices, within a safe environment. It is also essential to understand the intrinsic experiences and ways of dealing with racial trauma. National and local professional organizations play a vital role in helping people cope with traumatic experiences. Chisom and Washington (1997) in their book, 'Undoing Racism,' "encourage concerned individuals to become a part of the antiracist movement toward social change and social justice" (In Blitz, 2006, p. 26). It is required to move beyond the white or the colored self and confront institutional racism on the level of organizational change and social policy.

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## KEY TERMS AND DEFINITIONS

**Race:** A grouping of humans based on shared physical or social qualities into categories generally viewed as distinct by society. First used to refer to speakers of a common language and then to denote national affiliations, by the 17th century the term race began to refer to physical (phenotypical) traits.

**Racism:** Prejudice, discrimination, or antagonism directed against someone of a different race based on the belief that one's race is superior.

**Victimization:** It is the process of being victimized or becoming a victim. The field that studies the process, rates, incidence, effects, and prevalence of victimization is called victimology.

**Vulnerability:** It is the quality or state of being exposed to the possibility of being attacked or harmed, either physically or emotionally.

# Chapter 7
# Gender and Victimization:
## A Global Analysis of Vulnerability

**Oluwagbemiga Ezekiel Adeyemi**
*Federal University Oye-Ekiti, Nigeria*

## ABSTRACT

*Studies on victimization are on gender differences with limited emphasis on the vulnerability of the victims. The chapter therefore examines the gender differences and vulnerability of victims around the world. The theoretical orientation of this chapter was based on the feminist theory and lifestyle routine-activities theory. Data for this study were obtained from secondary data and reviewed literature. The study established gender variation in victimization in different regions with respect to types of crimes. Individuals and contextual factors responsible for the gender differentials in the level of victimization were identified. The chapter suggests a useful policy that directs learning toward a more encircling rationalization of violence that incorporates both general and crime-specific factors based on gender differences.*

## INTRODUCTION

The major concern recently on the research of victimization is the gender differences in the vulnerability of the victims. While males make–up the larger proportion of the crime victims, females account for considerable shares of both offenders and victims (Selmini&McElrath, 2014).At the individual level, victimization is common among young unmarried males with low self-esteem and who have been victimized in the past(Truman, & Langton, 2014, Holtfreter, Reisig, & Pratt, 2008). Males are likely to involve in risky lifestyles such as stealing, getting drunk in public places, selling drugs and hanging out with friends who are criminally minded. This makes victimization to be highly concentrated within the adolescent (Truman, & Langton, 2014). Risky behaviour and delinquent are more among the adolescent, as they spent much of their hours with peers outside homes. It was also believed that perceptions of victimization vary depending on the dimension and whose report is being considered. For example, Makepeace (1986) argued that females normally reported a serious crime of violence done to them, being the principal victim and sustaining sexual assault, physical injury, and emotional trauma while

males rarely reported sexual assault. The risks of victimization are also distributed by social structure and the highest rates of victimization are suffered by those with low status, little power, and limited economic resources.

While the gap between the female and male rates of victimization are varied over time and societies, most of the criminological theories have argued about the variations of victimizations based on the demographic and lifestyle routine activities (Cohen & Felson,1979; Fisher & Wilkes,2003).For instance, demographically it was believed that those aged 16-24years have consistently shown high personal and property victimization compared with other age categories and women in the same age group are more at risk compared with men (Bureau of Justice Statistics, 2002). It was also argued that female-headed households are more vulnerable to victimizations for two reasons: they are less likely to acquire a safe lifestyle and there is a lack of adult family members who can provide protection (Gartner, Baker &Pampel, 1990). Also, the lifestyle routine-activities theories assert that proximity to crime, exposure to crime, capable guardianship and target attractiveness will determine the extent of victimization. Few studies have shown that gender is a predictor at individual levels and the results produced mixed evidence (Fraser, 1996; Kuperminc, Lead, Emmons, & Blatt, 1997). In Gartner, Baker &Pampel's 1990) in a study shown that the highest numbers of people suffering from violent victimizations are those with low economic status and fewer economic resources. Even though women generally have lower economic support and fewer resources, it was revealed that their chances of homicide victimization are lower compared with men. Also, traditionally women normally faced a lot of risks from domestic violence but were somewhat protected from public sources of violence typically experienced by men. Although there is decreasing in gender differentiation roles, this may likely increase their encounter with offenders within the social sphere. For instance, working outside the homes has been identified as one of the ways to involve women in labour participation and improve their economic status (Adeyemi, Odusina & Akintoye, 2016) but this will expand opportunity for women's victimization by increasing the number of high-risked persons and situations to which they are exposed. Also, the employment status of women may not provide them the economic power or resources that could be used to purchase safety. On the contrary, married women who are not working outside home will have limited encountered with high-risk groups. (Gartner, Baker & PampelFred,1990). This also may lead to intimate partner violence within the household because such women may not have a voice in the household decision making. Looking at various studies on victimization (Agnew, 2006, Holtfreter, Reisig, & Pratt, 2008, Apel & Burrow2011, Truman, & Langton, 2014, Berg 2014) there is limited knowledge on gender variation on victimization, reliable knowledge of gender-based violence and female victimization are important. Since gender analysis of vulnerability will provide useful insight for policy concerning violence that incorporates both general and crime-specific factors. This paper, therefore, addresses the following pertinent questions: Are there any gender differentials in victimizations? Who is most vulnerable and why? Are there any regional differences in victimization? What are the general and specific factors responsible for differentials in the vulnerability among victims?

## THEORETICAL ORIENTATION

The theoretical model of this paper is based on the feminist approach and lifestyle/routine theory (Gartner, Baker & Pampel, 1990; Hindelang, Gottfredson, &Garofalo,1978). The feminist approach asserts that gender role separation is the source of gender differentials. In 1994 Nakano, Chang & Rennie explained

that feminist scholarship can consider how patriarchy, male domination/female subordination, resulting in economic, political and social subordination of women to men. The feminist perspective views female violence victimization as a problem that will continue as long as there is gender inequality. Women in disadvantaged positions to men will continue to suffer violence because of their vulnerability (Ellis &Beattie,1983). The overriding patriarchal culture prevents equality for women, which also increases their vulnerability to victimization. Oppressive social norms and beliefs bring about male dominance and promote victimization. Lawton & Clark (2015) explained that women are more apprehensive of crime because they are more vulnerable than men largely because of their relative weakness, which makes defending themselves against attackers difficult. Studies have shown that fear of crime is higher among women than men (Snedker, 2012). A study of gender disparities in risk perceptions and fear of crime revealed that 44% of women and 2% of men are afraid of crime among New York residents. Similar studies in the United States have shown that men suffer more, victimization than women (Lauritsen&Heimer,2000; Craven,1997). This was also supported by the documented evidence from around the world that men are assaulted or mugged more often than women (DiTelia et al 2008).Women are also more likely to report fear of crime compared with men even when they are less likely to be victimized.

People are led to believe that women's victimization is not as widespread as we led to believe and that feminists half-truth shave persuaded women into thinking themselves as victims (Mardorossian, 2002). Notwithstanding, feminist victimization theory has developed a critique of accumulated wisdom about female offenders and victims. While power relations have been identified as an important factor that influences victimization and vulnerability, it was also observed that individuals' living standards, lifestyles, and their resources also influence the level of victimization (Estrada & Nilsson, 2004). Hindelang, Gottfredson, and Garofalo(1978) found lifestyle theory, which stipulated that "individuals who spend their time exposed to high-risk times, places, and people are more vulnerable to the potential offender and are therefore at a greater risk of being victimized" (p.241). These researchers believe that differences in lifestyle arbitrate the demographic of victimization. Higher victimization rates are experienced by the unmarried, low-income individuals, males, and the young are more exposed to the risk of victimization. Studies also have shown that non-household activities are related to higher risks of victimization while the, increase over time in work and leisure activities outside the home is linked with increases in official rates of violent and property crime (Hough, 1987; Messner & Blau, 1987; Miethe et al., 1987; Cohen, 1981).

Although lifestyle theory initially hinged on demographic variables including age, sex, race, etc., which were associated with victimization, other variables like self-control and the situational context of crime and victimization were relevant. Studies affirmed that individuals with poor self-control are predisposed to engage in a wide variety of criminal and comparable acts. While low self-esteem has been connected with behaviours ranging from violence to alcohol; consumption to using profanity in public places (Cullen 2000; Reisig & Pratt, 2011). Lifestyle theory may be important to this study it is very important to mention one shortcoming of the model. The discrepancies across different demographic groups may to some extent be specious. Exposure to violence may be the outcome of structural factors that determine where and how different groups live their lives, rather than on activity patterns that result from choices made at the individual levels. Turanovic, Reisig & Pratt(2015) demonstrated that untailored processes associated with risky lifestyles, low self-control, and violent victimization appear to be general rather than unique to any gender pathway.

## METHODOLOGY

This study used both qualitative and quantitative data. The quantitative data were derived from United States (US) National Crime Victimization Survey from 2008 to 2017, Canada's General Social Survey on Victimization for 2004 and 2014, the World Development Report (2018), and the International Crime Victim Survey(2000). The Canadian general social survey on victimization captures data that are not reported to the police. This longitudinal data will help identify trends of victimizations across different regions with concerning gender. The qualitative data were derived from secondary data and literature. The secondary data were adapted from previous studies. Three types of victimization were examined at the global level to show gender variation and differentials. These are aggravated assault, sexual assault, homicide, and robbery. Frequency distribution, simple percentages, and charts adapted from the 2014 General Social Survey on Victimization were used to explain the variations and the differences in the victimization across the globe.

## GLOBAL ANALYSIS

From the available data, it was shown that there are variations in victimization concerning gender. At the global level, it was discovered that there are gender differentials in homicide trends. The gender ratio of homicide appears to be constant from 1976 to 2004 and between .27 and .33 while the female homicide rate has remained at approximately 30% of the male homicide rate in the last 30 years (Lauritsen & Heimer, 2008).

Although the available data shows that the robbery victimization has decreased in the last two decades. The pattern for male and female differences has not shown significant variation in the pattern (see figure 2).The female rate has remained about 40-50% of the male rate over the past three decades (Lauritsen & Heimer, 2008).

*Figure 1. Homicide victimization by gender: 1976-2004*
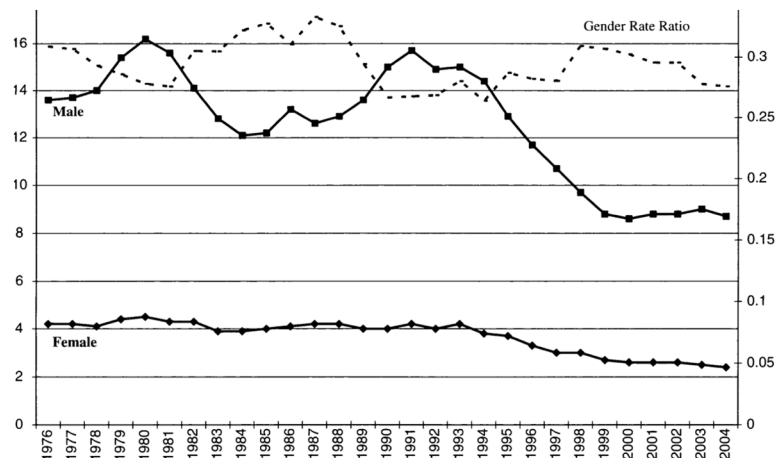
*Figure 2. Robbery victimization by gender: 1973-2004*
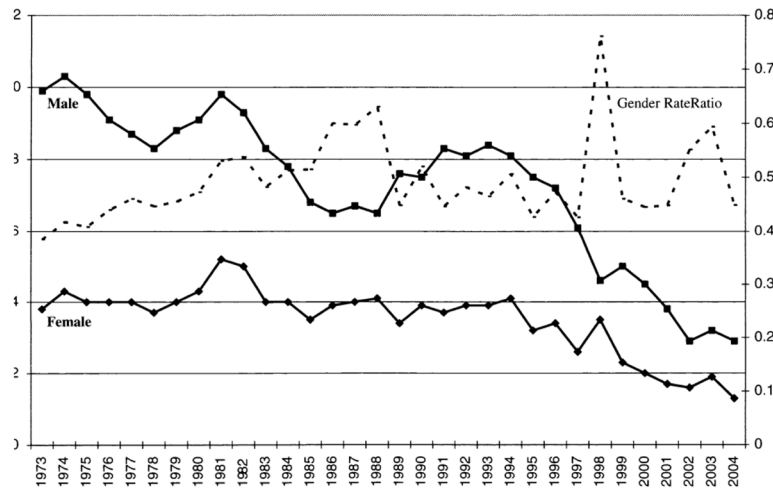


*Figure 3. Aggravated assault victimization by gender: 1973-2004*
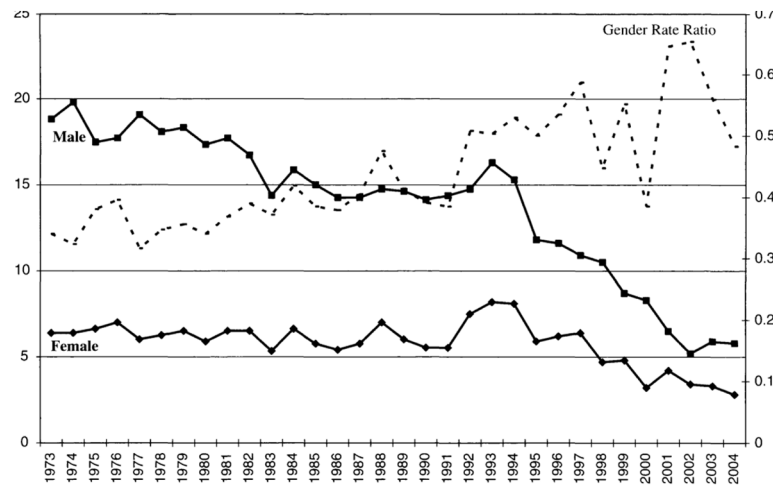


There is a slight gender differential in the aggravated assault rates. There is a decline in male aggravated assaults from 1993 to 2004 of about 65%.The gender ratio was about .33 in 1973 and rose to .65% in the early 2000s. (see figure 3).

Concerning regional differentials, from Table3, which is the US data, it was discovered that there is variation in the level of criminal victimization. Males have the highest level of violent victimization in 2008, 2010-2012 and 2014 while females have the highest level of victimization in the remaining years. Women experienced more sexual assault than men between 2008 and 2017 (See figure 4), while men are more victimized by robbery in the United States (see figure 5). In 2014 men were more victimized in all crimes in Canada except in sexual assault (see figure 6).More female non-immigrants are more victimized compared with females who are immigrants, while more male immigrants are more victimized compared to male non-immigrants (see figure 7). Figure 8 shows the homicide rates for males and

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females in the cluster of countries for four European regions, western, eastern, northern and southern (19 European countries). Homicide rates were stable from 1975 to 1985 in the European countries while there was an increase in the homicide rates for males between 1989 and 1993 that began to decline in 1995 while the female homicide rate was stable from 1985-1995. On a regional basis, it was observed that the eastern European region has the highest homicide rate. For a decade, 1989-1999, the rate of homicide for both males and females was very high, but males experienced more homicide compared with females during this period. In southern Europe, females have relatively stable homicide rates when compared with males. The rate was drastically increased from 1989 to 1999 while the female homicide rate gradually increased from 1.3 in 1995 to 2.1 in 1991 and gradually declined from 1.8 in 1997 to 1.0 in 2007. The available data for Asia and African countries were not disaggregated by gender, but among all the continents the available data revealed that Africa has the highest level of personal theft and sexual assault followed by Latin America andthe Caribbean. Latin America and the Caribbean have the highest rate of robbery victimization.

## FACTORS INFLUENCING GENDER DIFFERENTIALS IN VICTIMIZATION

With gender variations and differentials in victimization being established, it is important to identify the factors influencing these variations. Ghassan (2014) explained that the socio-demographic characteristics of the victims are associated with gender differentials in victimizations. Gannon & Mihorean, 2004, also found that marital status, low levels of income, place of residence and unemployment influence crime victimization in Canada. The age of the victims was also found as a crucial factor in the level of victimization. The Canada General Social Survey, 2010, reveals that younger people are more likely to be victimized than older ones. People from 15-24years were fifteen times more likely to be victimized when compared with those aged 65years and above. Franklin, Franklin, Nobles & Kercher (2011), studied the risk factors associated with women's victimization. They observed that the frequency of partying increased sexual victimization as a result of exposure and the potential for alcohol consumption, and sexual miscommunication. Household income is also a target of the attractiveness of victimization; higher-income households may have a higher probability of victimization because they will be attractive targets for the burglars than lower-income households. The neighborhood characteristics are also a strong factor that can affect victimization. Smith & Jarjoura (1989) explained that differences in household victimization rates are the results of individual households attributes (such as household income, number of persons living in the household, and age of the head of household) and attributes of social areas (such as median household income, percent of single-person households, and racial composition of the community) in which individual households are located. On the other hand, it was also argued that the rate of single parents or divorced households in an area will influence rates of victimization. Since there will be a breakdown of the network of social control of youth in a community with higher family disruption and will eventually increase criminal activities. The study also confirms a positive relationship between single-parent households and rates of victimization when compared with other households within the neighborhoods (Maxfield, 1986).Sampson (1985) in his study explains that residential mobility, structural density, and female-headed families have strong positive effects on rates of personal victimization. The study further shows that inequality and racial composition have insignificant effects on victimization when family structure, residential mobility, and neighborhood density factors are accounted for

Individual factors can also influence the gender gap in victimization. Pengpid&Peltzer (2016) explained that individual risk factors such as childhood physical or sexual abuse or prior victimization, substance use, and suicidal behavior likely influence intimate partner violence victimization. A similar study revealed that women with low perceived health status and men that have low life satisfaction and low social support were associated with intimate partner violence victimization (Chan, Straus, Brownridge, Tiwari, &Leung, 2008). It was also discovered that limited resources or resource deficiencies and social isolation can reduce access to formal and informal support and make individuals vulnerable to victimization (Estrada &Nilsson, 2004). An individual's social environment can also influence the risk of victimization. And those who live in dangerous places have to change their routes to school, markets, work, and other necessary activities to avoid people who may harm them (Stewart, Schreck & Simons, 2006).

It was also argued that absolute and probabilistic exposure to crime will influence victimization. The absolute exposures are the uniqueness of persons, time, objects, or space that are reasonable fundamentals for the occurrence of a specific form of criminal victimization. Without these absolute exposures, crime cannot occur and they are also necessary for the probabilistic exposure. Studies have shown that the likelihood of victimization from theft and assault varies from dramatically by the characteristics of person (Schreck, Stewart, & Osgood,2008;Schreck, Wright, Miller,2002) for instance personal crimes in victimization rates are higher among the poor, males, blacks, youth, singles, and urban dwellers (Turanovic & Pratt, 2015). The probability of victimization also depends on the amount and kinds of interaction people have in the high-risk areas. It was discovered that household crime was higher in the urban centres especially in business district areas. Wilson (1987) explained that the failure of public policies to reduce poverty resulted in the issue of ghettorization which is the source of the increased incidence of crime among the poor in the inner- city in urban centres compared to the rich. The economic inequality within the cities, towns, and society induces crime victimizations. Leviit(1999) finds a strong correlation between income inequality and the incidence of crime. All the same Cohe, Kluege, and Land(1981) in their study explained that the likelihood that victimization will occur is influenced by four main factors, these are exposure to potential offenders, proximity to potential offenders, guardianship against victimization and attractiveness to target. People who spend more of their time at night club, disco, and parties particularly at night amid strangers have greater exposure to potential offenders.

## CONSEQUENCES OF VICTIMIZATION

Victimization has many negative consequences in addition to bodily injury and financial loss Victimization is correlated with emotional distress, depression, shock, and insecurity. The Canada's Victimization Survey used in 2009 reveals that eight out of every ten victims reported that the incident affected them emotionally while the majority of violent crime victims reported disruptions in their daily activities and that a larger proportion of female victims (37%) reported sleeping problems compared with males (28%) (GSS, 2009). Turanovic & Pratt (2015) reported that victimization results in changes in the individuals' lifestyle sand routine activities, which further results in re-victimization. As a result of the intensity of the negative feelings of the victims, they tend to engage in destructive coping strategies. These strategies include seeking revenge, binge eating, drug, and alcohol abuse, engaging in crime, and violence, skipping school or work and having risky sexual encounters (Turanovic & Pratt, 2013; Turanovic & Pratt, 2015).

Crime victimization has an effect on an individual's ability to perform across a variety of roles, including those related to parenting, intimate relationships, and occupational and social functioning. Rochelle (2010) explained that crime victimization can affect individuals' abilities to perform across different roles including intimate relationships, parenting, and occupational responsibilities. For instance female victims of partner violence or parents with history of domestic violence as a child will have negative effects on their ability to perform parenting role because of the victim's physical and emotional distress (Graham, Rawlings, & Rigsby, 1994; Rochelle, Hanson, Genelle. Sawyer, &Hubel, 2010).On intimate relationships, those who experienced child abuse may find it difficult to form a secure attachment with others at the adult stage, which will affect their adult intimate relationships. Studies have found out that child sexual abuse results in feelings of insecure, betrayal and lack of trust in adults which may result in anger, distrust, and suspiciousness of intimate relationships (Golding, Wilsnack, & Cooper, 2002. Whisman, 2006). Victimization may result in the dissolution of relationships by increasing feelings of detachment from others. Those who have experienced sexual assault may less likely to be married compared with those who have not been assaulted. All the same, securing and maintain gainful employment is another side effect of victimization especially among those who have witnessed partner violence in the past. Researches in the past revealed that victims of partner violence may likely experience lower productivity, job turnover, absenteeism, more frequent tardiness, and unemployment. Unemployment and victimization were associated with a sample of violent trauma victims (Tolman, &Wang, 2005; Swanberg & Logan,2005, Rochelle, 2010).

The psychological impact of victimization can cause sleeping problems, substance use as a coping mechanism, and social isolation (Langton & Truman, 2014).It may cause the victims to go through a phase of uncoordinated activity. Victimization has long term consequences on mental health, victims of child abuse are likely to have higher rates of mental distress, and those who experienced post-traumatic stress disorder (PSTD) are more likely to be unemployed compared with those without PSTD. Those who have experienced childhood sexual assault may continue to have problems with fear and anxiety, which may lead to depression (Reeves & O'Leary-Kelly, 2007). It was also revealed that those females who were victims of rape and robbery had problems nightmares, and flashbacks, sexual dysfunctions, sexual fears, distress and depression. The rape victims were also less likely to marry. Another effect of victimization its potential to lead to deviant behaviour and involvement in a crime. Victims of violence in the early years are more likely to be involved in crime in their later years (Widom, 1989; Widom & Ashley-Ames, 1994). The impact of victimization on the educational attainment of adolescents to adulthood is also enormous. Macmillan (2001) in her study observed that victimization has negative effects on the average grade point of adolescents sampled, which resulted in lower educational and occupational status in early adulthood. She further explained that adolescent victims earned on average 14% less per hour than non-victims in a similar position. The consequences of victimization are numerous and age-graded such as behavioral, social, psychological and health problems (e.g., somatic complaints, obesity, and cardiovascular issues) that tend to persist over time (Exner-Cortens, Eckenrode, & Rothman, 2013; Kendall-Tackett, 2003).

Victimization influences the life course depending on the time and space in which the harm occurs. Studies have argued that victimization brings about high levels of negative emotionality which makes the victims to engage in maladaptive coping strategies (Agnew, 2006; Taylor & Stanton, 2007) These maladaptive strategies include engaging in crime and violence, seeking revenge, binge eating, using excessive amounts of drugs and alcohol, skipping school or work, and having risky sexual behaviour.

All the same, the cost of victimization cannot be underrated in examining the consequences of victimization. The cost of victimization can be in three dimensions, these are; physical injury, financial losses, and emotional stress. Studies have shown that the primary cost the victims suffered depends on the severity and the individual victims. The physical injuries include bruises, cuts or broken bones while the consequences from the physical injury can also cause sleeplessness, pains and appetite changes (Campbell, 2006; Delisi, 2010). Most of the intangible costs are not evaluated when considering the cost of victimization for instance, the traumatic experience for being victimized may cause pain and suffering which in most cases are the critical effects of victimization. But pain and suffering cannot be quantified because no fanatical transaction takes place. Also, loss of life during homicide and mental deterioration resulting from victimization are also part of intangible costs that are not estimated. Other tangible costs include; medical cost, loss of wages by the victims, low productivity, employer losses, social services operating costs and so on. National Institute of Justice (1996) reveals that crime victimization cost the United State of America 450 billion US Dollars annually while violence and abuse amounted to 37.5% of total health care costs, or up to $750 billion in 2008 (Dolezal, McCollum, & Callahan, 2009).

## DISCUSSIONS

This paper has established that victimization is a traumatic life event that cuts across ages and its impact varies across the life course. Victimization is a severe imbalance of power in relationships. It occurs when one person dominates another. It varies between gender, age, race, region, countries, and ethnic groups as a result of demographic, contextual and individual factors. The available data used in this study reveal gender differentials concerning crime, while males experienced higher rates of violent victimization, females experienced more sexual assaults than males in most of the data presented. Women in Africa and Latin America are more exposed to rapes, attempted rape, and other sexual assaults. While sexual harassment is more common in Western Europe and Asia. The relative weaknesses of women which make women unable to defend against attackers make them more vulnerable than men. Turanovic (2015) explained that victimization tends to be distributed unevenly across aggregate units, globe, and individuals. At the aggregate level, it mostly occurs in an area with residential segregation, low economic status and weakened networks for social control.

At the individual level, it is most common among young, unmarried males with low self-control (Schreck, Stewart, & Fisher, 2006; Pratt, et al., 2014). Total levels of victimization differed considerably from town to town, but within towns, both men and women generally reported similar amounts as actually happening to them with similarity in the levels of their vulnerability to violence. Where differences occurred, women were vulnerable to household violence and sexual assault, while men were more likely to come into violent conflict with outsiders, with alcohol often a factor (Guthrie, 2013, p. 52). It was also discovered that boys are more likely to be victimized and are to be attackers of verbal and physical violence while girls normally used aggression against others Grade levels, school climate class size, ethnic and cultural differences were also identified as factor influencing victimization among high school students (Ostrov & Keating, 2004, Leaderbeater, Boone, Sangster, & Mathieson, 2006, Shalhevet & Khoury-Kassabri, 2008).

It is also important to note that children can also experience violence victimization at home, in schools, online or within the neighborhood in the form of harassment by peers, bullying, child maltreatment, and domestic violence. Their exposure to violence may result in poor performance in schools, emotional

psychological disorder, and hamper physical development. Studies have shown that children who suffer violence victimization may likely have difficulty in school, abuse drugs or alcohol, act aggressively, suffer from depression or other mental health problems and take on criminal behavior like adults (Bonnie, Fisher & Andrew, 2003, Shalhevet & Mona, 2008). It was also found out that sexual abuse by peers at high school will influence their antisocial behaviours and psychological adjustment, while girls who reported victimization in the eighth grade were likely to experience increased problems with substance use, lower self-esteem, and symptoms of depression 3 years later (Hodges & Perry, 1999; Card, Isaacs & Hodges, 2008). Individuals at risk for victimization normally engage in risky lifestyles including stealing, excessive drinking of alcohol, and destroying property. Each of these factors increases, the individual's chances of being victimized. Victimization has been associated with numerous consequences such as behavioral problems, psychological problems, social problems, and health problems.

Langton & Truman, (2014) in their study in the US found out that 68% of the victims experienced socio-emotional problems including financial hardship, job loss, relationship dissolution, depression, and low self-esteem, because of victimization. AuCoin (2007) explained that intimate partner violence victimization is associated with health problems including fibromyalgia, gastrointestinal disorders, irritable bowel syndrome, sleep disorders, and cardiac diseases. Davis,Combs-Lane, &Smith (2004) found that victims of sexual abuse are involved in many health-risk behaviours compared to non-victims. Some of the health risks include; alcohol consumption, lack of exercise or inactivity, illicit drug use, tobacco use, failure to use contraceptives, and sexual activity while under the influence of alcohol or drugs. Variations in the level of vulnerability were also a result of physical, social and contextual factors. The United Nations Fund for Population Activities (UNFPA, 2007) revealed that the lack of economic resources, autonomy, and imbalances in the number of working hours affect women's health and wellbeing. Victimization increases the risk of poverty, and the uneven distribution of power between women and men results in a condition of vulnerability through many women's lives who have suffered being harmed. Evidence is also mounting that that depression and PSTD are the conduits by which abuse affects physical health. Addressing violence will improve the mental and physical health of the victims especially women (Bybee & Sullivan, 2002; Weaver & Resnick, 2004; Wuest et al., 2009)

The cost of victimization is also enormous and it appears that females pay more than male victims. The cost also varies depending on the trauma while the non-violent victims experience lower levels of trauma compared with violent victims. Apart from the physical and emotional cost, studies have shown that victimization cost billions of dollars in some countries like the USA, Canada, and other European countries. This is a pointer to the fact that victimization is now a draining pipe of government resources that would have used to provide infrastructures in those affected countries (DeLisi, 2010; MacMillan, 2000; National Institute of Justice, 1996).

## SOLUTIONS AND RECOMMENDATIONS

Since gender is a well-known correlate of victimization, it is important to verify whether individual variations in risky lifestyles and self-control explain violent victimization across gendered pathways. The risk associated with lifestyle also needs to be evaluated this will reduce victimization across gender. The behavioural routines should also be appraised since risky behaviours increased the likelihood of victimization. Variations in self-control and criminal behaviour will account for a considerable portion of the gender gap victimization. It was also revealed that early intervention will reduce the cost and impact

of victimization especially crime victimization such as rape, robbery, and other sexual violence. Study reveals that when victims received services following assaults they will be equipped with enough information and referrals hence experienced less secondary trauma or multiple victimizations by medical and legal systems. It believes that when victims especially rape victims received advocated-assisted services in-terms of legal and medical there is a likelihood of experiencing less sexual risk-taking behaviors, psychological distress, physical health struggles, self-blame depression and guilt (Campbell, 2006, Clark, Biddle, & Martin, 2002). Supportive non-blaming intervention for rape victims will prevent mental illness among the survivors. Rape services centers for the victim patients should be created and funds must be available for these centres to provide services these will reduce the impact of victimization. Concerning the sexual violence being experienced by women in developing countries especially in Asia and Africa, there is a need to bridge the gender differentials for income and livelihood. Ogunjuyigbe and Adeyemi (2005) explained that certain conditions such as job opportunities, recruitment strategies, and political conditions have stereotyped the nature of women's jobs. They also emphasized on the need to legislate sanctions on those cultural and religious factors that relegate women to the background. This will reduce the income disparity and give women voices to the decisions affecting their well-being in society.

## FUTURE RESEARCH DIRECTIONS

Further research is required to establish the contextual factors that influence victimization across culture and society with an emphasis on gender differences. It is also important to examine how changes in the level of fear of crime among males and females will influence gender variations of victimization especially violent crime in this new world of technology.

## CONCLUSION

Victimization is multifaceted concerning gender pathways. To reduce vulnerability to violence, multidimensional approaches, especially the types of crime and factors responsible for the victimization, are required. The impact of the crime needs to be recognized beyond the incident. Secondary effects of victimization need to be taken into consideration when providing relief for victims and governments should provide referral centres for the victims especially those with crime victimization with reference to sexual assaults.

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## APPENDIX 1

*Table 1. Number of violent victimizations, rape/sexual assaults, robberies, and aggravated assaults by sex, 2008-2017*

| | Y2008 | Y2009 | Y2010 | Y2011 | Y2012 | Y2013 | Y2014 | Y2015 | Y2016 | Y2017 |
|---|---|---|---|---|---|---|---|---|---|---|
| **Violent Victimization** | 6393471 | 5669237 | 4935983 | 5812523 | 6842593 | 6126423 | 5359570 | 5006615 | 5353816 | 5612667 |
| Male | 3316582 | 2760416 | 2510528 | 3209725 | 3708433 | 3045968 | 2741553 | 2087402 | 2599908 | 2701807 |
| Female | 3076889 | 2908821 | 2425455 | 2602798 | 3134160 | 3080455 | 2618018 | 2919213 | 2753908 | 2910860 |
| **Sexual Assault** | 349691 | 305574 | 268574 | 244188 | 346830 | 300165 | 284345 | 431837 | 298407 | 393979 |
| Male | 39589 | 19816 | 15020 | 34804 | 131259 | 34057 | 28032 | 62916 | 45860 | 30586 |
| Female | 310102 | 285758 | 253555 | 209384 | 215570 | 266107 | 256313 | 368921 | 252547 | 363393 |
| **Robbery** | 679789 | 635073 | 568510 | 557258 | 741756 | 645645 | 664211 | 578578 | 458805 | 613837 |
| Male | 350579 | 409758 | 302397 | 339509 | 497662 | 349239 | 395544 | 282411 | 268239 | 344356 |
| Female | 329210 | 225316 | 266113 | 217749 | 244094 | 296406 | 268668 | 296166 | 190567 | 269481 |
| **Aggravated Assault** | 969216 | 1029273 | 857751 | 1053391 | 996106 | 994220 | 1092091 | 816757 | 1040580 | 993173 |
| Male | 511817 | 566255 | 487560 | 600274 | 573113 | 605573 | 660072 | 358483 | 558333 | 547401 |
| Female | 457399 | 463019 | 370191 | 453117 | 422993 | 388647 | 432019 | 458274 | 482247 | 445772 |

*Figure 4. Chart showing sexual victimization in US from 2008-2017*



130
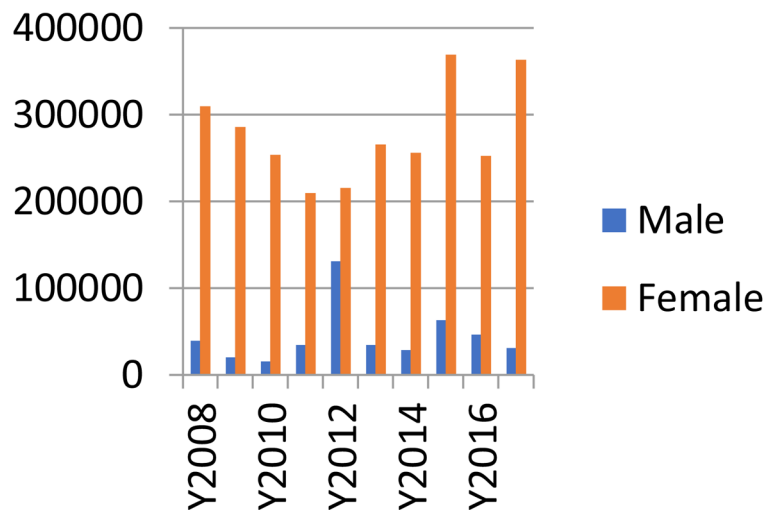
*Figure 5. Chart showing robbery victimization in US from 2008-2017*
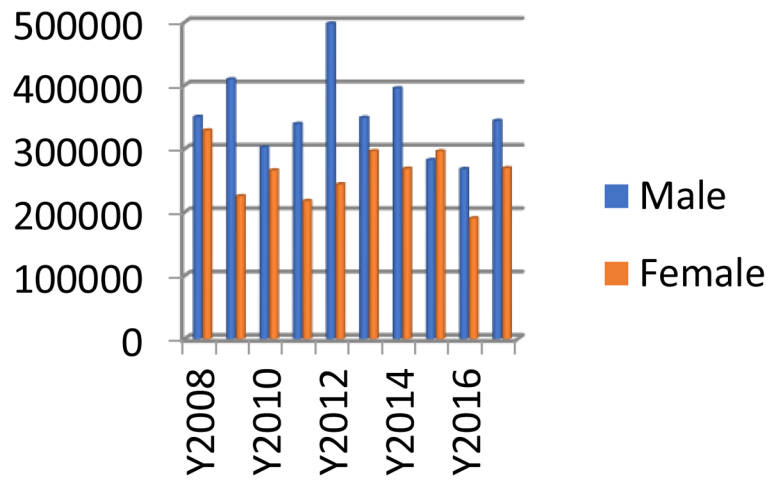


*Figure 6. Victimization incidents reported by Canadian general social survey in 2014*
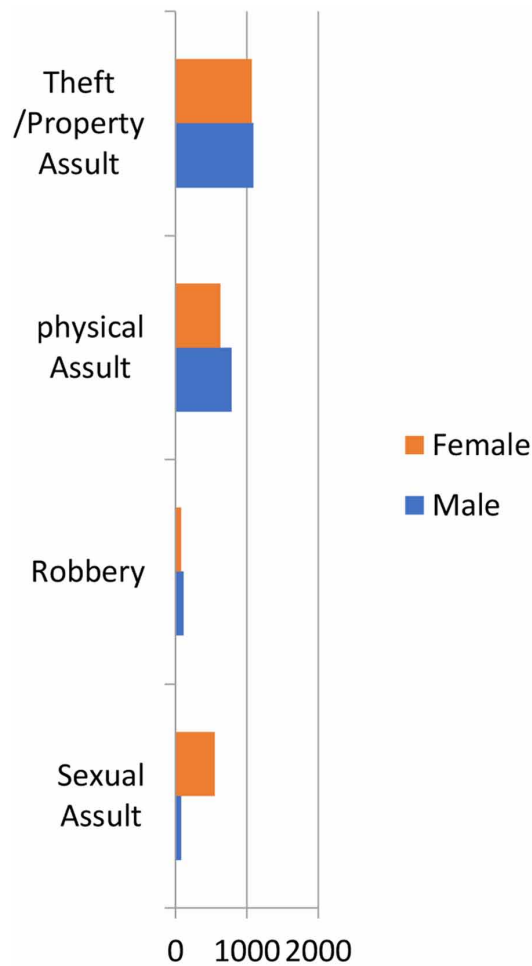
*Figure 7. Male (top) and female (bottom) homicide rates per100,000 population, by European regions and for 19 countries,1975–2011. Source: National Research Institute on Legal Policy Comparative Homicide Time Series (Lehti, 2013)*
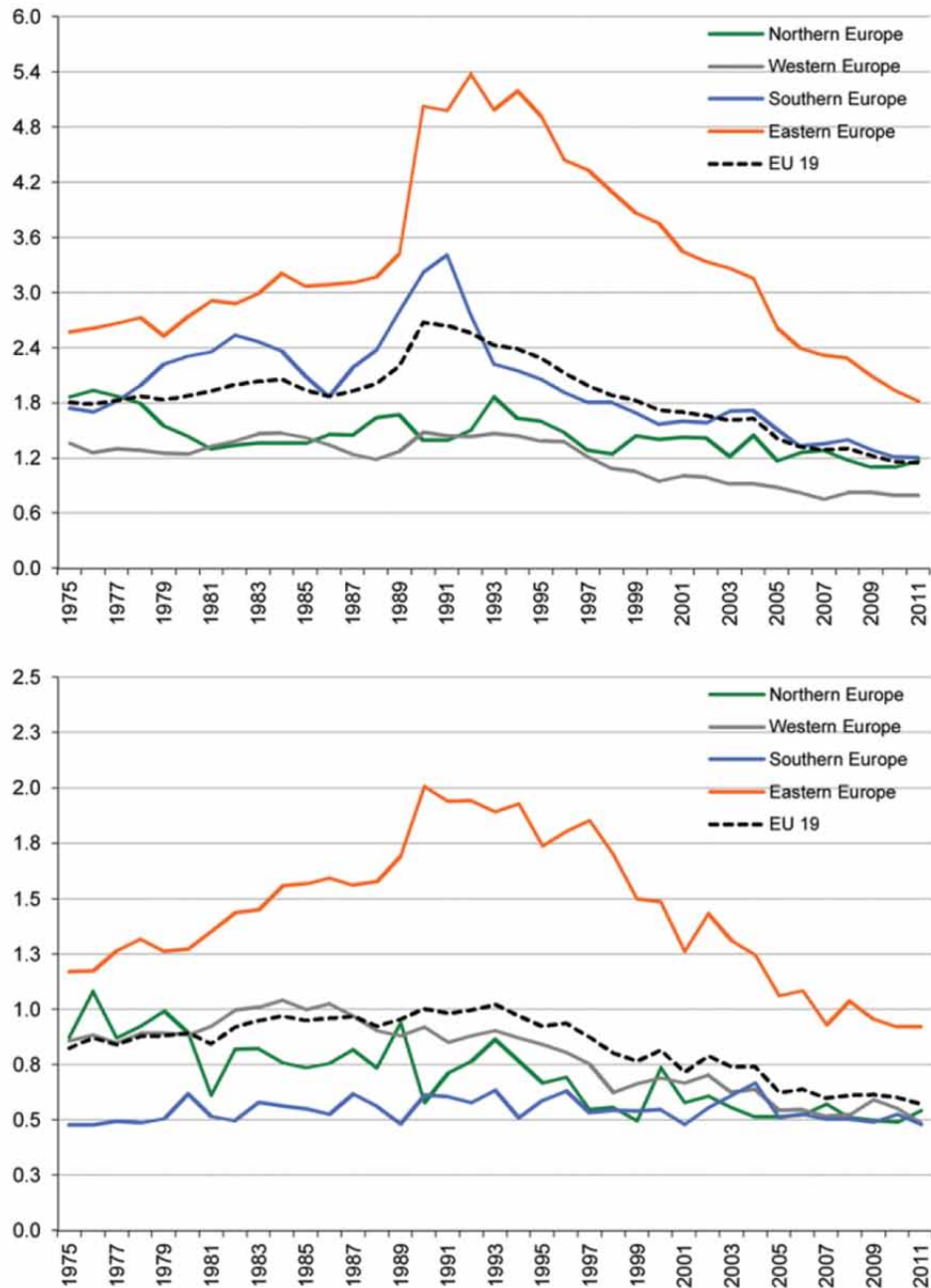
*Figure 8. Victimization by migration status in Canada 2014*
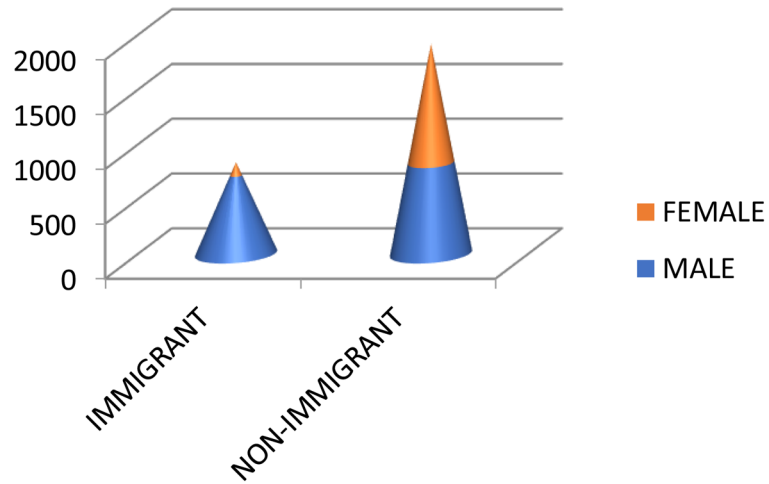


*Figure 9. Regional victimization rates by crime-yearly average*
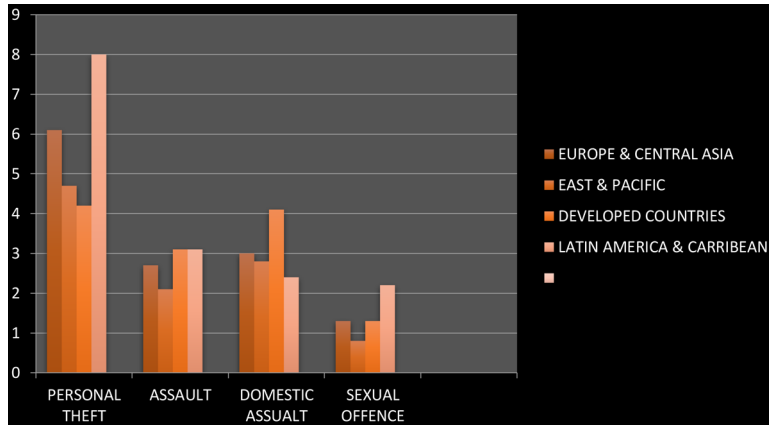
# Chapter 8
# Hawai'i's Multicultural Contexts and Victim Participants' Information Shuttled for Restorative Reentry Planning Circles

**Lorenn Walker**
*University of Hawai'i at Manoa, USA*

**Leela Bilmes Goldstein**
*Women's Fund of Hawai'i, USA*

## ABSTRACT

*Hawai'i is a multicultural island state that has been experimenting with a facilitated restorative reentry planning circle process for incarcerated individuals who meet with loved ones. The circle process considers loved ones' needs for repairing harm and the incarcerated person's needs for successful reentry including reconciliation with loved ones. When loved ones cannot attend a circle, they are invited to provide information over the telephone or by email to the facilitator who shares the information during the circle. This study analyzed participants' perceptions of how helpful it was for them to provide information about their needs having an incarcerated loved one. The authors predicted participants from high-context cultures would find the process less satisfying than those from low-context cultures, but the study found no differences. Despite identifying from a high- or low-context culture, all participants except one from a low-context culture found that providing shuttled information was helpful.*

## INTRODUCTION

*Hello, is this Malia Palama?*

*Yes, it is.*

*Hi Ms. Palama. My name's Dawn. I work with Hawai'i Friends of Restorative Justice. Your daughter Katherine gave me your telephone number. We provide a reentry planning circle process for incarcerated individuals that she's applied for. Do you have time to talk right now or can I call you back?*

*Sure, I can talk now.*

*Thank you Ms. Palama. May I call you Malia?*

*Yes.*

*Thanks Malia. The reentry circle Katherine wants is only for people who take responsibility for their past behavior and who want to make amends with loved ones for their past behavior and incarceration. We met with Katherine and she hoped you would want to come to the prison and meet with her and other family members for a circle. Does this sound like something you might be interested in?*

*Yes, Katherine told me about it and I'd love to come, but cannot. I live in Vegas and have to work,*

*Oh sure, that's fine. If you'd like I can ask you the same questions we'd ask at the circle. I can write down your answers and we can read them when Katherine has her circle. Do you wanna do that?*

*Yeah, I could do that.*

*Okay, great. Do you have time right now? It'll take about 15 minutes or so.*

*Yes, I have some time.*

*Okay. The circle is a positive process that includes finding out what Katherine's loved ones like about her. Can you tell me what you think her strengths are? What you believe is positive and what you like about Katherine?*

*Well, she's really smart and funny. She cares about other people a lot. She'd give the shirt off her back to help someone. That's part of her problem always helping people and some of them don't help her, but drag her down instead.*

*Okay thanks. What other good things do you think Katherine has going for*

*herself?*

*She works hard. If she puts her mind to something she won't give up.*

*Wow great, so important to be a hard worker. What other strengths does Katherine have?*

*She's a good teacher. She's also a leader and always has friends.*

*She really has some great strengths Malia. If you think of more while we are talking I'll add those to your list. I will read everything back to you before we hang up and make sure your comments are exactly what you want shared at the circle.*

Malia goes on to describe to Dawn the facilitator over the telephone how Katherine's past behavior and imprisonment affected her and what Katherine could do to help repair the harm it caused. At the end of the telephone conversation, Dawn asks Malia one final question for qualitative research on the benefits of the reentry circle process:

*Malia if this conversation that you and I just had right now was helpful to you, how was it helpful?*

*Well it makes me feel good. I am crying right now, breaks my heart, I miss my baby. Helped me by making me stronger knowing somebody is out there to help her, that there is someone who cares and who she can talk to. Makes me feel better knowing somebody cares.*

This paper describes the reentry circle, the needs its serves (Walker, Sakai & Brady, 2006), and reports on a study analyzing cultural differences in communication styles between 35 randomly selected people out of 87. All 87 were unable to attend their loved one's reentry circle but contributed information for it that was read during a circle. How the 35 people perceived the value of their contributing information that was shuttled to the circles, which they did not personally attend is reviewed. Appendix A includes the 35 subjects' verbatim comments.

## BACKGROUND

The restorative reentry planning circle was originally developed and piloted in Hawai'i in 2005 (Walker & Greening, 2013). It was designed for incarcerated individuals and their families based on John Braithwaite's 2004 suggestion for a similar youth transition planning process. Hawai'i's restorative reentry circles provide transition planning and healing opportunities for incarcerated adults and their loved ones.[1] Restorative justice is a cooperative alternative to the traditional autocratic and adversarial justice system (Walker, Rodgers & Umbreit, 2018).

The reentry circle has two primary purposes. First, it is designed to help an incarcerated individual's loved ones by allowing them to address any harm that they suffered from the individual's past behavior, and from losing the individual who is usually their child, parent, sibling, friend, etc., to prison. Second, the reentry circle is an opportunity for the incarcerated individual to make amends to their harmed loved ones, and the community. It is also an opportunity for the incarcerated individual to prepare a transition plan that establishes their goals, strategies to meet them, and how they can meet other basic needs for a law-abiding life in the community.[2]

Hawaiʻi Friends of Restorative Justice (HFRJ), a non-profit (NGO), developed and provides the re-entry circles. To date, HFRJ has provided 168 circles that a total of 749 people have attended in person. These circle participants include the incarcerated individual, her or his loved ones, and any other supporters, along with a representative of the prison or probation office. An additional 87 family members/loved ones, who could not personally attend circles, have provided information over the telephone or by email. Their comments were shuttled to circles for incarcerated individuals. The loved ones shared their feelings and thoughts about their incarcerated loved one including how they were harmed by any of the individual's past behavior and by losing the individual to imprisonment. The shuttled comments also included what the loved ones believed the individual might do to help repair the harm they suffered.

Most of the people sharing the shuttled comments were family members, and, in a few cases, they were the incarcerated individuals' counselors or other supporters. The loved ones, contributing shuttled information, unable to attend the circles personally for various reasons including that they had to work, were ill, could not afford travel costs, had to care for family members, were on parole and not allowed into the prisons, etc.

A loved one unable to attend the circles can provide information to the facilitator before the circles. The facilitator carefully records their comments on paper and prints them out before the circle. The printed comments are placed in an empty chair and are read aloud during the circle. The facilitator follows the loved ones' instructions about who will read their comments. The facilitator asks the loved one during the phone conversation or by email: "Who would you like to read your comments during the circle?" Usually, a family member who can attend the circle is chosen to read the comments, but sometimes the facilitator is asked to read the comments. In all cases to date, when the shuttled information was shared during the circles the incarcerated person and other family members listened attentively, and many times people openly wept when they heard the comments read aloud.

In this study, people with incarcerated loved ones who were unable to attend circles provided information to a facilitator over the telephone, and one person shared his responses by email. All 35 subjects were asked the following the same three questions that Dawn asked Malia: 1. "What do you like about or believe Katherine's strengths are?" 2. "How were you affected by Katherine's past behavior and incarceration?" and 3. "What could Katherine do to repair any harm she caused?" After answering these three questions, and indicating whom they want to have read their comments during the circle, each person is asked one final question: "If this conversation we just had was helpful to you, how was it helpful?" Differences between the 35 subjects' perceptions concerning the value of sharing their thoughts and feelings, without their attendance at the circles, was analyzed and is reported in this chapter.

## CULTURAL CONTEXTS AND SATISFACTION WITH REENTRY CIRCLES

This chapter assesses the value to family members who have incarcerated loved ones of expressing their experiences losing someone to incarceration and suffering any harm from crimes. Family members of various cultural backgrounds were given the opportunity to express their feelings and thoughts through a reentry circle process despite their inability to personally attend a circle. Study results confirm that family members value and are satisfied by sharing their experiences across different cultures. No differences in satisfaction were seen between different cultural contexts.

## Family Members' Need For Restorative Reentry Circles

Family members with an incarcerated loved one are victimized by their loss. The reentry circle helps them to address their needs. Individual family members often suffer serious harm when a loved one is incarcerated. The harms families suffer include financial, educational, and emotional losses. Losing a loved one to prison often causes families already suffering from economic disadvantage further economic loss (Arditti, Lambert-Shute & Joest, 2003).

*Incarceration acts like a hidden tax, one that is visited disproportionately on poor and minority families; and while its costs are most directly felt by the adults closest to the incarcerated family member, the full effect is eventually felt by the next generation as well (Barman, 2004, p. 156).*

The harms families suffer from losing a loved one to prison are wide and complex. A study by Jacobsen (2019) suggests that losing a father to prison by age five is associated with an increased likelihood of school punishment. Jacobsen showed that children with incarcerated fathers had 75 percent greater odds of being formerly punished at school compared to a matched control group of children whose fathers did not go to prison. This outcome remained true even when behavioral and social bond problems were accounted for in the experiment group (p. 22).

Losing a mother to prison is also detrimental for children. Children who lose mothers to prison suffer from poor education and financial circumstances, substance abuse, mental illness, domestic abuse, or a combination of these (National Research Council, 2014, p. 263).

Stalnaker (2016) researched the harm families suffer from the anticipated stigma of having an incarcerated family member. The stigma affects family members' psychological and physical health. Family members' self-reports showed that they suffer increased depression and poorer health when a loved one is incarcerated (p. 22). Stalnaker argues that because the families are not recognized as victims, they do not receive advocacy assistance and social services that could help them address their hardships. This failure to address the needs of family members can lead to further victimization and the perpetuation of the victim-offender overlap. (Walker & Tarutani, 2017)

The victim-offender overlap is a consistent finding in criminology (Lauritsen & Laub, 2007). Victims and offenders have been described as "the same individuals (Wolfgang, 1957; Singer, 1981; Jensen & Brownfield, 1986; Lauritsen et al. 1991; Sampson & Lauritsen, 1994)" (Shaffer, 2004, p. 1). Restorative practices, including the reentry circles, can help both victims and offenders. Victims[3] can address how they were harmed and what they need to make things right, while offenders can learn from hearing the stories of the victimized, and address their needs to heal when necessary too. Healing from injustice and wrongdoing can contribute to preventing future crime.

*Family members of incarcerated individuals are often referred to as hidden victims—victims of the criminal justice system who are* **neither acknowledged nor given a platform to be heard** *[emphasis added] (Martin, 2017, p. 1).*

The reentry circle process can provide family members with a platform for their being acknowledged and heard that Martin (2017) argues is necessary when a loved one is incarcerated.

The circles are an opportunity for families to discuss their experiences, thoughts, feelings, hardships, and any trauma suffered from losing a loved one to incarceration. Most importantly, too, this restorative and solution-focused process gives suffering family members a way to develop strategies for how they might address and repair the harm that they have suffered. The circles give victims autonomy to explain their personal experiences and an opportunity to process whatever they might uniquely need to recover from the harm they have suffered (Walker & Tarutani, 2017).

The reentry circle model has been evaluated for the healing benefits children of incarcerated parents experience when the parents have a circle (Walker, Tarutani & McKibben, 2015). Healing was operationalized in the study by examining decreases in rumination over past trauma and increased optimism by the children. The study demonstrated a positive correlation with both of these variables. Children whose parents participated in circles experienced healing.

Other family members of imprisoned individuals who participated in reentry circles have been surveyed about their experiences too. Almost one hundred percent (99.87%) of all people (including children) who personally participated in the reentry circles (749 to date) has reported that they believe the circle they participated in was a positive process. Only one person reported that the process was neutral and not positive.

## BACKGROUND AND DESCRIPTION OF REENTRY PLANNING CIRCLE

Incarcerated individuals apply for a reentry circle to meet with loved ones, supporters, and a representative of their prison to make amends to their families for their past behavior and imprisonment. The individuals fill out an application provided by the correctional institution they are in. If they are on federal probation the individual fills out the application and returns it to their probation officer.

A facilitator, who will later provide the reentry circle, interviews the individual applying for the circle after receiving the application from the prison or federal court. The interview and the circles follow a solution-focused approach that is based on solution-focused brief therapy (Walker, 2013). The interactive solution-focused interview lasts about forty-five minutes. At the interview and later the circle, the facilitator will assist the individual in outlining their unique goals and best steps and timelines for attaining their goals.

The individual's basic needs for transitioning and reentering the community are also addressed. Needs include how the individual might make amends and repair damaged relationships with their loved ones and community. A primary objective of the process is to address the healing needs of loved ones harmed by the individual. Other areas of an individual's life that contribute to being law-abiding include housing, employment, transportation, identification, physical and emotional health, education, leisure time use, and any other unique needs, e.g., divorce, immigration status, dealing with outstanding traffic tickets, etc., are also planned for during the circle process (Walker & Greening, 2013).

The circle process was provided originally for men imprisoned by the State of Hawai'i and is currently provided to women in state custody, those in federal custody, and on federal probation on O'ahu. In 2015, the federal pilot program was established for individuals in custody and awaiting sentencing. In 2017, individuals on probation under the Honolulu court's supervision, and those after sentencing, also became eligible to apply for a reentry circle. Individual Honolulu federal court judges decide if an applicant is eligible for a circle before or after sentencing.

Hawai'i and other states replicating the program have also used the circles for probationers and formerly incarcerated people. The circle process has been introduced and/or replicated in other states and countries including California, New York, Washington DC, Pennsylvania, North Carolina, Vermont, Bermuda, Hungary, Japan, Spain, Finland, India, Singapore, Brazil, New Zealand, and Nepal.

Reentry circles apply Zehr's 2002 restorative justice principles. Chiefly, Zehr believes that restorative justice must be guided by the values of respect, responsibility, and relationship (van Worman & Walker, 2013). Secondly, he believes it is the nature of a practice that makes it restorative. Zehr advises:

*Ultimately, restorative justice boils down to a set of questions, which we need to ask when a wrong occurs. These guiding questions are, in fact, the essence of restorative justice.*

Guiding Questions of Restorative Justice

1. Who has been hurt?
2. What are their needs?
3. Whose obligations are these?
4. Who has a stake in this situation?
5. *"What is the appropriate process to involve stakeholders in an effort to put things right?"* (Zehr, 2002, p. 58).

The reconciliation stage of the reentry circle process asks the following three questions based on Zehr's work: "Who was affected by the behavior and/or imprisonment of the incarcerated individual?"; "How were they affected?" (referring to those identified as affected by the first question); and "What could be done to repair the harm?" Participants in a circle reflect on and openly discuss these questions. The discussion helps everyone understand each other's perceptions and experiences, which can, in turn, create empathy, understanding, and healing.

All but one of the 87 loved ones whose shuttled comments were shared at circles have reported that the circles were helpful experiences. Only one loved one, who provided shuttled information, and who was in the random sample of 35 selected to study, said that sharing his comments was not helpful. This person could not personally attend the circle so it is unknown if he would have said the same thing if he had participated.

Many people who found the process beneficial reported that it had been the first time their family talked about how they were affected by their loved one's past behavior and incarceration, and what could help them heal from the harm they suffered. For an incarcerated individual to engage in this kind of discussion helps her or him show their loved ones, supporters, and community that she or he is responsible and accountable and that they want to repair the harm they contributed to. Showing remorse is important in healing harm for the people who were harmed and for those who did the harming alike (Wellikoff, 2003).

## Shuttled Information In The Context Of Other Differences

How people from different cultures, who could not attend a circle for their incarcerated loved one, perceive the helpfulness of the process could be influenced by their culture. This study took into account circle participants' various cultural-linguistic backgrounds and examined the value they found in the process when they could not attend a circle in person. The following sections of the chapter introduce concepts of cultural communication styles. Our prediction that people from high-context cultures, that value tradition and implicit rather than direct communication, would find their participation by shuttled information less beneficial proved incorrect. People from both high- and low-context cultures found the process to be equally beneficial. Only one person out of the 35 total studied found the process to be unhelpful.

## Culture

de Mooij (2014) states: "Culture is the glue that binds groups together" (p.181). Culture, according to Hofstede (1984, p.21), "…is to human collectivity what personality is to the individual." Culture represents not only the beliefs and values members of a community share, it also serves as a set of instructions for governing behavior (Geertz, 1973). Individuals depend upon these rules or instructions to know how to behave in society. Cultural patterns may be identified, learned, and analyzed; and these patterns are utilized in communication among a group's members. According to Chan (2009), culture provides a context that enables individuals to understand each other through shared values, attitudes, and behaviors (p.3).

Hawai'i is a multiethnic, culturally diverse state, the 50th of the United States. Asians make up the majority of the population, with Japanese and Filipino people being the most numerous. Chinese, Korean, and Southeast Asians are well-represented in Hawai'i as well. Whites constitute the next largest ethnic group. Other ethnicities include Native Hawaiian, other Pacific Islander, African American, and some others in lower numbers. Many Hawai'i residents are of mixed races and culture.

## Communication

Communication styles refer to how individuals communicate with each other. They combine both linguistic and nonverbal elements. An individual's communication style is influenced by his or her cultural background (Hall, 1976).

Hall's work in the field of intercultural communication played a large role in shaping what the field is today.[4] Culture exists as a system with learnable and analyzable patterns, and those patterns, in turn, influence the way individuals communicate. According to Hall, intercultural communication is a way of sharing information across different social groups and cultures (Neese, 2016).

## Context

Context is defined as information, which is expressed during conversations or events (Hall, 1976; Chan, 2009). Context plays a vital role in determining meaning, and different cultures use a wide range of information processing systems to provide context (Chan, 2009). Hall (1976) outlined one of the most widely cited theoretical perspectives for understanding the communication styles of different cultures when he introduced the notions of high- and low-context communication (Liu, 2016).

The concept of context, according to Hall, is helpful to understand how the communication styles of different cultures diverge. Hall (1976, 1984) distinguished cultural patterns according to context, space, time and information flow. In particular, the concept of context is useful for understanding differences in communication across cultures because it explains the degree of directness of communication. Hall's concepts of high- and low-context cultures provide a framework for discussing intercultural communications and refer to the value and weight that cultures place on indirect and direct communication styles (Neese, 2016).

## High-Context Culture

For members of high-context cultures, information resides in the context, and interlocutors' messages do not need to be explicitly spoken. High-context cultures rely more upon implicit communications and the relationship between participants to create meaning in interactions. Messages traded in high-context cultures cannot be understood without background information. This type of culture is dependent upon and values relationships and tradition more highly than change.

Much of the information required for understanding in high-context cultures is available in the context of conversations. This means that interlocutors can be less verbally explicit and frequently less direct because the shared knowledge between conversational participants provides missing information necessary for understanding. This type of communication relies upon and emphasizes harmonious relations between speakers and is more sensitive to mutually recognizable non-verbal cues (Chan, 2009). Communication that is seen as too direct may be perceived as rude or brusque amongst high-context communicators.

High-context communication is used predominantly in collectivist cultures and reflects a holistic thinking style, where the larger context is taken into consideration when evaluating an action or event. In high-context cultures, the good of the group is more important than that of the individual, and face-to-face communication is preferred (Dingemans, 2010). Collectivist cultures value harmony over confrontation, and relationships and the group's good over the individual's wants or needs.

High-context culture countries include Arab, many Asian, Japan, South and Latin American countries, Mexico, and the Mediterranean and Southern European countries (Barkai, 2008; Dingemans, 2010). Generally, Western and more affluent and technologically advanced countries tend to have low-context communication styles, whereas countries with hierarchical societies that adhere more tightly to or esteem traditional values are high-context cultures. While it has been one of the United States, which is generally believed to be a low-context culture nation, for six decades, Hawai'i is home to many people with origins in high-context communication cultures too, e.g., Japanese, Chinese, and the Filipino. Indeed, Hawai'i's own indigenous (Hawaiian) culture is itself high-context.

## High-Context Cultures and Justice

High-context cultures tend to be more family or clan centered, and individuals' duties and obligations to their family and community are primary. Emphasis is placed on relationships and belonging, obligation and sacrifice, social order and respect for elders and ancestors. A family's honor and saving face are critical, as are community harmony and stability. Zehr (2003) notes that in high-context cultural settings, forgiveness is more central to resolving offenses.

## Low-Context Culture

Low-context communication is predominantly used in individualistic cultures and reflects an analytical thinking style. Communication tends to be linear and precise. Most of the attention is given to specific, focal objects, independent of the environment. de Mooij (2014) states that: "Low-context communication cultures are characterized by explicit verbal messages. Effective verbal communication is expected to be direct and unambiguous" (p.182). Where high-context cultures are collectivist and place value on interpersonal relationships, members of low-context cultures are goal-oriented and value privacy. Gelfand, Triandis, & Chan (1996) assert that: "In collectivist cultures, the self is conceived as an aspect of a collective—family, tribe, work-group, religious group, party, geographic district, or whatever is considered as an ingroup by members of the culture" (p. 399). On the other hand, in low-context communication cultures, which are characterized by individualism, the definition of the self is unrelated to specific collectives (Gelfand, Triandis, & Chan, 1996, p. 399). Individualistic societies, such as those in the United States, Australia, and other Western countries, value independence, individual rights, and equality. Democracy is valued in these cultures, and questioning authority is acceptable (Liu, 2016).[5]

Countries with low-context cultures include the United States, Canada, the United Kingdom, Germany, the Netherlands, and Scandinavian countries. Chan (2009), citing many before her, suggests that an individual's belonging to an individualistic (low-context) or collectivist (high-context) culture influences not just their beliefs about society but their social relationships and communication style too (p.7). Here again, while Hawaiʻi is part of the United States and has been so for 60 years, it presents an interesting case as a multi-cultural hub that is home to people of mostly high- but also low-context communication styles and cultures. Furthermore, as part of the United States, its legal system is the same as the rest of the US.

## Low-Context Cultures and Justice

Low-context cultures are individual-centric, and individual rights and needs are primary. Equality and self-determination are priorities. In low-context cultures, autonomy is emphasized. Identity is tied to the self, and issues of honor are not explicitly recognized. Traditional and religious values matter less than maintaining public order and the rule of law.

## IMPLICATIONS OF HIGH-CONTEXT AND LOW-CONTEXT CULTURES ON THE JUSTICE SYSTEM

Evidence from a cultural analysis conducted by Alberstein (2007) provides insight into high- and low-context cultures' different approaches to justice. High-context cultures are frequently described, as above, as collectivist. Restorative elements such as community orientation, compensation and apology play an essential role at the core of their criminal justice systems. The emphasis in high-context culture societies is on honor as a fundamental value. Cohesion should be preserved at any cost, and less emphasis is (supposedly) placed on formal rules and rights. Gathering in circles is frequently used for group communication.

Dialogue and collaborative work will strengthen moral norms (Alberstein, 2007). Barkai (2008) reports that both Japan and China—homes to high-context, collectivist cultures—have longstanding traditions of mediation processes dating back nearly 1000 years. They use communication practices that focus on community cohesion and harmony to resolve disagreements and conflict.

Low-context cultures tend to be individualistic. Elements of a retributive justice approach, such as assignation of rights, accusation and culpability attribution play roles in these justice systems. Low-context cultures emphasize formal expressions and rules, and hence focus on the proof of the criminal act, the governance of rules and more frequently not punishment, which is considered commensurate with the offense, even if the offender was forgiven (Zehr, 2003). The use of informal mediation in the United States, in sharp contrast to the high-context cultures discussed earlier, is only about four decades old (Barkai, 2008). These cultures reflect a low-context order and formal roles influence the process. According to this view, moral norms are only relevant if they are framed as formal legal rules (Alberstein, 2007).

## RESPONSES FROM PARTICIPANTS WHO PROVIDED SHUTTLED INFORMATION IN HAWAI'I'S RESTORATIVE REENTRY PLANNING CIRCLES

Including the 87 people who provided shuttled information, over 800 people have participated directly and indirectly in restorative reentry planning circles provided by HFRJ. From the 87 whose information was shuttled, this randomized, controlled, qualitative study analyzed the responses of 35 participants.

Results show that the overwhelming majority of participants who provided shuttled information appreciated and responded positively to the circle process, regardless of their membership in high- or low-context cultures. Specifically, out of 35 respondents:

- 34 people or 97% of victim participants in this random sample said the circle process was positive for them, their loved one, or both
- One person or 3% said that remote participation in his loved one's restorative reentry circle was not helpful to him
- 19 people or 54% of victim participants belong to high-context cultures
- 16 people or 46% of respondents belong to low-context cultures
- 25 people or 71% of respondents are female
- 10 people or 29% are male.

The ethnicities that were categorized as high-context in this study were Chinese, Hawaiian, Portuguese, Mexican, Samoan, Japanese, Pacific Islander, and Filipino. The low-context ethnicities were Black and White.

Although communication styles of members of high- and low-context cultures differ, participants from ethnicities associated with both communication traditions and styles reported the same positive results after participating remotely in the circles. Nearly all of the participants in the random sample of 35 whose information was shuttled noted high satisfactory personal outcomes, which speaks to the positive value of restorative reentry circles for prison populations and loved ones who were affected by offenders' wrongdoing and/or incarceration. All of these respondents, save one, appreciated and welcomed the circles and confirmed the reentry circle process as a healing experience, regardless of their high- or low-context cultural background.

Most of the participants from the random sample (97%) of shuttled information were satisfied with the circles and only one participant (3%) said providing information for the circle was not helpful to him. The results show people who provided shuttled information and who belong to various cultural backgrounds, used either high- or low-context communication styles. Additionally, certain predictable communication patterns from both cultures can be identified.

## RESPONSE RESULTS FROM PARTICIPANTS FROM LOW-CONTEXT CULTURES

Members from low-context cultures, which tend to use explicit communication, focused more on their own experience participating in the circle, and, to a large extent how they (not the other person involved) felt. This pattern of communication is shown in the following examples, which represent some of the answers to the question: If this conversation that we just had was helpful to you, how was it helpful?

*Being able to express what's on my mind and chest. Make a difference maybe and get the ball rolling to better change the next generation. Help people in recovery.*

*Helpful I could talk and say what my thoughts were on this whole process.*

*Never really talked about how I feel, and this is the first time I actually said it out loud. Thank you.*

*For me that I can in my heart know the circle will help my wife. Just to be able to talk and get out my feelings and that my feelings will be shared – there is hope in it. I love my wife and I love everyday with her. She's my wife and I know her feelings and she's a tough chick and I want her to have some peace and she is a good Christian lady and being forgiving is what God wants.*

*Conversation helpful because made me feel more positive.*

*Helpful because got it all out on the open—we talked in common sense of her feelings.*

*Made it more concrete about what's going on.*

*Conversation helpful because made me feel more positive.*

Participants from low-context cultures provided responses consistent with their presupposed linguistic background. All except for one found the process helpful.

## RESPONSE RESULTS FROM PARTICIPANTS FROM HIGH-CONTEXT CULTURES

Participants from high-context cultures, those which value tradition and family more highly than individuality or self-determination, tended to offer feedback that was more other-focused than self-focused. The following responses demonstrate how these participants consider their environment and their intercon-

nectedness with each other in answering the question: If this conversation that we just had was helpful to you, how was it helpful? Responses in this category reflect not only concern for their incarcerated loved one but consideration for a wider group, e.g., you (the circle facilitator) and/or other people who care about their loved one. High-context respondents tended to have a stronger focus on relationships and other people, consistent with predictions about their collectivist cultural backgrounds. Here are some of their responses:

*I am not very verbal with my feelings, brought up to keep things to self and not share problems. I don't tell her I love you. Ordinarily I would try to be more affectionate. I could tell you things that I could not tell anybody. You asked the right questions. I could let out my feelings and feel relief.*

*Because I know you are going to try to help her and helping her is helping me. If she is not in so much stress I am not in so much stress.*

*Makes me feel good. I am crying right now, breaks my heart, I miss my baby. Helped me by making me stronger knowing somebody is out there to help her. That there is someone who cares and who she can talk to. Makes me feel better knowing someone cares about her.*

*To be able to tell my mom how I am feeling, takes it out, makes me feel better.*

*Gave closure—being on her list means something to me that she cares about me.*

*Very helpful knowing somehow some way they can know how I really feel about them. It makes me happy to know that people care about them too.*

*Yes, made me think of all the wonderful things we've come through—makes me reflect—made me feel really inspired.*

*I never talked to anyone in authority about this. Talking to you and explaining to you about my daughter feels good. I feel good saying I am not ashamed. Made me feel good. Comfortable knowing you are going to talk to her. Hoping she can home. I love talking to you. I can hear sincerity in your voice. I talk to doctors and nurses—epi care people checking up on me and my meds they are not listening as well as you. You listen calmly and let me rattle on. I can hear your concern for my daughter and your concern for me.*

*Helped let me know her voice is going to be heard and let me know that my voice will be heard although I won't be there.*

For these high-context culture respondents, satisfaction from participation in their loved one's restorative reentry circle—even though they could not be physically present—was derived from the knowledge that the process was not only helpful to themselves, but that it was helping or useful to someone else.

## SOLUTIONS AND RECOMMENDATIONS

Families of incarcerated individuals are harmed from losing their loved one to prison, and often from wrongdoing committed by their loved one too. The reentry circles give these generally ignored victims an opportunity to express their feelings and thoughts, which can lead to their healing (Pennebaker & Smyth, 2016). The circles also reduce repeat crime by the incarcerated individuals (Walker & Davidson, who are more likely to be law-abiding after imprisonment if they have the support of their family members and loved ones. Support for reentry circles should be provided to support families and the incarcerated alike. When the needs and healing of both of these groups are addressed the safety and wellbeing of communities are better achieved.

## FUTURE RESEARCH DIRECTIONS

An early prediction in this study was that high-context communicators would experience less satisfaction with the circle process if they were not able to be physically present. This notion was based to a large degree on the fact that members of high-context cultures rely greatly on the situation/conversational context to infer meaning. This prediction, however, turned out to be incorrect as related to high-context victim respondents' participation via the interview with facilitators. All members of high-context cultures who provided shuttled information for loved ones' circles in this study found the process to be beneficial. One explanation is that reentry circles resemble traditional processes for resolving the conflict that exists in victim participants' cultures, such as the Hawaiian ho'oponopono conflict management practice.

How ho'oponopono works and how it differs from modern restorative justice should be studied. Differences between populations and cultures may influence how individuals are satisfied and healed after suffering from wrongdoing and losing a loved one to prison. These variables need to be studied. Further research into whether high-context participants' embrace for reentry circles is motivated by their cultural backgrounds and affinity for collectivism should also be conducted.

## Conclusion

Although the justice systems in high- and low-context cultures differ significantly, victim participants of both types of cultures reported positive results and satisfaction from having participated in restorative reentry circles remotely by providing shuttled information through a facilitator. The results of this qualitative study affirm the value of restorative reentry circles, not only for incarcerated people and loved ones who can be physically present when circles occur but for loved ones who participate from afar and allow their information to be shuttled to the circle. Remote participants' satisfaction with the circle process was almost unanimously high, regardless of their membership in a high- or low-context culture *and* regardless of their ability to be physically present at the circle. Although typical patterns associated with both types of cultural communication were detected, most of the participants welcomed and appreciated the circles, which confirms the importance and usefulness of this process as a healing experience for incarcerated people and harmed individuals alike.

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## KEY TERMS AND DEFINITIONS

**Communication Styles:** Differences in communication styles that are influenced by cultures.

**High-Context Culture:** Members generally communicate with implicit understandings, relies heavily on context of language, groups need take precedence over an invidiual's needs, and interpersonal relationships are highly valued.

**Low-Context Culture:** Members communicate explicitly and openly without relying on context and implicit understandings.

**Reentry Planning Circles:** A group process developed in Hawai'i for individuals transitioning from or to an institution (e.g., prison, probation, etc.) that focuses on making amends with loved one, the community, and meeting their needs to achieve their unique goals.

**Restorative Justice:** Cooperative philosophy and practices that include stakeholders affected by wrongdoing and social injustice to meet their needs for healing harm.

**Solution-Focused Brief Therapy:** A goal oriented and strength-based approach for assisting people that assumes each individual is the best expert of their own life.

## ENDNOTES

[1]  Most of the reentry circles have been for incarcerated adults, but ten individuals were either on probation, parole, or were out of prison when they had a circle. Additionally, another ten individuals were juveniles incarcerated in the Hawai'i Correctional Facility.

[2]  Two circles have been provided for individuals who did not commit the offenses they were incarcerated for. The circles helped them make goals despite their imprisonment (Walker, 2015). A Honolulu federal court pilot project also allows federal detainees to apply for reentry circles who are pre-sentence, others who were sentenced to prison and people who are on federal probation. The circles have helped both types of federal detainees prepare for their imprisonment and probationers manage on probation.

3    The authors prefer to not label people as "victims" and "offenders" but rather discuss them as people who have had specific experiences, e.g., *people who have been harmed or harmed others*, etc. The authors recognize that people are not necessarily diminished according to their experiences and that the labels "victim" and "offender" can lead to further entrenched problems. The labels are used here simply for simplicity and consistency with how they have been used by others studying the criminal justice system.

4    Hall's intercultural communication work also sparked early interest in nonverbal communication.

5    University of Hawai'i, Richardson School of Law Professor John Barkai helpfully notes that all people are high-context communicators in some situations, especially in family and other shared group situations, e.g., "She didn't even have to speak. I knew exactly what she meant from the look she gave me" (April 29, 2019 personal communication with Leela Bilmes Goldstein).

# APPENDIX
*Table 1.*

| Subject's relationship to individual having reentry circle: | Ethnicity | Verbatim comments about helpfulness of sharing their information shuttled to restorative reentry circles: |
|---|---|---|
| 1. Mother | Black | Very, very helpful knowing how my daughter is adjusting in prison – that she is having this circle is positive and must help her and is a positive and giving her a good outlet to deal with her situation – knowing that she is trying to do good despite being in prison. It was a blessing talking to you. |
| 2. Son | Black | Reminds me my mom cares and does love me. |
| 3. Father | Chinese | Know she is out of jail and I am at peace knowing. |
| 4. Son | Black | Made me think more of my mom and that she is doing good. |
| 5. Daughter in law | Hawaiian | Conversation helpful because made me feel more positive. |
| 6. Sister | Hawaiian | Gave closure – being on her list means something to me that she cares about me. |
| 7. Brother | Portuguese | Helped me tremendously by one giving me the current update on her plan on helping my sister. Given me another line of communication with my sister's plan and situation and executing her plan. It is encouraging to me that this is all taking place. Really appreciate everything you're. |
| 8. Mother | Mexican | Because I know you are going to try to help her and helping her is helping me. If she is not in so much stress I am not in so much stress. |
| 9. Sister | Samoan | Helped let me know her voice is going to be heard and let me know that my voice will be heard although I won't be there. |
| 10. Aunt and Godmother | Hawaiian | Helpful because got it all out on the open – we talked in common sense of [name incarcerated individual]'s feelings. |
| 11. Cousin | Hawaiian | Very helpful knowing somehow someway they can know how I really feel about them. It makes me happy to know that people care about them too. |
| 12. Mother | Samoan | Helps me bring out what I want to tell her and feel in my heart. Makes me feel warm and relaxed and hopefully the talking will help her. Feel a little better talking and hoping for her future. |
| 13. Fiancé | Black | Let's me see there is care for people who have problems with abusing substances and want to help people. Hopeful these circles show people there is hope. |
| 14. Mother | Hawaiian | Helpful to stir up emotions and then reflect to move forward from past to good future. |
| 15. Brother | Hawaiian | Helped me to deal with thinking of the day of the incident and that I need to let it go and let God. |
| 16. Daughter | Hawaiian | I am 25 years old – I let it out about her and got to tell somebody. |
| 17. Mother | Japanese | I am not very verbal with my feelings, brought up to keep things to self and not share problems. I don't tell her I love you. Ordinarily I would try to be more affectionate. I could tell you things that I could not tell anybody. You asked the right questions. I could let out my feelings and feel relief. |
| 18. Son SUBMITTED COMMENTS BY EMAIL | Pacific Islander | This conversation was important because it nice to see people out their who support my mom. Just being able to see her take little steps in her life to make amends is heart warming. Lorenn was very nice and understanding. I was comfortable talking to her and she seemed very positive. On a more personal side the conversation reminded me why I am at where I am at in my life today. After everything I have been threw in life I should be consider just a statistic. I am proving to myself that I am more then just that. I will never forget the empty feeling I once had on the day we got taken away because it was the moment in life that hurt me most. |
| 19. Close Friend | Black | It was helpful because I want to be helpful to console and support [Name of incarcerated person]. |
| 20. Mother | Black | Makes me feel good. I am crying right now, breaks my heart, I miss my baby. Helped me by making me stronger knowing somebody is out there to help her. That there is someone who cares and who she can talk to. Makes me feel better knowing someone cares. |
| 21. Daughter | Black | To be able to tell my mom how I am feeling, takes it out, makes me feel better. |
| 22. Father | Black | No help. |
| 23. Grandmother & adopted mother | Portuguese | Worried she might try and find kids. Made me anxious—feel relieved. |
| 24. Sister | Hawaiian | Yes, made me think of all the wonderful things we've come through—makes me reflect—made me feel really inspired. |
| 25. Friend | Hawaiian | Makes me feel more hopeful, glad to hear she is still alive. |
| 26. Mother | Filipino | I never talked to anyone in authority about this. Talking to you and explaining to you about [Name incarcerated individual]. It feels good. I feel good saying I am not ashamed. Made me feel good. Comfortable knowing you are going to talk to her. Hoping she can home. I love talking to you. I can hear sincerity in your voice. I talk to doctors an nurses – epi care people checking up on me and my meds they are not listening as well as you. You listen calmly and let me rattle on. I can hear your concern for [name incarcerated individual] and your concern for me. |
| 27. Friend | White | Yes helpful in giving me someone to talk to about [name incarcerated individual] and loss. I feel like I failed her and I am holding space for that and sadness and appreciate the opportunity to talk about it –lovely to hear she is willing to do this circle. |

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*Table 1. Continued*

| Subject's relationship to individual having reentry circle: | Ethnicity | Verbatim comments about helpfulness of sharing their information shuttled to restorative reentry circles: |
|---|---|---|
| 28. Friend & Pastor | White | Personally helps me think though out journey with [name incarcerated individual] – the ups and downs over the years. Makes me realize she is at another launching point. She is at an important point and this helped me articulate the journey and prepuces (overlooks). Good to think trough the past to the present. Helps me know better how to encourage her. |
| 29. Husband | White | Being able to express what's on my mind and chest. Make a difference maybe and get the ball rolling to better change the next generation. Help people in recovery. |
| 30. Mother | White | Helpful I could talk and say what my thoughts were on this whole process. |
| 31. Sister | White | Never really talked about how I feel and this is the first time I actually said it out loud. Thank you. |
| 32. Husband | White | For me that I can in my heart know the circle will help my wife. Just to be able to talk and get out my feelings and that my feelings will be shared – there is hope in it. I love [name incarcerated person] and I love everyday with her. She's my wife and I know her feelings and she's a tough chick and I want her to have some peace and she is a good Christian lady and being forgiving is what God wants. |
| 33. Mother | White | Made it more concrete about what's going on. |
| 34. Mother | White | Her wanting to have a circle says a lot and gives her some hope. |
| 35. Aunt (calabash) & Friend | White | Helpful for me by reinforces what Tanya is doing and that she will be seeing her daughter. Makes me very happy for her. Great considering even my feelings and that she is getting this process. |

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# Section 3
# Vulnerability and Victimization Control

Chapter 9

# The Changing Global Context of Victimization:
## A Need for Cross-Continental Synergy

**Nicoletta Policek**

https://orcid.org/0000-0002-5788-4869

*University of Cumbria, UK*

## ABSTRACT

*A cross-continental synergy is paramount when addressing victimization in genocide. The definition of victim of genocide is however challenging, complex, and open to controversies, especially when dealing with a large number of casualties. By proposing a reshaping of the purely legal framework which defines genocide victims, in support of a characterisation that includes all the multiple and sometimes conflicting voices of those who are direct or indirect witnesses of the "crime of all crimes," this contribution argues for the need of a global legal framework that embeds both collective victimization in genocide as well as the uniquely different and diverse experiences of the victims.*

## INTRODUCTION

When Lemkin (1944) coined the neologism genocide, he opened up the possibility to shift paradigms in international law (Policek, 2012), unequivocally defining the "crime of all crimes" (Graven, 1950). His contribution has facilitated the development of a vibrant community of legal scholars (Drumbl, 2007), outstanding for their efforts in ensuring that, under the auspices of the United Nations, genocide could be recognized as an international crime (Irvin-Erickson, 2017). In 1948 the United Nations passed the Convention on the Prevention and Punishment of Genocide and, more recently, the International Criminal Court (ICC) was established by the Rome Statute of the International Criminal Court in 1998, and it began sittings in July 2002, after 60 countries had ratified the Rome Statute (Khan et al. 2009). Synergies for affording a cross-continental definition and acknowledgment of victimization in genocide, still in their infancy, were gradually developing (Brienen and Hoegen, 2000). According to the definition proposed by the Convention, genocide is the intent to destroy, in whole or in part, a national, ethnical,

racial or religious group (Fein, 1979). The International Criminal Court, taking a cue from such defini-tion has broadened the scope of the Convention providing for a more extended jurisdiction and the power to prosecute states as well as individuals, regardless of the office or status they hold (Rosenfeld, 2016).

*Ad hoc* tribunals were also set up (Schabas, 2000; 2003). Recognizing that serious violations of hu-manitarian law were committed in Rwanda, and acting under Chapter VII of the United Nations Charter, the Security Council created the International Criminal Tribunal for Rwanda (ICTR) by resolution 955 of 8 November 1994 (Staub, 2008). The purpose of this measure is to contribute to the process of na-tional reconciliation in Rwanda and the maintenance of peace in the region (Reyntjens, 2004). To deal with crimes that took place during the conflict in the Balkans in the 1990s, the International Criminal Tribunal for the Former Yugoslavia was established in 1993 (Calvetti and Scovazzi, 2007). It has irre-versibly changed the landscape of international humanitarian law and provided victims an opportunity to voice the horrors they witnessed and experienced (Tolbert, 2002). In 2001 the Cambodian National Assembly passed a law to create a court to try serious crimes committed during the Khmer Rouge regime 1975-1979. This court, the Extraordinary Chambers in the Courts of Cambodia for the Prosecution of Crimes Committed during the Period of Democratic Kampuchea (Extraordinary Chambers or ECCC) was created by the government and the UN but it is independent of them. It is a Cambodian court with international participation applying international standards and providing a new role model for court operations in Cambodia (Cook, 2017). The Special Court for Sierra Leone was set up jointly by the Government of Sierra Leone and the United Nations. It is mandated to try those who bear the greatest responsibility for serious violations of international humanitarian law and Sierra Leonean law commit-ted in the territory of Sierra Leone since 30 November 1996. Thirteen indictments were issued by the Prosecutor in 2003 (Kelsall, 2009).

Finally, the Special Tribunal for Lebanon was inaugurated on 1 March 2009 whose primary mandate is to hold trials for the people accused of carrying out the attack of 14 February 2005 which killed 23 people, including the former prime minister of Lebanon, Rafiq Hariri, and injured many others (Haz-bun, 2016). These institutions, although very different from each other (Dixon, 1997), both share the characteristic of being established under the aegis of the courts or the decisive impetus of the United Nations, while providing a mixed participation of national judges and with international commitment by the United Nations (Booth and du Plessis, 2005). The central problem becomes more apparent when the point emphasized is that criminal law is to an extraordinary degree a state monopoly (Jamieson and McEvoy, 2005), and states are still the most concrete expression of organized community power in the international system (Vollhardt, 2012). If there is to be a viable international criminal law system, this constraint must be accommodated and the need for cross-continental synergy becomes even more relevant. Although securing an organized collective international criminal law prospect would seem to require intergovernmental organizations (the United Nations, or within that organization, the Security Council) to co-opt or pre-empt a significant portion of the power presently allocated to the states themselves, the needs of the victims should be prioritised (Vollhardt, 2012). The changing global context of victimization in genocide should be taken into account; often victims are forced to migrate, they might even become stateless, missing the opportunities of financial, social and emotional support. This contribution seek-ing to deconstruct the changing global context of victimization for victims of genocide, advocates for a cross-continental synergy so that atrocities committed in large scale as in the case of genocide, can be prevented through constant and rigorous involvement of civil society. The claim here is that only civil society, as a whole, can set up and implement prevention and education programs based on notions on nonviolence (Policek, in press).

It should be noted that three distinct types of problems arise and remain in the background when attempting to define genocide's victims. First, there is a problem with the proportionality of the legislative response, seen as international criminal justice, concerning the seriousness of the crime committed (Theriault, 2012). The question here is whether the international criminal justice system can develop languages and mechanisms to provide a satisfactory response to the horrors of genocide, about the experience of the victims. This warning is what Jaspers (1949) has already considered as a rather limiting solution when, for example, comparing the inexplicable horrors of the Holocaust. Arendt (1994) is also of the same opinion when arguing that the execution of Eichmann was necessary but inadequate as a punishment to the crimes committed and, most importantly, to the victims' experiences. Stemming from this argumentation, the claim here is for the acknowledgement of the profound and tangible discrepancies between the diverse answers the legal language offer to the victims of genocide (Policek, 2019). This sort of mismatch between the enormity of the suffering endured by the victims of genocide and the limited and often unsatisfactory answers provided by the criminal justice highlights another issue which makes the need for a cross-continental synergy even more indispensable. In the fluid and constantly changing the context of victimization (Boltanski, 1999), the claim here is for an acknowledgment of the concept of the incompatibility of criminal justice to fully deal with victimization in genocide (Policek, 2019). In other words, the question is whether the criminal justice system is capable of simultaneously teach history, as well as the evidence of the victims, and at the same time to do justice, to provide that adequate recognition and compensation which is needed. Finally, the third type of problem to consider concerns the legitimacy of the experiences of victims and how the stories produced by international criminal tribunals are largely intended to give authority to the institutions or state accusations (Cehajic & Brown, 2010).

## BACKGROUND

Although valuable, the legal definition of genocide appears rather restrictive in some instances. A more comprehensive evaluation of the meaning of genocide is offered by contributions that gaze a sociological rather than a mere legalistic eye (Moon, 2011). Thus, genocide is defined as any act that results in the killing, because of belonging, of a group whose common characteristics are outlined from a political or economic perspective. To broaden further this definition, genocide can also be understood as democide (Chou, 2013), that is the intentional killing, by a government, of unarmed and defenceless individuals. Both definitions, with all their corollaries, can be summarized in a more concise one, as proposed by Sémelin (2004) who talks of genocide as the particular process leading to the destruction of civilians. He describes the absolute eradication of a community, whose identification criteria are defined by the very people who undertake to destroy the targeted community.

Constrained within such definitions, the risk for genocide is to become a monolithic semantic structure, where the victims of genocide are to be counted (only) among those who have lost their lives. Within the boundaries of such literal meaning, there is no attention paid to those who survived genocide, and even to civil society as a whole, as the witness of such crimes (Policek, 2012). Probably because of its matrix, the notion of genocide is still relatively elusive. Genocide is synonymous with absolute atrocity, to the point that no massacre may be refused in principle to be named as genocide. Refusing such

recognition would seem to minimize the suffering of a population or a group. On the other hand, the inflationary use of this terminology may give rise to misunderstandings and ambiguities when addressing victimization in genocide (de Brrouwer, 2009). The definition of victim is also not immune from the danger of generalization: the anonymous dehumanization of the victims during mass killings suggests that victims' individual stories are seldom heard and remembered (Cohen, 2001).

The accusation of genocide lends itself to exploitation, and the different and often conflicting ways of interpreting the charge of genocide occur in several situations: as to justify humanitarian military interventions motivated by other less noble reasons or to cover retroactively repressive policies, using the political and moral credit that comes from being victims of violence, so delegitimizing the most radical opponents (Day and Vandiver, 2000). Given that the terminology related to genocide tends to make political use increasingly more stringent (Miskimmon et al, 2017), in harmony with what is happening in general with the terminology of human rights where all violations are deemed to be very similar, it becomes all the more important to clarify what is the actual definition of victim to be referred to. The theoretical context which is often regarded as the starting point is the one suggested by Christie (1986) with his ideal victim, whose characteristics include being weak and defenceless and being strangers to any kind of liability. This model of the victim in *bona fide* appears to be incomplete, however, because it is limited to the experience of the individual. The concept of the victim is undoubtedly an extremely malleable concept and the notion of the victim always evokes a kind of collective solidarity (Cohen, 2001). The word victim, however, evokes a condition, which in itself is not easy to identify, thus reflecting many of the nuances found in the definition of genocide (Policek, 2012). The United Nations General Assembly resolution of 29 November 1985, A/RES/40/34 states unequivocally that at international level victims are those persons who, individually or collectively, have suffered harm, including physical or mental injury, emotional suffering, economic loss or major restrictions of their fundamental rights, through acts or omissions in violation of the criminal law of a Member State, including the laws that prohibit the abuse of power (Bilali et al, 2016).

A long line of scholarship on genocide (Theriault, 2012) has established that the state is often key to understanding the onset of genocidal violence and the consequent victimization. Although the international legal definition of genocide does not restrict the violence to state action, many genocides that occurred over the last century were committed with active (or at least tacit) state involvement, and states have historically used genocide as a form of repression. Due to the importance of the state and its actors, scholars (Bar-Tal et al, 2009) have theorized that state-level conditions influence the possibility that genocide could occur within a country. Studies mostly fall into the following categories: they either offer analyses of risk/priming factors, evaluating situations that influence whether genocide is likely to occur (De Waal, 2010), or analyses of triggering factors, as events that influence when genocide occurs (Day and Vandiver, 2000). Both factors are essential to understanding the occurrence of genocide, and they can be conceptualized as two linked processes. Already it is evident how important is to promote a cross-continental synergy when addressing victimization in genocide.

In the context of victimization, research on collective victimization spans across three levels of analysis: the societal (macro), group and intergroup (meso), and individual (micro) levels of analysis (Hall, 2012). Research on collective victimization involving the societal level has examined the shared beliefs group members hold regarding their group's victimization. Transmitted through education, media, political speeches, and other societal channels, the "master narrative" of conflict and the group's victimization is

socialized and widely shared (Mibenge, 2010). This perspective is closely related to collective memory studies in disciplines such as sociology, philosophy, and political science. Findings on collective victimization on the macro level cannot be generalized to the individual; this ecological fallacy (Meredith, 2009) must be avoided. For example, scholars (Cehajic & Brown, 2010) argue that on the individual level, people who had been personally victimized through the war were less supportive of humanitarian norms than those who were not personally affected, while on the collective level communities with a greater number of war victims were more supportive of humanitarian norms.

In the instance of collective victimization and threat, scholars (Paluck, 2010) suggested that the impact of these collective events were not found to be uniform in society and across different periods. Instead, reactions to terror attacks can be moderated by individual differences regarding political ideology and whether the social context involved a period of conflict escalation or increased peace efforts (Staub, 2006). There is also considerable interindividual variation in the extent to which group members perceive the ingroup's victimization as personally relevant — it is misleading to assume that every single member of an ethnic, religious, or national group that has been targeted by collective violence considers these events equally important. Some group members may even wish to move on, and identify more strongly with other, more positive aspects of their group's history and culture (Vollhardt & Staub, 2011). Thus, the objective experience of collective victimization needs to be differentiated from subjective perceptions of collective victimhood, which can be referred to as "victim consciousness" (Kurasawa, 2007). For these reasons, research on collective victimization needs to consider the individual level of analysis in addition to, and separately from, the group and societal level of analysis. The group and intergroup level of analysis can take into account expressions of collective victimization that take place through interactions and communications between group members or between groups. This can involve, for example, the transgenerational transmission of collective trauma narratives through family members, or through social movements that serve as "trauma carrier groups". It can also involve phenomena such as "competitive victimhood" or "competing victimization" when victim groups compete with other victim groups for recognition of suffering, for material resources such as compensation, or symbolic resources such as memorials (Vollhardt & Staub, 2011).

The most common level of analysis on collective victimization remains the individual level. Recognizing that not every group member will experience collective violence against the ingroup in the same way, scholars (Meredith, 2009) have examined the effects on individual wellbeing, resilience, and post-traumatic stress disorder. They (Bar-Tal et al, 2009) also observed how individuals think and feel about their group's victimization, to what extent it is part of their social identity, and how it impacts their relations with other groups. Besides, some researchers (Halley, 2008$_a$; 2008$_b$; Aolain, 2006) have examined the relations between collective victimization, post-traumatic stress disorder, and intergroup as well as other political attitudes.

## ISSUES

### Globally Assessing Risk Factors in Genocide

Risk factors in genocide are necessary for early warning systems. This is an endeavour which should be globally tackled. Despite their importance, however, only a handful of studies (Horowitz, 1997) have systematically addressed risk factors for example to disprove the widespread idea that genocide is more

prevalent in ethnically diverse countries. Scholars (De Waal, 2010) concluded that genocides are instead more likely in countries that previously experienced genocide, had authoritarian governments, and implemented discrimination. War and autocratic governments are significant risk factors of genocide and civil war, in particular, create a precarious opening in the political opportunity structure (Kiely, 2016). Harff (2017) suggests a six-factor model that assessed the conditional probability that genocide will begin one year after state failure. This model included four risk factors (prior genocide, autocracies, exclusionary ideologies, and upheaval) and two additional ones: contention regarding the ethnicity of those in power and low trade openness. Harff (2017) also included state-led discrimination, thus adding a seventh factor to the model. Her study remains a core model for risk factors of state-led genocide. Although other models exist, the Harff model also directly informs the framework that the United Nations Office of the Special Adviser on the Prevention of Genocide (OSAPG) uses to identify countries at risk of genocide.

Among the main risk factors, the OSAPG framework considers, six are in line with Harff's model. This framework also extends the Harff model to include indicators of each risk factor. For example, although the Harff model includes general upheaval as a risk factor, the OSAPG framework considers numerous forms of upheaval, such as civil wars, resource scarcity or economic downturns. Specifically, the aforementioned models and related research indicate that state structure and capacity, ideology and exclusion, upheaval and threat, and international controls influence the onset of genocide. As models of risk factors have long noted, democracies likely have lower odds of genocide because they retain a system of checks and balances. Leaders in democracies may also be less likely to execute violence against citizens due to constraints on their power, and democratic institutions are generally believed to increase the costs of state repression. Autocracies, or systems of government where unrestrained power is concentrated in a few hands, are consequently presumed to have comparatively higher odds of genocide, which is reflected in both the Harff model and the OSAPG framework. While democracies have lower odds of genocide, transitions to democracy may have a different effect. Partial democracies are often more unstable than full democracies or even full autocracies. In line with this, it is possible to argue that countries undergoing democratic transition are more likely than non-transitioning countries to commit mass murder. This is because democratizing countries must define 'the nation', which can create a basis for exclusion. However, the potential for partial democracies to serve as a risk factor of genocide has rarely been explored. Beyond the form of government, disaggregating elements of the regime type may yield more precise risk factors as well, on issues that the international community should address collectively.

Democracies are distinguished by popular participation, competitive executive recruitment, and controls on the executive power, while autocracies are distinguished by the absence of these three elements. The absence of controls on the executive may be particularly linked to genocide, as an unchecked executive may more readily turn to violence. Finally, some scholars propose that states must possess a certain amount of capacity to commit genocide. For instance, the OSAPG framework suggests that the capacity to commit atrocity crimes—including financial capacity—should be taken into account when assessing the possibility of genocide. Although economic development is not linked to the onset of genocide, however, in the literature (Kuper, 1985; Abdenur and Folly, 2015) it was noted that states with lower economic development had higher odds of genocide. This suggests that while some economic capacity may be necessary to commit genocide, genocide may be less likely in states with high economic development. Still, some scholars (Schori-Eyal et al, 2014) argue that other kinds of capacity are more consequential for the onset of genocide. Specifically, the OSAPG framework indicates that military capacity may be particularly important, as states typically use their armed forces to commit the violence.

In line with this model, it is possible to suggest that democracies have lower odds of genocide. Beyond this, the OSAPG framework suggests that transitional democracies have higher odds of genocide. Controls on the executive are associated with lower odds of genocide. Economic capacity is associated with lower odds of genocide. High military capacity is associated with higher odds of genocide. Genocide involves the intent to destroy members of a group, and it is well established that ideologies that classify and exclude these group members are often present before genocide begins. Such ideologies result in the exclusion of individuals from the universe of obligation, which can influence criminal behaviour against group members. More broadly, these ideologies can be used to persecute people who are defined as antithetical to a stated purpose, such as national success (Drumbl, 2007). Although many ideologies may influence the onset of genocide, state-led ideologies are included in both the Harff model and the OSAPG framework.

These ideologies can identify a purpose for the state and deem certain groups antithetical to that purpose, as was the case during the Khmer Rouge's societal 'purification' efforts or Nazi Germany's pursuit of an exclusively Aryan nation (Fein, 1979). In fact, it appears in the literature (Cehajic and Brown, 2010) that sub-Saharan countries where elite ideologies excluded segments of the population—such as Rwanda and Sudan —saw genocide when the country experienced upheaval, while those whose leaders emphasized pluralism and inclusiveness—such as the Ivory Coast and Mali—did not (Cehajic and Brown, 2010). These ideologies often surface in societal power relations. Accordingly, Harff (2017) found that ethnic-based exclusion from political power is associated with genocide, highlighting contention surrounding elite ethnicity. The Harff (2017) model and the OSAPG framework both also consider political and/or economic discrimination and prior genocide as risk factors of genocide, in line with theories that suggest prior human rights violations are predictive of future human rights violations (Day and Vandiver, 2010). Finally, many recent case studies have linked the ideological, political and economic exclusion of segments of the population to colonialism (Pulido, 2018) again reinforcing the need for a cross-continental synergy when tackling victimization in genocide.

It is plausible to anticipate that exclusionary ideologies are associated with higher odds of genocide. Contention surrounding elite ethnicity is associated with higher odds of genocide. Discrimination is associated with higher odds of genocide. Prior genocide is associated with higher odds of genocide. Additionally, the previous colonialization is associated with higher odds of genocide. Beyond state structure and exclusion, scholars (Hall, 2012; Pulido, 2018) found that societal upheaval—pioneered by Harff (2017) and broadly conceived as violence, unrest or strain—can shock systems and influence leaders' decisions to turn to genocide. Although Harff's model aggregates upheaval into one measure meant to capture abrupt changes in the political community, the OSAPG framework considers civil wars, resource scarcity, natural disasters and other forms of upheaval as separate indicators. To better understand the complex relationships between forms of violence and assess which upheavals have stronger effects on the onset of genocide, it would be useful to test numerous factors that place strain on the political structure and/or economic structure of a country. This is well in line with literature on state repression that suggests that states turn to repression when they experience threats (Galtung, 1990). State repression may be particularly prominent after threats that directly target leaders and their regime, complementing the genocide scholarship that highlights the threat to political elites. Previous work has suggested a

link between civil wars and genocide, as leaders may respond to perceived political threats with uneven violence against civilians. Civil wars may also be associated with openings in the political opportunity structure as well as increased militarization. Furthermore, the state is already inwardly violent against 'enemy' citizens during a civil war, which may create an environment that facilitates genocidal violence (De Waal, 2012).

International war may also be associated with increased militarization and openings in political opportunity structures, and elevated fear and uncertainty during any type of conflict may influence repression. Even sharing borders with violent countries may affect the stability of a country. While neighbouring violence is not as likely to create an opening in the political opportunity structure, it could lead to fears of spillover violence and increase militarization and refugee flows, which may influence genocide (Hall, 2012). International war and neighbouring violence are included in the OSAPG framework, but their influence on genocide has rarely been tested in scholarly analyses. Other forms of violence may influence genocide for related reasons. Revolutions could be linked to genocide because revolutionaries seek to construct a new society and may exclude those who do not align with their vision. It could be proposed here that revolutions could also create conditions that allow a genocidal regime to come to power, and coups and assassinations could facilitate the rise of a repressive leader through similar mechanisms. These arguments fall in line with Krain's (2012) theory linking openings in the political opportunity structure to potentially repressive leaders. While many of these theories suggest extra-constitutional regime change is core to genocide, it is worth also exploring the influence of situations that do not result in regime change. In other words, revolutions and campaigns against the state also challenge the government and may influence perceptions of threat, especially when they do not succeed in regime change. For such reason, while these processes may not result in an abrupt change in the political community, perceptions of weakness by the political elites may influence genocide, suggesting that threat, in the form of challenges and/or political fissures, may be consequential.

Many of these forms of violence have not been tested independently, suggesting the need for the future research enterprise, and none are included in the OSAPG framework. In a different vein, economic crises have been cited as risk factors of genocide in numerous studies (Harff, 2018). Many scholars and practitioners (Jamieson and McEvoy, 2005; Pulido, 2018). have relatedly argued that resource scarcity and competition influence genocide both by straining existing systems and causing unrest among citizens. For example, the loss of arable land and resources is commonly noted as a factor that contributed to the genocide in Darfur (Harff, 2018) and the OSAPG framework includes natural disasters as a risk factor. Population change and high population density may similarly influence strain on a country's resources and thus may influence the onset of genocide. Yet, despite the growing prominence of theories that link economic crisis and resource scarcity to genocide—and the inclusion of economic crises, resource scarcity and natural disasters in the OSAPG framework—studies of genocide have typically not tested these relationships (Harff, 2018). The OSAPG framework also suggests that resource abundance may influence conflict, particularly when there are disputes over resources. This aligns with research on the association between diamonds, oil, and conflict (Pulido, 2018). Several studies have also found positive relationships between natural resources and mass killing in Africa and globally, though the specific relationship between resource abundance and genocide has not been tested (Harff, 2017; 2018).

## Toward a Cross-Continental Synergy

To support a cross-continental synergy when addressing victimization in genocide, while the Harff (2017) model includes one aggregate measure of upheaval, it is possible to examine how numerous forms of upheaval influence the onset of genocide through strain on the political and economic systems of a country, testing many indicators included in the OSAPG framework and suggested by recent studies (Pulido, 2018). It is possible to include these factors in two hypotheses for simplicity, anticipating that political pressure (civil wars, international wars, violence in bordering countries, coups, coup attempts, revolutions, campaigns against the state, assassinations, riots) is associated with higher odds of genocide. Economic pressure (economic crises, resource scarcity, population pressure, natural disasters, resource abundance) is associated with higher odds of genocide (Jamieson and McEvoy, 2005). Lastly, interactions between states may provide social controls in the highly globalized context of contemporary societies. It is worth reiterating that global trade promotes engagement in the international system, and it may also influence the adoption of global norms against violence (Abdenur and Folly, 2015). In line with this, it is possible to suggest that economic interdependency decreases the odds of genocide. States are also connected through membership in international governmental organizations (IGOs) and together they can work to prevent victimization in genocide and to address already existing victimization (Hagan and Rymond-Richmond, 2009).

To assess the risk factors of genocide, it is possible to employ the designation of cases of genocide created the following criteria: states or authorities must commit the killings or demonstrate complicity; evidence must show intent on the part of the authorities; the victims must be members of an identifiable group; and actions committed must pose a threat to the survival of group members (thought here is no minimum threshold of deaths) (Hall, 2012). These data restrict genocide to events where the state was a perpetrator or complicit in the violence. Other actors could feasibly perpetrate genocide, though the state or its authorities have been actively or tacitly involved in most genocides, making state-influenced violence a meaningful form of genocide to examine. Further, as previously stated, the legal definition of genocide cites members of national, racial, ethnic or religious groups as victims of genocide, but this dataset includes political groups as well. Multiple scholars have urged this inclusion, as it is virtually impossible to separate the racial, ethnic, national or religious from the political (Hagan and Rymond-Richmond, 2009; Pulido, 2018; Harff, 2018).

It is also noteworthy that, in most models, prior genocides are not associated with the onset of genocide—which is contrary to the Harff model and the OSAPG framework. Turning to the upheaval, several forms of political upheaval influence the onset of genocide. Thus, civil wars are likely consequential because they can bring new leaders to power and also because they can signal a threat. In line with this, campaigns against the state significantly increase the odds of genocide (Chou, 2013). As this measure does not include campaigns that successfully overthrew a government, this adds further support to the argument that threat to the government is particularly important to understanding the onset of genocide. Revolutions are likewise associated with higher odds of genocide. This includes all revolutions, though as with civil war, the effect holds when this is restricted to revolutions that did not coincide with regime change, again illustrating that the rise of a repressive leader cannot fully explain the effect of revolutions and related upheaval. Successful coups are also significant, in line with theories (Chou, 2013) that

suggest that coups pave the way for repressive leaders to come to power. Similarly, assassinations are associated with higher odds of genocide (Irvin-Erickson, 2017), again likely due to the ability of repressive leaders to enter power in unconventional ways. Riots, however, are not significantly associated with the onset of genocide (Neier, 1998), though the number of riots is significantly associated with the onset of genocide in a more restricted model.

When the state is faced with civil wars, coups, revolutions, campaigns against it or assassinations, it is typically an inwardly violent actor, creating a structure that could facilitate genocide. By contrast, a government typically protects its citizens during international wars (Lemay-Hébert and Visoka, 2017). Because of this, and likely because war has become increasingly intrastate, international wars are not associated with the odds of genocide. Violence in neighbouring countries is also not significantly associated with the odds of genocide. The significance of civil wars (with and without regime change), coups, coup attempts, successful revolutions, unsuccessful revolutions, assassinations and campaigns against the state reveal the importance of disaggregating the type of upheaval for early warning systems. Yet, while these upheavals are each associated with higher odds of genocide, economic crises, population pressure, resource scarcity or resource abundance are not. This casts doubt on measures of economic upheaval and suggests that genocide is much more likely when a government is directly threatened. Lastly, international controls do not decrease the odds of genocide. Trade openness also does not have a significant effect. This may reflect the presence of trade embargos, which are placed on some countries where human rights violations are common (Lemay-Hébert and Visoka, 2017). It could be argued that taken together, these issues illustrate the role of political upheaval and, importantly, operationalize distinct forms of upheaval. Some political upheavals — including successful revolutions, civil wars, coups, and assassinations —likely pave the way for repressive leaders to come to power. Beyond this, recent work (Irvin-Erickson, 2017) has found that exclusionary ideologies are most likely to be created after an unconventional regime change (most notably a coup or revolution). Such transitions are often accompanied by ideologically charged narratives that attempt to justify the unconventional grab of power and, in many cases, correct a perceived problem (Harff, 2018).

Coup attempts, unsuccessful revolutions, campaigns against the state and civil wars that do not result in regime change can be each associated with higher odds of genocide. This illustrates the importance of threat to those in power and suggests that such threat should be an important part of models of risk factors, falling in line with genocide scholarship that emphasizes the role of the threat to political elites (Horowitz, 1997). The idea that political authorities respond to behaviour that threatens the political system with state repression can be found in centuries of political philosophy and has, more recently, received much support across many studies of state repression (Lemay-Hébert and Visoka, 2017). Yet, strains that typically do not directly threaten political elites are not significantly associated with the onset of genocide (Horowitz, 1997). This includes forms of upheaval that are more economic in nature — including economic crises, high population growth or density, resource scarcity and natural disasters. The OSAPG framework considers many of these economic factors, and they have increasingly been cited as risk factors of genocide. Nonetheless, this analysis suggests that they may not be as useful in general risk assessment models. Numerous other factors included in the OSAPG framework and the Harff model could not be significantly associated with the odds of genocide. These include the type of government, economic capacity, military expenditure, trade openness, resource abundance, membership in international organizations, ratification of treaties, bordering violence and international war — suggesting that these factors should be further scrutinized before inclusion in general risk assessment models.

## SOLUTIONS AND RECOMMENDATIONS

The role of victims is increasingly central to discussions in, and practices of, international criminal law when addressing the "crime of all crimes" (Graven, 1950). This increased attentiveness to victims is leading to a discursive specification of victimhood which draws on Christie's (1986) theorizing. In identifying practices inside and outside the ICC courtrooms, solutions should move away from the construction of the "ideal" victim whose features coalesce into a feminized, infantilized and racialized stereotype of victimhood. A taxonomy of victimization is problematic and there is often overlap between categories involved (Policek, 2019), nonetheless it is possible to suggest promising classifications, for example, official persecution (including genocide), expanded and focused suppression (e.g., Kurds in Turkey; Tibetans in China), ethnopolitical warfare or civil war, populist persecution (e.g., communal riots in India), and retaliatory persecution of groups that were previously victimized, gain power, and commit unselective violence against members of the original persecuting group (Harff, 2017). Slavery, occupation, and other forms of sustained structural violence, such as racism, can be highlighted about victimization. (Chou, 2013). One difficulty is that these classifications are often not politically neutral and might be heavily debated, for example in the case of the Armenian Genocide (Irvin-Erickson, 2017) posing real threats to the push for a cross-continental synergy. Nevertheless, it is important to make distinctions to examine if the type of collective violence affects psychological consequences. For example, the awareness that a group was subjected to attempts at complete annihilation through genocide may have a particular impact on one's identity and collective narratives; and awareness of enslavement in the past, as well as sustained structural violence such as racism, may also have specific effects.

It also seems important to consider whether collective victimization has occurred through a single event or whether it involves a sustained period of victimization. In some instances, collective victimization has occurred repeatedly, in a chain of events; in other instances, collective victimization is sustained through ongoing conflict or structural violence in the present. Sustained or repeated collective victimization is likely to have a different impact than unexpected, one-time events; for example on identity and the perceived personal importance of the events. Likewise, ongoing conflict is likely to have a different impact than historical victimization, because ongoing conflict gives rise to the immediate threat and daily reminders of the in group's victimization. While academia has addressed these questions on the level of individually experienced trauma in research on complex trauma (Harff, 2018), future research on the impact of these differences in groups' experiences of collective victimization is necessary and highly recommended.

For instance, concerning the judiciary, although the ICTY did recognise that genocide did indeed occur in Bosnia and Herzegovina, facts have been relativized, leaving some categories of victims deprived of the possibility of the acknowledgment of their experience of victimization. Although in 2007 the ICJ recognised that Serbia had violated the Genocide Convention, by not doing enough to prevent it from occurring, yet it still decided to release the Serbian state from full responsibility. As for the ICTY, through its settlements with war criminals offering the latter shorter sentences for confessions, it also contributed to the relativization of the mass atrocities committed in the 1990s. A significant amount of information was revealed through judicial courts such as the ICJ, the ICTY and the War Crimes Chamber (of the State Court of Bosnia and Herzegovina), however, some victims deplored the manipulation of information that seeks to minimize, rationalize, justify, deconstruct and/or deny the violent deeds perpetrated as well as their consequences (Harff, 2018). Undoubtedly the ICTY led to many positive developments by enabling the creation of a space for exchanges, questions, and discussions concerning

the mass atrocities committed in the 1990s. Among the positive impacts, it should be emphasised the series of initiatives aimed at: informing and educating the population, working on decreasing collective guilt, helping in the legitimization of the survivors and family associations, locating war criminals and developing local capacity to prosecute war crimes in Bosnia and Herzegovina (Mischkowski and Mlinarevic, 2009).

However, a few reports (Irvin-Erickson, 2017) have exposed a number of problems linked to interference by the executive and legislative bodies (as well as by political leaders), in the workings of the judiciary, resulting in lengthy court proceedings and often impunity for the perpetrators (Nikolic´-Ristanovic´, 1999). Notwithstanding the need of *ad hoc* international crime tribunals, a plausible solution which embraces a global legal framework when dealing with victimization could be the creation of an international treaty which deals globally with the triple dimension of victimization in genocide: persons who have suffered harm, relatives or dependants having an immediate relationship with the victims as well as those who suffered harm while intervening to assist victims in distress or to prevent victimisation (Policek, 2011; Oosterveld, 2012). Civil society as a whole is victimized during and after genocide (Lemay-Hébert & Visoka, 2017): the relations between genocide and international migration, are evident especially because the overall instability associated with conflict often leads to increased tensions among different ethnic groups (Policek, 2012). In turn, ethnic conflict situations can result in a general environment of insecurity, which may serve as an opportunity framework for those already harbouring individual migration plans (Policek, 2019). Because ethnic tensions as a reason or as a consequence of genocide may facilitate international migration, the need for cross-continental synergy is paramount as migration is a global issue that should be addressed globally.

## FUTURE RESEARCH DIRECTIONS

Many questions remain unanswered in this emerging area of research, including research that compares the structure and content of victims' experiences following different types of collective victimization (Sharratt, 2011). Although it is plausible to hypothesize that victims' experiences will be more intense after more severe forms of collective victimization, as in the event of genocide, it remains an empirical question whether this is the case. Similarly, another question remains unanswered and worth addressing, whether do people respond differently to historical and present victimization or not. The review of the literature (Cook, 2017) suggests that collective victimization that was not experienced directly can have a stronger impact on intergroup relations than personal experiences. Research (Irvin-Erickson, 2017) shows that historical victimization can affect political attitudes and intergroup relations as much as present-day events do. Whether or not they may even have a stronger impact than present-day events it remains to be addressed in future research.

Likewise, an important question for future interventions is whether the dynamics involved in beliefs about historical collective victimization differ from the underlying processes of collective victims' experiences based on present-day events (Lemay-Hébert & Visoka, 2017). A barrier in this context is that historical victimization is often intertwined with present-day conflict, and historical and current victimization are often seen as linked in a chain of events (Harff, 2018). To address these questions, research is needed with groups that have experienced historical victimization but are not currently engaged in genocide. Research and interventions aimed at facilitating more inclusive victims' experiences need to address, above all, the potential backlash effects that can occur. These are especially likely when

the comparisons between the ingroup's and other groups' victimization involve the other conflict party. Therefore, in these interventions, it is particularly important to present the information in ways that reduce the psychological threat of such comparisons as much as possible; for example by first providing acknowledgment of the in-group's' victimization. An important pathway for future research and interventions is to examine how acknowledgment of the ingroup's distinct fate may reduce the need to focus exclusively on the ingroup's victimization, and instead give rise to more inclusive interpretations of the ingroup's victimization.

A less threatening way to acknowledge victims' experiences and enhance empathy toward other victim groups may also be to start with groups that were not involved in conflict with the ingroup (Mamdani, 2009). This approach would sustain and justify the need for cross-continental synergy when addressing victimization in genocide. It appears that there are many promising paths for future research on this topic, and the knowledge gained from these studies will have immense importance for interventions designed to improve relations between groups at risk of genocide or in the aftermath of collective victimization, justifying the need for cross-continental synergy when dealing with victims of genocide.

## CONCLUSION

It is possible to support a cross-continental synergy which embraces the concept of victim including both direct and indirect victimization in genocide. In the context of genocide, it must be taken into account that all categories of victims have in common the experience of being a victim of crime. From this perspective they are at the same time victims of crime as well as victims of the category concerned. The catalogue of rights recognised to the different categories of victims by the international norms related to each of them builds the legal status of each category of victim. At the same time these rights constitute obligations on the part of states because they have implemented those rights. Despite the diversity and despite the particularisation with regard to the category of victim concerned, it is possible to conclude that a common legal status of victim (in general) which is composed of most of these rights exists. At least, of all those rights firmly enshrined in the existing legislation dealing with genocide. Moreover, it must not be forgotten that the victim is a natural person and as such, is entitled to the rights that international treaties recognise for everyone.

An international treaty supported by cross-continental efforts and related to the international legal status of the victim (in general) could serve to acknowledge the changing global context of victimization. This treaty, currently non in existence, could be inspired by the international norms relating to the different categories of victims. Preceded by a general and broader definition of the term victim (including both direct and indirect victims), the object of such treaty would be the listing of a catalogues of rights inherent to the condition of victim of genocide. Such a treaty would also be useful to recognise for all victims a common denominator of rights that states have to ensure, safeguard and make effective. At the same time a treaty of this kind would not hinder the further adoption of particular norms related to special categories of victims and from applying to these individualised categories the international norms actually existing. Both lines of action would indeed be complementary.

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## KEY TERMS AND DEFINITIONS

**Collective Victimhood/Victimization:** The experience of being targeted as members of a group.
**Genocide:** The action to destroy an ethnic, national, racial, or religious group in whole or in part.
**International Criminal Law:** Intended as the body of public international law designed to prohibit certain categories of conduct commonly viewed as serious atrocities and to make perpetrators of such conduct criminally accountable for their perpetration. The core crimes under international law are genocide, war crimes, crimes against humanity, and the crime of aggression.
**International Criminal Tribunal for Rwanda (ICTR):** In the direct aftermath of the Genocide in Rwanda and during the subsequent 20 years, the ICTR has been at the forefront of the global fight against impunity, prosecuting those considered most responsible for the gravest crimes committed in

1994. As the Tribunal approaches the end of its mandate, its legacy lays the foundation for a new era in international criminal justice.

**International Criminal Tribunal for the Former Yugoslavia (ICTY):** Established by Resolution 827 of the United Nations Security Council, which was passed on 25 May 1993. It had jurisdiction over four clusters of crimes committed on the territory of the former Yugoslavia since 1991: grave breaches of the Geneva Conventions, violations of the laws or customs of war, genocide, and crimes against humanity. The maximum sentence it could impose was life imprisonment. Various countries signed agreements with the UN to carry out custodial sentences.

**War Crimes and Crimes Against Humanity:** Four elements distinguish war crimes from crimes against humanity. War crimes may only be committed during an armed conflict, whereas crimes against humanity can be committed both in times of war and of peace. Furthermore, a crime against humanity may be committed against nationals of any state, including that state's own nationals, if the state takes part in the attack. Whereas crimes against humanity may only be committed against civilians, most war crimes may be committed against both civilians and enemy combatants. A crime against humanity must be committed as part of a widespread or systematic attack upon a civilian population; there is no such requirement for a war crime. An isolated act could qualify as a war crime, but not as a crime against humanity. Nearly all of the underlying offences which could qualify as crimes against humanity would also amount, all other conditions being met, to war crimes, but the converse is not necessarily true.

# Chapter 10
# Underground Cyber Economy and the Implication for Africa's Development:
## A Theoretical Overview

**Okhuevbie James Olu**
*Lagos State University, Nigeria*

## ABSTRACT

*Cybercrime and the activities of the underground cyber economy has detrimental consequences for the growth, development, and wellbeing of individuals, groups, organizations, and nations of the world. Criminal activities such as hacking, identity theft, scams, fraud, and cloning on individuals, corporate bodies, and nations are attempts by cyber criminals to illegally scoop funds out of these various treasuries for personal use, all of which have tremendous consequences for personal, corporate, national, and hence, continental development. The underground cyber economy is a key factor that has enhanced the continued perpetration of cybercrime activities. Leaning on the space transition , innovation diffusion, and the gang theories, as well as resources gathered from past studies, the current study examines the underground cyber-economy and its implications for the development of Africa.*

## INTRODUCTION

The internet has altered how individuals and groups think, act and interact in the contemporary world. The internet drives individuals, businesses, corporate entities, industries, non-profit organisations, and the government. While the majority takes advantage of the positive aspect of the resource, the minority hide behind the technology to lunch an undeserved-innovated offensive on other innocent users of the cyberspace. Conversely, the minority hide behind the technology to lunch an undeserved-innovated offensive on other innocent users of the cyberspace. They do this through the commission of numerous cybercrimes. The objectives of the founder of the internet did not include the use of technology as a tool for adding to the already frustrating problems facing humanity. Nonetheless, some deviant members of

the human community have hijacked the technology to justify the saying that man is the victim of his inventions. Today, some individuals do not only intimidate, harass, terrorise other innocent users of the internet on the cyberspace, but they have also turned the resource into a tool of tragedy for most unsuspecting users who have become vulnerable because they are not well protected against undue invasion. Various governments, non-governmental individuals and concerned individuals have called for significant public policies to limit the invasions of privacies that occur on the internet to reduce exposure. As the world overcomes known cyber misconduct, the irreverent scavengers on the cyberspace innovate yet more frustrating avenues of endangering the cyberspace for innocent users.

## BACKGROUND

The occurrence of crimes in the cyberspace is no longer a new phenomenon. Cybercrimes around the world have grown rapidly such that they threaten virtually everything including live, security and survival of nations (Tade & Aliyu, 2012; Kericha, 2017). Odinma (2010) describes cybercrime as any illegal activity perpetrated in, on or through the use of the internet, or the use of the internet to cheat, defraud or cause the malfunctioning of a network device. McConnell International noted that cybercrimes differ from other forms of crime in four different ways. First, it is easy to learn how to commit cybercrimes, cybercrimes require fewer resources compared to the level of damage done, cybercrimes can be committed at a location without the physical presence of the perpetrator and cybercrimes are often not illegal. Kericha (2017) describes four categories of cybercrime as; offences against the integrity, confidentiality, and the availability of computer data and systems such as illegal access, illegal interception, data or system interference, and illegal devices; computer-related offenses like computer-related forgery and computer-related fraud; content-related offenses (e.g. child pornography) and offenses that relate to infringements of copyright and related rights.

The internet exists to make tasks easier, faster, comfortable, less stressful, coherent, logical, organised and relatively less expensive (Remeikiene, Gaspareniene, & Schneider, 2018). Daily, individuals perform operations such as checking bank balances, make payments, paying bills and exchanging important documents and information, with the aid of gadgets, smartphones and computing devices through the internet, where this multiple information is processed and stored. Corporate bodies, firms, industries, and organisations also benefit from simplified business processes that the internet provides (Kericha, 2017). Despite its numerous advantages, the internet has given birth to several businesses and criminal activities that are detrimental to end-users. In the course of using the internet, individuals and groups exchange vital information that is shared processed and stored online; criminals understand these information systems and exploit them for personal financial gains, to the detriment of users (Yip, 2010). Hence, even though the internet is a platform for new opportunities and endless possibilities for work, business, and leisure, it has also created an avenue for immoral cyberspace users to commit cybercrimes. Tade and Aliyu (2012) explained that even though the internet remains an instrument for the dissemination of information and interaction among individuals and groups through the computer without regard for geographical location, it has also ushered in high levels of insecurity and crime. In other words, without the internet, there would be no cybercrime, cybercriminals or the underground cyber economy.

Extensive cybercrime consumer victimization involves substantial direct and indirect financial costs that include money illegally withdrawn from victim accounts, time and effort to change account credentials or repair computer systems and secondary costs. Indirect costs involve the corresponding monetary

values of losses forced on society by the reality of a specific cybercrime phenomenon. Indirect costs comprise a loss of trust in online banking. The cost of cybercrime to society may contain 'defence costs' of cybersecurity products and services, and fraud exposure and policing efforts (Anderson et al., 2012). Evidence from consumer victims of cybercrime in 24 countries across the world indicates that on the average, they suffered direct losses ranging between 50 and 850 US dollars arising from a cybercrime incident(s) in twelve months (Symantec, 2012). The objective of this chapter is to identify the types of cybercrimes, account for their effects on the individuals and economy, and study the solutions to cybercrimes in Africa. To achieve these objectives, this chapter answers the following questions (i). What is the explanation for Cybercrime as an Underground Activity? (ii). What are the Types of Underground Cybercrime? (iii). What is the Explanation for cybercrimes in Africa? (iv). What are the impacts of cybercrimes on the development of Africa? (v). How can the effects of cybercrimes be reduced in Africa? In its structure, this chapter presents its background. Second, it presents the explanation for cybercrime as an underground activity. Third, it accounts for the types of underground cybercrime. Fourth, it unpacks its explanation for cybercrimes in Africa. Fifth, it examines the impacts of cybercrimes on Africa. Sixth, it presents how the effects of cybercrimes can be reduced in Africa. Seventh, it concludes and offers some suggestions.

## THEORETICAL FRAMEWORK

This chapter adopts the Space-Transition, Innovation-Diffusion and Gang Theories to explain the problems that are associated with underground cybercrimes in Africa. The space transition theory holds that people tend to behave differently when they move from one space to another. There are two types of geo-spaces, the physical space, and the cyberspace. Hence, the behaviours of individuals in the physical space may differ significantly when they enter into the cyberspace (Jaishankar, 2008; Wada, Longe & Danquah, 2012). For instance, persons who would ordinarily not commit crimes in the physical space (such as children or persons with repressed behaviours) have a propensity to commit crimes in the cyberspace. The physical space is a moral community where the behaviours of persons are guided by formal and informal mechanisms, both of which act as checks on the behaviours of individuals (Tade, 2013). People are honest and law-abiding in society because of the fear of being caught (Wada et al., 2012). This theory provides an explanation as well as a theoretical backing for the increasing concentration and activities of cybercriminals in Africa and why the activities have remained persistent and uncontrolled.

Although the space transition theory appropriately explains the reasons why people engage in cybercrime, it provides little explanation for the increasing growth of cybercrime in Africa, hence the need for the innovation diffusion theory that refers to the spread of new ideas from one society to another or from one part or segment of society to other parts. Diffusion itself refers to the social process through which ideas, concepts, and social processes are spread from one place to another (Daring & Cox, 2018). Conversely, innovation is described as ideas, practices or objects that are perceived as new by an individual, other units of adoption or a general audience (Rogers, 1995; 2003; Robinson, 2009; Tahir & Syed, 2015). The innovation diffusion theory was introduced in 1962 and fine-tuned in 1995 by Rogers. The theory seeks to explain how innovations are spread and accepted within society (Robinson, 2009). It focuses on explaining how, why, and the rate at which innovations and technologies spread within a social system. The innovation diffusion theory is driven by the elements of innovations, communication systems, time and relative advantages (Tahir & Syed, 2015).

From the onset of the new millennium," social networking sites have become very popular. These sites have provided a space for many to vent their feelings, get new and connect with old friends" (Hetu. & Morselli, 2011, p. 876). Therefore, the adoption of cybercrime as an alternative source of income, employment and a way out of poverty explains the increasing prevalence of the menace across the world and especially in Africa where the rates of poverty, unemployment, and adult illiteracy are unreasonably high. The diffusions of innovations theory, therefore, hold that the reason for the prevalence of cybercrime in Africa is its presenting itself to the teeming population of poor and unemployed youths as an alternative to unemployment and a way out of poverty. This innovation (cybercrime) then spreads quickly to other parts because they are relatively financially rewarding, they fit into current needs, they are easy to practice, and the results are very observable. However, this theory does not explain the new growth of cybercrime gangs across Africa. Here, the gang theory comes handy.

A gang refers to a self-formed association of peers, united by mutual interests, with identifiable leadership and internal organization, who act collectively or as individuals to achieve specific purposes including the conduct of illegal activities and control of a particular territory, facility or enterprise (Miller, 1982). Broadhurst, Grabosky, Alazab, and Chon (2014) explained that cybercrimes are no longer carried out by individuals in recent times; rather, cybercrime activities are perpetrated by organized cybercrime groups or gangs. Rather than acting independently, criminals now prefer to act as members of groups. Individuals decide to join gangs for protection, for fun, for respect, for money and because a friend is a member of the group (Howell, 2016). McGloin and Decker (2010) explain that the underlying basis of gang theories extend from macro-level sociological explanations (such as poverty, social disorganization, and subcultural norms), to micro-level explanations which emphasize social interactions and processes (e.g. differential association) to individual-level factors (such as self-control and social control). They posit that the reasons why individuals join gangs are numerous and are attributable to explanations at the societal level (social structure and social processes) group levels and individual levels (choices and influences). Hence, it is important to consider all of these levels in the analysis of gang membership in the underground economy. The gang theory provides a practical explanation for the spread of cybercrime in Africa. For instance, many young people who engage in cybercrime do so because they have friends or peers who are involved, introduce them to it, and teach them the "craft". After learning, they become co-criminals, co-handling cybercrime tasks, teaching other interested peers and expanding groups.

## CYBERCRIME AS AN UNDERGROUND ACTIVITY

The cybercrime underground is not accidental purchases and sales enterprise but a considered innovation by perpetrators to commit money or identity-related crimes online with their identities protected from exposure to the public or law enforcement agencies. The underground cyber economy is composed of several individuals and groups who offer different attractions in forms of products and services that have promotion or facilitation appeal for the occurrence of cybercrime. In the absence of any foolproof mechanism to protect and safeguard innocent computer users against cyber criminality, the cybercriminals indulge in criminal activities through networks without any fear of being apprehended and tried for the offence they committed (Hart, 2012). These individuals and groups are known as actors in the underground economy. A lot of reasons account for the rising incidence of cybercrime underground in Africa. The anonymity and money-making abuse of computers as tools are among these reasons.

To discredit the logic of the submission that the internet holds new possibilities for offenders by enhancing the development of crime may not be plausible using criminological viewpoints. Diverse theories of criminology are applicable even when cybercrime represents an entirely new and unique genre of crime (Yar, 2005) that creates limitations to predicting developments, and to its inhibition, by the application of general crime theories (Koops, 2010). Jaishankar (2011) notes that within the cyberspace, individuals present fluid personalities as people may at one time behave normatively and the next moment become deviants. Identity flexibility, anonymity, and factors that border on the inadequacy of deterrence may facilitate criminal conduct in cyberspace. Online connectivity and peer-learning are vital to organized criminal groups' involvement in cyber criminality. An instance of this is the online 'carding' or 'carder' forums for the exchange of the details of stolen credit cards. Frequently, 'carder' forums have started with a 'swarm' structure without clear series of hierarchy as cyber perpetrators look for and come across one another online for exchange of understanding and the offering of criminal facilities. Opportunities soon develop into more well-ordered 'hub'-like actions with higher grades of criminal structure (BAE Systems, 2012). Another fundamental development that may further enhance the levels of cybercrime is the advent of worldwide connectivity in the context of global economic and demographic changes. It is projected that by 2050, the doubling of the urban population of the world will be 6.2 billion (World Economic Forum, 2011). Serious earnings inequality and protracted financial inequities are possibly two of the top five universal risks in 2012 (World Economic Forum, 2012). According to the 2011 Gallup polling data, worldwide, individuals hold that their living standards are declining – displeasure worsened by plain income inequalities (World Economic Forum, 2012).

Economic influences play a significant role in the development of crime trends. Of the 15 countries surveyed, data indicated some association between economic variations and three traditional crime types in 12 countries (UNODC, 2011). There is no doubt that socio-economic factors may also play an important role in increases in cybercrime. The burden on private sector enterprises to cut expenditure and right-size their staffing structures can lead to declines in security, and taking advantage of criminal opportunities to exploit ICT weaknesses. As enterprises are compelled to engage external or provisional workers, personnel become displeased by reduced incomes and fear of dismissal may lead to a rise in the risk of lone and organized criminal actions (BAE Systems, 2012). During periods of economic recession, some cybersecurity establishments have stated concern that ex-employees, who are redundant, may pose a possible threat (McAfee, 2009). Progressively huge numbers of jobless or underemployed graduates who have computing skills have been reported to provide possible new resources for organized crime (BAE Systems, 2012). Cybercrime may profit from this situation.

## TYPES OF CYBERCRIMES

This section provides identification and description of some of the major types of and actors in cybercrime underground which occur according to the type of products and services they offer in the cybercrime underground. There are eight major types of products and services offered in the cybercrime underground and hence eight major types of cybercrime underground activities exist (Yip, 2010). These types of cybercrime underground products represent areas of cybercriminals' specialty. With regards to the African context however, this chapter adds an underground activity that is a recent trend in cybercrime in Africa. First, is the traditional organized criminal groups that consist of criminals who engage in real-life crimes (such as kidnapping, robbery, drug trafficking) and also in cybercrime at the same time (Choo, 2008a;

Yip, 2010). Cybercriminals are motivated by financial gains since cybercrime has become a lucrative and anonymous way to make money; these criminals are lured into the underground economy (Yip, 2010).

The second is the Identity-related crime that is a compound concept used to describe a range of methods through which specific forms of deception and fraud are committed (Smith, 2010). This cybercrime causes the cybercriminal to use the identity of another individual to deceive and extort funds and other materials from his/her potential victims. This type of underground activity comprises of several forms and individuals who specialize in each form, including carders, Bank data stealers, plastic vendors and encoders, cashiers and scammers. Carding is the unauthorised use of credit and debit card account information to fraudulently purchase goods and services as a form of financial crime (Peretti, 2008). The most frequently traded types of bank data are credit card number, CVC, etc. provide an illustration and insight into how exactly malware such as keyloggers are used to steal data (Holz et al*.,* 2008). Plastic Vendors and Encoders are other types of financial/identity theft cybercriminals. Their job entails the sale of blank credit cards (Yip, 2010).

The third is the attack services that are a line of products and services provided by the cybercrime underground to attack the integrity of computers. Some of the cybercrime activities that fall within this category include hacking and cracking, vandalising, spying, denial of service (DOS), digital piracy and the infection of malware. While zero-day exploit finders refer to the number of days since software vulnerability has been discovered, zero-day exploits refer to fresh or new vulnerabilities are unknown to anyone. In 2006, one such finder offered to sell a Windows Vista zero-day exploit for $50,000 U.S. dollars. It has also been suggested that some sell for as much as $120,000 (Muttil, 2008). A malware (an abbreviation for malicious software) is an application designed to exploit the vulnerabilities in software applications. Competition between malware authors also exists. Malware authors do reverse-engineer their rival's malware to gain a bigger market share on the underground economy (Elser & Pekrul, 2009).

Fourth is the delivery services offered in the cybercrime underground to circulate malicious software (malware) as quickly as possible. Actors in the category include phishers, spammers, rogue web admins, and intruders and crackers. Phishers are members of the cybercrime underground who specialise in creating messages with the aim of enticing victims to click on a link to visit an infected website or downloading an infected attachment. The fifth is the blended services that are essentially legal or illegal support services. Underground actors in this category include rogue hoisters and spoof website designers. Rogue hosting is hosting services provided to cybercriminals to host cyberspaces that are safe for malicious activities (Yip, 2010). Sixth is the security services that aims at providing security services for the cybercriminals such as a Virtual Private Network (VPN) service, proxies, and SOCKs (encrypted proxies) all of which would allow cybercriminals to hide their true identity as well as protecting the confidentiality of their communications. Seventh is the virtual asset trading. The services in this category are involved in the theft of virtual assets such as avatars, clothes, weapons, accessories and most importantly, virtual currency. Over 25 percent of gamers play for more than 30 hours every week (Muttil, 2008). Approximately 18.5% of malware infection victims experience theft of their online identities, which is much higher than the theft of banking-related assets. This highlights the increasing significance of the ownership of virtual assets. Similar trends are observed in the West, where gaming and baking Trojans are found to be nearly as common (Muttil, 2008).

The eighth is money laundering. It is required for nearly all criminal activities because ultimately, most crimes involve some form of financial exchange, and the criminals must hide the true source of illicit funds. Traditional methods include electronic funds transfer, fictional companies with foreign banks, cash smuggling, bank fraud, and informal money exchange brokers. There are two methods

which have become prevalent in cybercrimes, money mules and exchangers. Other money laundering cybercrimes include Exchangers and Virtual Payment Systems (VPS) and prepaid stored-value cards. There are three types of VPS: National currency backed e-currencies; Precious metal such as gold-backed e-currencies and Blended payment systems such as Paypal and Western Union. While the open system cards are reloadable and have little restrictions outside the cardholder's name, closed system cards like retail store gifts cards restrict owners to use them only in designated stores (Choo 2008b). Finally, the spiritualists' category unlike the western world, African cybercrime undergrounds include spiritualists who provide charms and native medicines for cybercriminals (Tade, 2013). Yahoo boys (the slang for cybercriminals in Nigeria) now take on a spiritual dimension called *Yahoo Plus.* This involves the use of prophets, herbalists, good luck charms and incantations, among others to boost the chances of success among cybercriminals.

## AN EXPLANATION FOR CYBERCRIMES IN AFRICA

Cyber technology is not an African invention. It was an imported mass communication resource. Just as the technology was imported, the abuse into which it has been put was imported along with it. Cybercrimes are one of such abuses. However, real-world crimes have little difference from crime in the cyber world. The only differentiating characteristic lies in the medium of crime (Latha, 2008) giving international or transnational character to cybercrime. If cybercrime is defined as any criminal act nurtured by a computer, whether the computer is an object of a crime, a tool used to perpetrate a crime, or a depository of evidence associated with a crime (Sameer, 2007), then there is no explanation about cybercrime that is peculiarly African except for those having cultural implications. Crimes that are "directed at a computer or a computer system" (Stephenson, 2000), anywhere in the world implies cybercrime. This explains why "cybercrime refers to all activities done with criminal intent in cyberspace or using the medium of the internet" (Duggal, 2002, p. 256), without a place-specific label.

In Africa, just the way it is in other countries of the world, cybercrime is evolving in pace, scope, and complexity. This increasing growth, according to Nurse and Bada (2019), is due to low barriers of entry, opportunities to vastly expand operations, the perceived anonymity that the internet provides, increasing number of internet users in Africa, low levels of cybersecurity, large amounts of unprotected computers and low levels of knowledge about computers and the internet. Many African internet users just buy new internet-enabled devices and begin to share information online without a full understanding of cybersecurity and the risks involved. Symantec (2013) also estimated that 80 percent of personal computers in Africa are infected by Malicious Software and that 18 adults are victims of cybercrime every second (Symantec, 2012). The report also indicated that South Africa has the highest victims of cybercrime in Africa (80 percent) and the third-largest victims of cybercrime in the world after Russia (92 percent) China (84 percent).

As a result of the growth in criminal activities on the cyberspace, cybercriminals have evolved corresponding underground market economies (a collection of virtual market places where cybercriminals buy, sell, rent, and trade in goods and services) to provide resources that foster the perpetration of criminal activities (Yip, 2010; Nurse et al., 2019). Holz, Engelberth, & Freiling (2012) noted that the growth of e-activities has resulted in the accumulation of wealth and financial gains through dishonest means from digital businesses which have also invariably led to the growth of the underground economy. Al-lodi, Corradin, and Massacci (n.d) note that activities of cybercriminals (exploitation tools, automated

redirection of user connection to arbitrary domains and trading of new malware and vulnerabilities) are provided, enhanced and sustained by the activities of an underlying economy. It is misleading to limit the role of socio-economic factors in cybercrime to the developed world. It also occurs in developing countries, especially in Western Africa. Studies on the socio-demographic characteristics of yahooboys (Adeniran, 2011) indicate that numerous undergraduates consider online fraud as a way to survive economically (Adeniran, 2008). Research identifies joblessness as a vital factor for enticing youths to yahooboyism (Adeniran, 2008).

## THE IMPACTS OF CYBERCRIMES ON THE DEVELOPMENT OF AFRICA

The impact of cybercrime and the cybercrime underground economy is so massive that it constitutes impediments to the economic development of nations. Dambo, Ezimora, and Nwanyanwu, (2017) suggest that cybercrime inhibits the economic progress, security and financial strength and health of nations. Some of the foremost effects of cybercrime on the economic development of nations and businesses in Africa include a reduction in the competitive advantage of organisations, slowing down of financial progress and wastage of productive time as organisations and tech experts spend more time putting right injurious events caused by cybercriminals. The economic cost of cybercrime in Ivory Coast and Senegal was estimated at 26 billion CFA Francs and 15 billion CFA Francs in 2013 respectively (Garnaeva, van der Weil, Makrushin Ivanov & Namestnikov, 2015). Mungwe (2018) observed that local banks lost 3 billion FCFA in 2015 to ATM hackers and more than 18 billion FCFA was lost by four telecom companies in the same year in Cameroon.

Cyber-attacks on industries, firms, and organisations cause loss of data that ultimately lead to reduced or a complete loss of productivity (Signe & Signe, 2018). To recover from cyberattacks, firms might find themselves expending lots of resources which would have been reinvested to improve their viability profiles on the recovery process or even delay in production. Signe and Signe, (2018) observed that a Wannacry attack in 2017 compelled numerous businesses in Africa to shut down their systems to avoid the spread of malicious programs. This attack was not limited to commercial industries alone. It extended to financial institutions, government agencies, and health institutions. However, most outstanding attacks were on the Kenyan financial institutions and a prominent automobile plant in Morocco. Nigeria and Kenya were estimated to have lost a total of $649 million and $210 million respectively through the attack in 2017 (Kaimba, 2017).

Breakthroughs in information technology and internet resources have also been used to strengthen terrorism and terrorist attacks in Africa. Jacobs (2013) and the United Nations Economic Commission for Africa (2014) indicate that terrorist activities use information technology to plan, coordinate, communicate and implement their despicable activities in African countries where attacks such as the Westgate Mall attack in Kenya, activities of the Boko Haram in Nigeria and the activities of the Al-Qaida in Islamic Maghreb (AQIM) took advantage of these resources. The cybercrime underground and the criminal activities perpetrated on the cyberspace is a universal trend that manifests in Africa and even in its remotest communities. It is in this connection that Symantec (2013) noted that cybercrime in Africa increases at a rate that is faster than any other region of the world. In 2016, Symantec estimated that about 24 million malicious types of software were targeted at the continent. This causes the activities of cybercriminals to have severe harmful effects on the development of nations and continents of the world in general and Africa in particular. Also, cybercrime holds significant economic/financial, politi-

cal, moral, social, psychological and health implications for its individual, organizational and national victims. Symantec (2016) observed that the aggregate cost of cybercrime in Africa in 2013 was $113 billion having risen by $3 billion from $110 billion in 2013. About 67 percent of adults in South Africa observed that cybercrimes victimized them in 2015. This menace cost the South African economy $242 million in 2015 and $274 million annually. In Ghana, financial institutions recorded over 400,000 cybercrime events in 2016.

Cyberstalking, cyberbullying, harassment, blackmail, and terrorism are violations of the privacy, mental stability, emotional status and fundamental liberty of individuals that come under the purview of crime in the cyberspace. The financial weaknesses that cybercriminals and the respective underground economy foist on their victims also cause numerous social consequences that obstruct progress. These include poor international reputation, lack of trust, stigmatization, fear, and loss of opportunities (Jack & Robert, 2016). Moreover, cybercrimes obstruct the socio-economic progress of African countries because they cause individuals to stop reposing confidence in lucrative businesses. Cybercrimes also cause a denial of opportunities to Africans in the diaspora, loss of employment, and income (Folashade & Abimbola, 2013). Furthermore, cybercrimes impede the socio-economic progress of Africa as they scare foreign investors as a result of a lack of confidence in the African economy (Maitanmi et al., 2013). The developmental challenges that cybercrimes cause in Africa include poor international image, reduction of the levels of foreign investment, loss of trust in the digital economy, its effect on economic progress, the damage of organizational reputation-associated loss of customers by cybercriminals, cyberattacks control costs and its impact on income generation (Jack & Ene, 2016).

Cybercrime activities such as plagiarism also undermine the intellectual capacity, integrity, and validity of African knowledge. Studies (Maitanmi et al., 2013; Jack & Ene, 2016; Omodunbi, Odiase, Olaniyan & Esan, 2016) explained that although the internet has enhanced the spread of knowledge and learning by increasing the ease with which people access information, data, and facts, it has also impeded academic integrity and scholarship in many parts of the world including Africa. Accordingly, plagiarism popularly referred to as "copy and paste" in Nigeria is a commonplace practice among various categories of learners. The term is described as the act of copying other people's work (writing) and publishing them as their own, without reference to the original author or writer (Omodunbi et al., 2016; Dambo et al., 2017).

## ADDRESSING THE EFFECTS OF CYBERCRIMES IN AFRICA

The traditional core aims of the criminal justice response, to any crime, are to achieve just outcomes for perpetrators and victims, alongside specific deterrence, rehabilitation and societal reintegration for convicted, and a sense of general deterrence for potential perpetrators (Albanese, 2012). This accounts for the reason why in the fight against cybercrimes, criminal justice systems need partnerships with the stakeholders for success. The partnership could be advisory in which individuals are counseled on cybercrime risks and mitigation as a significant component of a general cybercrime reduction approach. However, it is not easy to get online users to internalize difficult security devices, commit to memory all the long and different passwords for each online service they sign up to, and take other safety measures that often openly slow down the current assignment (Sasse, Brostoff, & Weirich, 2001). In spite of an increasing number of such campaigns worldwide, public awareness campaigns may fail to improve public confidence to enhance cybercrime reporting.

Although the software is gradually becoming more secure and developers are creating novel approaches to cybersecurity, attackers are similarly becoming more adept and better equipped (Libicki, Ablon, & Webb, 2015). From its beginning, numerous institutions that have influenced the growth and operations of the internet include traditional government bodies, corporations and volunteer groups (Ziewitz & Brown, 2013). They are still in good positions to help reduce cybercrimes-associated problems in Africa. Predictably, several online users may not heed the security warning that transcends the burden of individual security failure effects. For instance, security scholars state that even if online users devote a minute daily reading URL to escape phishing, that time value will outweigh all phishing losses (Herley, 2009). For example, the 2011 international review of campaigns found that few campaigns had an appraisal component. It emphasized challenges in evolving suitable and gainful campaigns. The provision of information to online users in the absence of supplementary training and skills acquisition assignments may have a negligible impact on their online conduct. The review, however, suggested that modest campaigns that concentrated on a specific target audience appeared the most worthwhile (Galexia, 2011).

## SOLUTIONS AND RECOMMENDATIONS

There is a need to embark on the improvement of public confidence-building among key users of the internet to enhance cybercrime reporting. There may be no immediate option for the reduction of cyberattacks to public awareness campaigns. The traditional justice system would need to be strengthened to deal with the additional challenge which cybercrime represents worldwide. Also, a partnership for the provision of advisory resources for individuals who are vulnerable to cybercrime risks should be decisively embarked upon to improve their capacity-building resources.

## FUTURE RESEARCH DIRECTIONS

Scholars should focus on the investigation of the various unknown kinds of cybercrimes in existence. The reporting of cybercrimes should be interrogated to make disclosures take place with effortless ease. The implicit roles that the various security agencies play to compromise the apprehension and prosecution of cybercriminals should be studied and necessary suggestions provided for a policy response. The anonymity which the cyberspace provides the cybercriminals can be made explicit by scientific investigations. Scholarship should invade this new area.

## CONCLUSION

This chapter examined the explanation for Cybercrime as an Underground Activity. It examined its typologies and offered Explanations for cybercrimes in Africa. It considered the impacts of cybercrimes on the development of Africa as well as suggested measures to adopt to reduce the effects of cybercrimes in Africa. Even though the benefits of the internet are enormous, it poses new limitations to the liberty of individuals to interact and provides justifications for trust violations, identity theft and online financial victimizations. Throughout the world, individuals, groups, organisations, countries, continents and the world as a whole are still grappling with how to live with the tragic use into which deviant members of

society put the internet resource. Although the cybercrime is a global phenomenon with severe consequences for almost all nations of the world, its effects impact the development of Africa so adversely. The chapter has shown that for humanity not to remain the victims of its own technological inventiveness, cyberspace should be equipped with resources that will disable the internet serving as haven for criminals. In this aspect, scholars should swing into vigorous investigations to unravel solutions to the problem of global cyber victimization. African countries should invest heavily in research to expose and disable the spiritual mechanisms which facilitate the peculiar cyber victimization among Africans. Moreover, African countries must improve the strength of their cybersecurity by training young Africans to become tech experts to protect the African cyberspace.

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## KEY TERMS AND DEFINITIONS

**Cybercrime:** This is the activity of criminals who operate on the internet.
**Economy:** This is the state of a country in the context of production of goods and services.
**Identity Theft:** This is the deliberate use of another person's profile to commit a crime.
**Internet:** This is a global computer medium that provides a variety of information and communication facilities.
**Scam:** This is a form of confidence trick involving promising the victim a significant share of a large sum of money in return for a token investment.
**Security:** This has to do with safety of lives, property and data.

# Chapter 11

# Cultural Context of Human Rights Violations Against Children in Asian Countries:
## Why Do Children Become Easy Targets? Human Rights Violations in India

**Kavitha Balakrishnan**

*Kannur University, India*

## ABSTRACT

*Asian countries have a culture that is diametrically opposite to European Culture. In India, China, Thailand, etc., mothers are more attached to their children than husbands. There are certain religious practices that amount to human rights violations. Chinese children are deprived of enjoyment to the fullest. Trafficking, disparities, problems in Tibet, etc. are causing serious threats to the lives of children in China. This chapter analyses human violation against children in some of the Asian countries. It is not easy to cover all the countries, so some countries that have representative character are included for a detailed study. This chapter analyses various cultural contexts that aggregate child victimization and also suggests measures to stop it.*

## INTRODUCTION

Human rights are the basic rights and freedoms that belong to every person in the world, from birth until death. The concept of Human Rights concerns cultural context, i.e., social, political, economic and cultural milieu. In other words, it must necessarily be premised on a particular cultural framework (including philosophical and religious perspectives as well as material circumstances) of specific human societies in their respective historical context. Children and young people have the same general human rights as adults and also specific rights that recognize their special needs. Yet, violence against children is endemic. Each day, terrible abuses and acts of violence against children are committed worldwide. They suffer as many of the human rights abuses as the adults, but may also be targeted simply because they are dependent and vulnerable.

Five Asian countries – India, China, Sri Lanka, Pakistan, and Japan have opted for this study. For this study only five countries from Asia are selected as some peculiar types of human rights violations are prevailing in this region and they are to be established significantly. Selecting more number of countries for the study may deviate from the attention of these peculiar types of human rights infringements. These countries are selected and the rest of the Asian countries are not selected is based on certain peculiar characteristics of these five countries. Generally, these countries are politically very familiar to the world. Specifically, there are some reasons for selecting these countries. India is a country with the second largest population in the world and a wide variety of terrains, climate, civilization, and language. China is the largest populated country in the world and the largest of all Asian countries. Sri Lanka was just liberated from the clutches of quadricentennial civil war and many inconsistencies suffered due to it. Pakistan is facing internal pressure from various religious fanatic groups and famous for military governance for a long time. Japan is the only developed country in this list and human rights violations against children prevail in Japan also shocked the world society and that is why it is included in the list. In each of these Asian countries, children face a different set of human rights violations besides generally prevailing and commonly identified types of human rights violations. A different set of human rights violations persisting in these countries may be due to reasons such as high population, underdeveloped conditions of the country, constant war, refugee status, malnutrition, etc.

## BACKGROUND

Though most of the children grow up in a safe and beneficial environment, with the support and care of their respective families, too many children are vulnerable to gross violations of their rights, including violence, sexual exploitation, trafficking, and child labor. Some groups of children – children with disabilities, indigenous children and refugee or asylum-seeking children – are at particular risk of discrimination and marginalization. Children are more vulnerable because of their physical incapacity; they cannot escape from crime scenes. In some cases, children are targeted, to invite more public attention; some of the massacres that happen in schools in various parts of the world are as a result of this attitude. Sexual assault against children happens everywhere. Children can't resist, and then they become easy prey to sexual offenses. In each country listed for the study - India, China, Sri Lanka, Pakistan and Japan,

unique situations of human right violation against children besides the commonly identified human right violation issues such as child marriage, civil registration issues, children separated from their families, justice for children, violence against children and child labor exist.

In these countries, over 50 percent of women between the ages of 20-24 married as a child. Marrying as a child has a lifetime effect on a person's social, educational, and health wellbeing, and threatens the fulfillment of human rights1 and sustainable development. Around 62 percent of South Asian children under the age of 5 are registered and have a birth certificate. Being registered is a person's first recognition before the law. Without it may limit a person's access to protection – through the enforcement of age-related legislation or to ensure a child can be identified and remain with their families - to services, to participate in society. Children can be separated from their families during a crisis. Children may also be inappropriately separated and placed in foster care or an institution, due to a perception of family need or sometimes for more illicit reasons. In an institution, the wellbeing of most children is most at risk with institutional care lacking the necessary stimulus for a child to thrive and if separated for more illicit reasons can be the subject of exploitation and abuse.

Children can be in contact with the justice system as a victim, witness or offender. Yet the justice system is often structured to deal with adults, not allowing the necessary space for the child to participate. A child, particularly as a victim requires additional safeguards to understand the proceedings, and if an alleged or convicted perpetrator, the balance between the punishment and the rehabilitation must lean towards rehabilitation. In these Asian countries, the focus is on punishment with countries in the region permitting physical and corporal punishment, as well as long-term detention, with few options for diversion or alternatives to detention. Violence against children is widespread and pervasive and remains a harsh reality for millions of children in these countries which have long-lasting consequences on their lives. Twelve percent of the children aged 5-14 in this region are involved in child labour (United Nations International Children Education Fund, 2016), well over 41 million children. Children are used in some severe forms of child labour such as bonded labour and child soldiers. They are also used in the brick kilns, carpet weaving, garment making, domestic service, fisheries, and mining. The repercussions of their health and education are permanent. They may also be separated from their families and vulnerable to physical and emotional abuse (Indian Constitution, 1950). Besides these child human rights areas, the unique features of each selected country are discussed in this study.

For the study Legal research methodology – a combination of analytical and doctrinal research methods is used. The articles published in various journals and electronic journals, news and news features published in newspapers and websites are used for the sources of information regarding the subject.

## LITERATURE REVIEW

A few studies have been conducted on child sexual abuse in India (Earson & Tripathi, 2013) this studies the psychological effect on children after sexual abuse. An NGO called Save the Children has made a study in 2011. The first one concentrated mainly victimization of children in sexual violence cases, and the second study is about psychological impact when children are denied education and access to food. Mainly Human rights violations against children in China were made in the study of -A study on human rights in China on 30th August 2016. [iii] Study by Marina Svensson- (Angle, 2002; Cohen,

1987) found that few studies have been conducted in Japan. The main study is - Study by the ministry of health during March 2017-2018. This states that there are 130000 cases of child abuse reported each year. (asianews.it). In Pakistan, a study was conducted during 2004-2008. A Study on the important issues of child rights in Pakistan Sadruddin (2011), says despite its Islamic antecedents child abuse is still rising.

## MAIN FOCUS OF THE CHAPTER

## Violation of Human Right of Children In India

Despite Indian has included in its Constitution (1950), Article 15(3), which gives special protection to women and children, Article 39 (f), other special privileges for children, [vi] and India ratified the United Nations Convention on the Rights of the Children in 1992 to work towards child rights, they still have a long way to go. India needs to use aggressive corrective measures to address several human rights issues. Certain peculiar human right issues prevailing in India is discussed hereunder.

### Health Issues

Diarrhea and malnutrition are two of India's biggest killers of children under the age of 5. Along with poor access to nutritious foods, both these issues are linked to poor hygiene, as infections trigger mineral depletion and loss of appetite. India finds prominent mention in the annual global tally of deaths of children under the age of 5. For every 1,000 live births, 42 dies, and every 20 seconds a child dies from preventable causes like pneumonia, preterm and birth complications, newborn infections, diarrhea, and malaria. National Family Health Survey (NFHS) India 2006 estimates show that 61 million children under the age of 5 are stunted, and 53 million are underweight. Another 25 million have a low weight to height ratio. One-third of the world's 'wasted' children live in India, and rampant in rural areas, among scheduled tribes [vii]. India leads the global tally of child (ages 0 – 5) deaths – 1.2 million deaths were reported in 2015, a quarter of 5.9 million child deaths worldwide. Another finding reported that 1.83 million children die every year before their fifth birthday (of 26 million children born annually). Children from India's poorest communities are at a higher risk of death before 5. There are sharp inequities in mortality rates across India - under 5 mortality rate in Kerala is much lower (14 deaths per 1000 live births) than Madhya Pradesh (92 per 1000). At 1.83 million, India has the highest child deaths in the world (United Nations Report, n. d.). One-third of the world's 'wasted' children reside in India, and widespread in rural areas (National Family Health Survey (NFHS), 2006)

### Lack of Education

A UN report recently revealed that India is home to the world's largest population of illiterate adults (287 million), and contributes 37% of the global total. While the latest data shows that literacy rose from 48% (1991) to 63% (2006), population growth canceled out these gains, meaning no effective change in the number of illiterates. Primary education spending is a decider in literacy, as seen in Kerala, one of India's most literate states of the country, where education spending per pupil was about $ 685. Educa-

tional disparities are noticed in richer and poorer states. However, girl child education requires not only investment but also social awareness that educated girls are a valuable asset. Today, India ranks 123 among 135 countries in female literacy (UNESCO, 2017).

## Issues of The Caste System And Untouchability

Untouchability had been a great social stigma in India (Misra, 2000, p.21). Untouchability is based on the caste system. Certain years back, Caste System was prevalent in India. Article 17 [x] of the Indian Constitution prevents untouchability. Still, in the northern part of India, remnants of untouchability are seen. Certain instances of discrimination against lower caste children are still being reported. Untouchable in India is known as 'Dalits' (Human Rights Watch, 1999). Children of these castes still suffer discrimination in certain parts of India. They are not allowed to enter Temples. Even the indigenous status is not given to these people (Das, 2011, p. 31). Status of scheduled caste children is still pathetic despite a plethora of legislation (Srikrishna & Samudrala, 2008, p. 168)). They have separate schools. Till recently, foods were given to them in earthen ports in North India. They were subjected to cruel and inhuman treatment by people of the upper caste, who is known as 'Jamindars.' In Southern India, the situation is better, especially in the state of Kerala.

## Child Prostitution

In India, nearly 1.2 million sex workers are below the age of 18 with about 40 underage girls being forced into prostitution daily. With the 8% increase in the flesh trade, India has become one of the prominent names in child prostitution. There may be as many as 10 million children involved in prostitution worldwide. The prostitution of children exists in every country, though the problem is most severe in India (India Today, 2013). The caste system is in India has many manifestations. It has not only divided the society into various layers of graded hierarchy but has also created inhuman practices in the name of God. One of them is the *Devadasi* system. This cult is prevalent even today throughout India with some regional variances. Young girls are dedicated or married to, not a mortal-man, but an idol, deity or object of worship or to a temple. The *Devadasi* is from the lowest caste, whose parents have given them to local goddesses or temples as human 'offerings'. She has to remain unmarried, and maintain herself by ceremonial begging to make ends meet. The practice lives on in the states in South India mainly in Karnataka, Andhra Pradesh, and Tamil Nadu. Districts bordering Maharashtra and Karnataka are known as the *'Devadasi* belt' of the country. According to the National Commission on Women of India, it is estimated that around 2, 50,000 Dalit girls are dedicated as *Devadasi*s to Yellamma and Khondaba temples in the Maharashtra-Karnataka border (Swati, 2012).

## VIOLATION OF HUMAN RIGHTS OF CHILDREN IN CHINA

China has ratified major international documents concerning children's rights protection. China's domestic legislation also protects a wide range of children's rights. The reality, however, is disputable. Few accurate statistics could be obtained directly from the official source. In practice, enforcement of the treaty obligations and the legislative declarations remains a huge problem. Certain human rights violation issues prevailing in china and unique about China are discussed hereunder.

## One-Child Policy

Being the world's highest populated country, China is very particular about reducing birthrates. In 1979, by the Government to regulate the country's demography restricting birthrate. There is a fee for larger families. This creates a problem for poor families. They depend upon sons for livelihood. Parents without a male child will become destitute at an older age. After 2009, this policy has been relaxed, and in some cases, a second child is allowed if the previous child is a girl child or child with a disability. Because of this, selective abortion, female infanticide, etc. are on the increase. This policy is in direct contradiction with Art.6 of the Convention (Convention on the Right of the child, 1989). The Chinese government considers that at least 250 million births have been prevented by this policy (BBC News, 2000). After, 2016, all families are allowed to have two children. Usually, Single child is more susceptible to criminal tendencies according to criminological theories, and it affects their mental makeup. Psychologically these children feel aloof.

## Freedom of Religion

Members of the Communist party should remain as atheists (Li, 2015). So the government tries to maintain control over all religions. Dalai Lama, the cardinal of Tibetan Buddhism, is residing in Dharmashala, in the State of Himachal Pradesh in the Republic of India due to the religious intolerance of the Chinese government. In childhood itself, some children are designated as next Lama. One child who is designated as previous Panchen Lama was missing along with his family. Children are denied religious studies up to the age of 18. But party classes are freely imparted from the very childhood. The government has reduced quotas on several spiritual leaders to reduce the monk population. They expelled approved monks monasteries. Government Compelled monks to sing patriotic songs in monasteries. Muslim Community is very much tortured in China. There is a ban on Uyghur Muslims to enter mosques up to the age of 18. These children are denied prayer song at school. The study of religious texts is permitted only in designated schools. The use of traditional Islamic names for children is banned. Headscarves and veils for women and beards of men are banned. Those people who are actively involved in religious (activities) are termed as traitors.

## Human Right Violation in Education

The government of China declares that they are committed to giving nine years of compulsory education. Still, there are thousands of dropouts per year. They use dilapidated teaching methods, which is based on bye hearting. They don't encourage the active participation of students. The medium of instruction is Chinese only. It is very difficult for an ethnic minority to follow Chinese. In that sense, diversity of culture is not protected in China. The increase in the number of teachers reduced significantly vis-à-vis the rapid expansion of boarding schools in the countryside. Qualified teachers were unwilling to teach in rural areas because the prevailing human resources management by the education authorities cannot provide their minimum expectations. In 2007, there were 379,000 "substitute teachers", or unqualified teachers, countrywide. Of this figure, 87.8 percent worked in rural areas. The number of "substitute teachers" in Guangdong, Guangxi, and Gansu, took over 10 percent of licensed teachers in primary schools

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(Ministry of Education, 2008). University Education is expensive in China, and children from low-income families cannot afford it. Girls and children with disabilities have limited access to education. As freedom of speech and expression are banned, some restrictions prevent children from exercising their right to information, in sheer violation of Art 13 of the Convention on the Right to the Child (Humanium, n.d.).

## VIOLATION OF HUMAN RIGHT OF CHILDREN IN SRI LANKA

Sri Lanka's brutal 26-year civil war between the government forces and separatists from the Tamil minority ended with a government victory in May 2009. During the war, both sides committed gross human rights abuses, including war crimes, for which no one has been held accountable. Enforced disappearances and torture have continued to be reported since the war is ended. Hundreds remain detained without charge or trial. Independent journalists and human rights defenders have been harassed and attacked. The children were also suffered many. Peculiar human rights issues concerned with Sri Lankan situations are discussed below.

### Post- Civil War Human Right Violation

People and children who are supporters of LTTE are subsequently tortured by the Government after War. Many people have to abscond to various places (Misra, 2006, p.137). Some people who are Tamilians got asylum in India. While they are internally displaced, educations of their children are badly affected.

### Post-War Ethnic Clashes

In 2014, anti-Muslim riots happened in Sri Lanka (Colombage, 2014). Sinhalese Buddhists attacked Muslims and their property. A lot of children had to flee along with their parents. There is a hardcore faction of Buddhists called Bodu Bala Sena (BBS) that causes riots (Farook, 2014). This is against the principle of the Buddhist religion. Their Cardinal principle is 'Ahimsa' which means abstain from killing others.

### Child Marriage

Despite the dramatic changes that China has experienced in the last four decades, economic development has intensely affected the lifestyle of the 10 Muslim ethnic nationalities that represent Muslim minorities in China. Granted that Muslim women from around the world generally get married early, the spread of modern school education has transformed the lifestyle and marriage patterns among Muslim women in China (Shimbo, 2017). The conventional and prevailing medical wisdom is that all (Dorpat & Ripley, 1960) or almost all (Bertolote, Fleischmann, De Leo, & Wasserman, 2004), suicide is the result of mental disorder. However, Saxby Pridmore and Garry Walter have developed the concept of "predicament suicide" (Pridmore, 2009), which views suicide as a response to unbearable conditions. While one of the two main dilemmas involved is an intractable or untreated mental disorder, the other entails social or environmental stressors. Individual circumstances may manifest both kinds concurrently. Here, the contribution to the literature has been the strengthening of the argument that, sometimes, social/environmental factors (without a mental disorder) may cause suicide. This explains the reasons behind many Muslim girls having to commit suicide to avoid child marriage that is conducted forcibly.

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Concerned with suicide associated with forced marriage, Garry Walter and Saxby Pridmore, studied the important distinction between "arranged" and "forced" marriage. An arranged marriage involves decision making by the concerned adult opposite sexes, regardless of the uncertainty or "pressure" that they may encounter concerning the arrangement. Conversely, forced marriage entails non-consenting male and female individuals who may not be adults but coercive weapons are used by cultural or parental authorities to ensure compliance (2017). In the context of forced marriage, suicide may indicate avoidance of potentially distressing events, entrapment, and control by others or as a loss of an intensely expected, positive future. Presenting examples from the public record (from mythical to contemporary times) of suicide connected with forced marriage in apparently rational individuals as a means of increasing public understanding of suicide. Quantitative research of the association between forced marriage and suicide isyet unavailable. Nevertheless, in China, the most common negative life events causing suicide have been identified as "those related to family relations, love affairs, and marital issues" (Zhang & Ma, 2012). In India, death from burns (which could be murder or suicide) is commonly associated with a dowry, family quarrels, and marital disharmony (Gupta & Srivastava, 1988). In Turkey, the suicide rate is higher in young women (15–24-year-olds) than young men, and the causative factors for young women include forced marriage, young marriage age and low literacy (Coskun, Zoroglu & Ghaziuddin, 2012).

## VIOLATION OF HUMAN RIGHT OF CHILDREN IN PAKISTAN

Cultural Context of human rights in Pakistan is complex due to diversity, huge population, Islamic democracy, etc. Many social indicators give a measure of the progress achieved by the Islamic Republic of Pakistan regarding Children's Rights since its independence in 1947. Accesses to health services, education, and life expectancy have improved as the infant mortality rate and illiteracy have declined. Despite everything, the full realization of Children's Rights is still going to demand enormous time and effort. Child Rights issues that occur peculiarly in Pakistan are discussed hereunder.

### Right to Health

In Pakistan, close to one child in six dies before the age of five. The nutritional status of children is very poor: 35% of them are underweight; more than 50% suffer from stunted growth and around 9% from emaciation. Each day, around 1,100 Pakistani children less than five years old die from diarrhea and illnesses related to water, sanitation, and hygiene. Access to care is a challenge in rural areas where many families simply can't afford basic healthcare. Furthermore, repeated natural tragedies have a strong influence on the health of people as well as infrastructures (Humanium, n.d.).

### Right to Education

Only 71% of children attend primary school in Pakistan. This means that 23 million children are deprived of education. Furthermore, the attendance rate for education is higher among boys than girls. The government only allocates 1.8% of its national budget to education, which is insufficient considering the need. The difficulties of public education are numerous: economic constraints, dilapidated or even dangerous

buildings, lack of toilets, chairs, tables, recurring humanitarian crises, etc. Furthermore, teachers are very under-qualified, and it is not uncommon for children to leave school without knowing how to read or write. This is the case for almost 50% of school-going children ages 6 to 16 in Pakistan. The lack of education feeds the frustration; without education, you can't find work, you don't have an adequate salary. In Pakistan, 45% of the population is younger than 20. And the risk, at this moment, is to turn against society. This can also manifest itself in radicalised thought (Smriti, 2018).

## Child Labour

The primary education in Pakistan is in a bad state. The worst stage at high school and primary classes have led to mushrooming of madrasas, which are instrumental in spreading violence and animosity in the mind of children (source's surname and year) (*The Khalij Times*, 1997). Child kidnapping is also common in Pakistan. These children are being used for bonded labor, narcotics smuggling. Child prostitution is also increasing. Twelve percent of the children aged 5-14 in South Asia participate in child labour (UNICEF, 2015), implying over 41 million children. In spite of the meaningful efforts that the federal and provincial governments made in all significant areas in 2018, the federal government and Balochistan Province have not evolved a minimum age for work or hazardous work in agreement with international values. Moreover, provincial governments lack the resources required to sufficiently implement laws that prohibit child labour. In 2018, the federal government passed the Prevention of Trafficking in Persons Act, which reconciles the law into an agreement with international criteria by excusing children from the requirement that force, fraud, or coercion must be proven to constitute trafficking and by including all trafficking for forced labour and commercial sexual exploitation. The Islamabad Capital Territory Prohibition of Employment of Children Act forbids the employment of adolescents of ages 15–18 from employment in hazardous work and establishes a schedule of hazardous work prohibited for adolescents (Government of Pakistan, 2018). Also, a law outlawing domestic work for children under age 15 in Punjab Province became effective in early 2019 (Government of Punjab, 2019). However, the minimum age for work that the federal government approved is not in agreement with international criteria because it does not cover informal employment. The Province laws of Sindh setting the minimum age for employment also do not cover informal work or factories that engage less than 10 individuals (Government of Sindh Province, 2016a; Government of Sindh Province, 2016b).

The federal minimum age for hazardous work also does not comply with international standards because it is below age 18 (Government of Pakistan, 1991). Balochistan Province has not established a minimum age for employment or hazardous work, and, therefore, federal child employment laws apply in Balochistan. (Society for the Protection of the Rights of the Child, 2015; Government of Pakistan, 1991). Also, hazardous work prohibitions for the federal government and the Khyber Pakhtunkhwa, Punjab, and Sindh provinces do not cover brickmaking and domestic work, for which there is evidence that children are exposed to environmental health hazards in brickmaking and physical abuse in domestic work. (Zakria, Muhammad, et al., 2015; Government of Khyber Pakhtunkhwa Province, 2013; Government of Punjab Province, 2016; Government of Sindh Province, 2017; Government of Pakistan, 1991). Federal law does not forbid the use of children for prostitution or pornographic performances (Government of Pakistan, 1860) Also, federal and provincial laws, excluding Punjab provincial law, do not forbid the use of children in drug production and drug trafficking. (Government of Punjab Province,

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2016; Government of Khyber Pakhtunkhwa Province, 2010). Based on 2017 data, the number of labor inspectors is probably unsatisfactory for the size of Pakistan's employees, which includes approximately 64 million workers. According to the ILO's technical guidance of a ratio approaching 1 inspector for every 15,000 workers in developing economies, Pakistan would employ about 4,259 labor inspectors. (ILO, 2006; UN, 2017). Labor inspectorates do not receive adequate incomes, which may impede the labour inspectors' capacity to inspect workplaces (ILO Committee of Experts, 1947).

## Displaced and Refugee Children

Pakistan is the theatre for numerous conflicts and confrontations (the Kashmir problem and the anti-Taliban struggle). Victims of suicide attacks, explosions, and anti-personnel mines, and children pay heavy consequences with their health from these conflicts. Furthermore, these children are also deprived of their right to education because many schools are destroyed and some regions are subject to curfews. In Pakistan, armed conflicts are not the only factor pushing families to flee. The country also sees recurring natural disasters. Children who flee their homes need food, care, shelter, and drinkable water. In these precarious living conditions, many displaced children suffer from illnesses not only caused by poor hygiene, but also by anxiety, stress, and depression. Furthermore, the situation of Afghani refugee children in Pakistan is no better. Born in Pakistan to Afghani parents and lacking refugee status, refugee children are not declared, and so they have no legal existence and are invisible under Pakistani law. Not speaking Urdu, the official language of the country, they don't have access to the education of Pakistani schools and so find themselves, for the most part, in the streets working to survive (Humanium, n.d.).

## Domestic Violence Against Women Affects Children

Human Right Violation against women indirectly affects their children. Domestic Violence is an important social issue (Gabol, 2016). Still, the government has not taken adequate steps to curb it (Shahsada, 2019). Almost 5000 women are killed per year from domestic violence. A lot of others are maimed and made silent (Usmani, 2014). There is a high chance that children who are watching domestic violence will develop psychological aberrations.

## HUMAN RIGHT VIOLATION AGAINST CHILDREN IN JAPAN

Japan is a signatory of many international conventions that aim to protect the rights of children. Though there are various domestic laws to promote children's well-being, almost all children in Japan are covered by health care insurance, families with small children which do not have a high-income level can receive an allowance from the government, and schools also provide health examinations, certain peculiar type of human rights of children are violated in Japan. Such incidents of violation of the human rights of children are discussed hereunder.

## Nuclear Radiation and Children

In this decade, Japan witnessed the Fukushima Daiichi nuclear disaster which was the most severe nuclear accident since the 26 April 1986 Chernobyl disaster and the only other disaster to be given the Level 7 event classification of the International Nuclear Event Scale. The Japanese government was blamed due to its continued exposure of people, including children and pregnant women, to unhealthy radiation levels that can be prevented by the authorities, thus making this exposed population bear unnecessary health risks. Both the national and prefectural governments are unwilling to undertake feasible remedial measures to mitigate this radiation exposure. Fukushima prefecture has a population of 2,030,463, of which 385,940 persons are under 20 years of age. The human rights and the right to evacuation (right to relocate) of all non-adults and pregnant women were violated (The Fukushima Network for Saving Children from Radiation, 2011).

## Child Abuse

Many cases of abuse against children are taking place at home. Abusive parents are not allowed to interact with their children by the child welfare board. Teachers are not allowed to discipline students. Child abuse is still on high percentage in Japan.

## To Let Children Be Children

The U.N. Committee on the Rights of the Child in February of this year urged Japan to do more to let children be children, free of excessive pressures or corporal punishment in school or at home. The human rights watchdog also urged Japanese authorities to look into the root causes of rising adolescent suicide rates, now at a 30-year high. Many children took their own lives (Nebehay, n.d.). Japanese law prohibits corporal punishment in schools but the ban is "not effectively implemented", while many children also endure it at home, the U.N. panel said. The U.N. panel said children should have access to a 24/7 helpline. It also criticised Japan for having lowered the minimum age for criminal punishment from 16 to 14 years, and said children were often removed from families and placed in institutions without a court order for being "likely to commit a crime".

## Sexual Exploitation

The Constitution of Japan prohibits bonded labor. The government has introduced so many checks and balances to curb it, but there are no specific laws to prevent it. Shelter homes are open for victims of trafficking. Trafficking female children from other countries, mainly from Thailand, the Philippines, and Eastern Europe to Japan for sexual exploitation is increasing. Teenage prostitution, dating business for getting money, child pornography are Continues to be a matter of concern. Cabinet office discloses that on an average 722 sex crimes happen among children. Clients contact juvenile prostitutes through the internet and for child pornography. Child labor is also prohibited, and children below the age of 15 can't be employed in any establishment. Apart from these countries, there are human rights violations

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against children happening in many other Asian countries. The cultural context of the countries has a bearing on it. In countries like the Philippines and Thailand, child sex tourism is on the increase. Their females are earning members in the majority of houses. This culture also promotes prostitution and accepts it as the order of the day.

## SOLUTIONS AND RECOMMENDATIONS

Be alive is the primary and basic condition for having human rights. Due to poor access to nutritious foods and poor hygiene death rate of a child under age 5 in India is the highest rate across the world. Pakistan's situation is also not much better. Improvement of the health condition of the children by the States is the prominent right recognized by the concerned International Instruments of Human Rights of Children. Protection from being endangered in natural and manmade calamities like floods, earthquakes, tsunami, war, nuclear disasters is the fundamental human right of the children and can be combined with the right to life and health. The situation of children in Japan at the time of nuclear disasters and natural calamities is poor. The One-Child Policy of China also affects vehemently the human rights of the children. The development of full-fledged health infrastructure and lifesaving mechanisms is yet to be achieved in both developed and underdeveloped countries in the Asia region.

Primary education is poor in underdeveloped countries in Asia. India is the world's largest population of illiterate adults and contributes more than one-third of the global total. Condition is the same in China, Pakistan, and Sri Lanka. For the improvement of this situation, not only investment but also social awareness shall be made better. Various forms of child abuses of peculiar nature existing in these countries. Child prostitution in the name of religious mythology exists in India and child abuses in the name of the Caste system are unwelcoming. Sexual exploitation of children in Japan is distinctive. Child labor in Pakistan is also a distinctive character comparing other countries in the world. Post-civil war conditions of Sri Lanka are not much better as far as child abuse is concerned. Child marriage with the help of loopholes in domestic legislation is very undesirable. Cases of child abuse that exist in these countries are very complex and diverse. The intervention of legislative, administrative and judiciary bodies of the State shall be more effective and social awareness against these evil practices is to be improved a lot.

Moreover, human rights violations from step-parents should be effectively curtailed. Legislations should be made for preventing it and properly implemented and enforced. Children are kidnapped by organ exporting mafia due to the carelessness of parents. These types of carelessness should be made punishable. Children should be provided with the freedom of speech, expression and the right to a free choice of religion. Infrastructure in schools should be updated to take cognizance of the conveniences that will promote stable health, imagination and creative thinking in the environment. Children experiencing domestic violence should not only be liberated but provided with enduring rehabilitation that will make a rewarding future easy for them to achieve. Children that are subjected to child labor should also be liberated and properly rehabilitated. Children should be protected from the influence of religious fanatics. Bullying at school should be strictly prohibited.

## FUTURE RESEARCH DIRECTIONS

From the Indian Scenario, two peculiar types of human right violation of children are to be specially noted and suggested for further research and reading – untouchability and *devadasi* system. Untouchability had been a great social stigma in India. It is based on the caste system. Even though the Indian Constitution prohibits untouchability, in the northern part of India, remnants of untouchability are still seen. The caste system by various levels infringes human rights especially children's rights. In the name of God, the right of children is violated in India by practicing the *Devadasi* System. Young girls are dedicated or married to, not a mortal-man, but an idol, deity or object of worship or to a temple and these *Devadasi* are from the lowest caste. From the Chinese situation, civil right like the right to religion and procreation of the child and parent is being affected by the intervention of the State. The One-child Policy and Children is a matter of further research and reading. Quadricentennial civil war situation in Sri Lank affects the children more. The use of children as soldiers by the Liberation Tigers of Tamil Eelam (LTTE) is a strange situation in the Asian continent. Further research in this area is welcoming. In Pakistan, the children of religious minorities and their civil and political rights are suggested for further reading. The child victims of natural and manmade disasters and their basic human rights in Japan is a subject having scope for further study.

## CONCLUSION

The future of sovereignty, rule of law, justice, liberty, equality, fraternity, international peace, and security rest with children. They are the future custodians of these values. They are the potential embodiment of our ideals, aspirations, ambitions and future hopes. They are the 'future shoulders' in the form of great philosophers, rulers, scientists, politicians, able legislators, administrators, teachers, judges, technologists, industrialists, engineers, workers, and planners on which the country would rest. Millions of children around the world are exploited, abused, and discriminated against. These children include unhealthy children, illiterate children, child labourers, child mothers, children affected by armed conflicts, sexually exploited children, children in conflict with the law or in the care of the state, as well as children living on the streets, coping with disabilities, or suffering from discrimination because of their religious or ethnic-minority status.

Every child has the right to protection because the right to protection is an essential component of the right to life. This not only includes children who are in different circumstances and those who have suffered violence, abuse, and exploitation, but also those who are not in any of these adverse situations and yet need to be protected to ensure that they remain within the social security and protection net. Child protection is about protecting children from or against any perceived or real danger/risk to their life, their personhood, and childhood. It is about reducing their vulnerability to any kind of harm and in harmful situations. India faces problems of infant mortality and maternal mortality, illiteracy of children, caste system abuses, child prostitution, sex tourism, and child trafficking even across national borders for prostitution, child marriage and the phenomena of child widows, child abuse and child labor. There are several challenges ahead.

Chinese children do not fully enjoy their rights. Poverty, illiteracy, poor health situations, trafficking of children, disparities between different regions in health and education, the Tibetan situation, civil rights violation by the State machinery remain problematic. Sri Lanka faces problems of physical abuse, sexual abuse, and exploitation, sexual exploitation of children by tourists, conscription of children in armed conflict, child marriage. Main problems faced by children in Pakistan. Poverty, poor health conditions, lack of education, child labor, sexual exploitation, violence and abuse of children, child trafficking, child marriage, displaced and refugee children, victims of armed conflicts are troublesome. Despite the idyllic image among the listed countries, Japan is still confronted with some human rights problems. Children affected by natural calamities and nuclear disasters, child abuse, sexual exploitation, discrimination among children, are the main problems of the human rights of children. A child-focused culture has to be developed.

The legal system should interpret the laws in the context of the rights and standards given in the Convention on Rights of Children. This will give the child access to justice through the court system. All the children's legislations need to be reviewed in the context of Convention on Rights of Children and its standards and there have to be linkages between them. Legal reform alone cannot bring justice to the child. Undoubtedly, the most effective preventive measure is awareness of such possible abuse and how to deal with it amongst the various service providers – the doctors, teachers, lawyers, judges, police, volunteers, parents, trade unions, and social workers – so that they can significantly reduce the risk of abuse, if it does occur, by responding appropriately. Thus to conclude these challenges have to be rapidly addressed. And above all, the core value of the universal legal principle that policies be made, structures and processes be established, and actions are taken that are always and invariably in the best interest of the child should be followed. The cultural context of Asian countries is standing at a footing which is diametrically opposite to western countries. Many Asian countries are signatories to the declaration of the rights of child, 1959 and convention on the right of the child, 1989. Articles of the convention are made for whole countries in the world. These articles should be amended to include regional arrangements and cultural relativism. According to the peculiar human rights violation in each country, certain specific clauses should be included for those countries. Each person has a feeling of ethnocentrism. Sop new provisions may be incorporated or earlier provisions should be amended to balance the feeling of ethnocentrism.

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## KEY TERMS AND DEFINITIONS

**Asian Countries:** These are countries that make up the continent of Asia.

**Child Human Rights in China:** These are the social, economic, and cultural rights that children in China enjoy.

**Child Human Rights in India:** These are the social, economic, and cultural rights that children in India enjoy.

**Child Human Rights in Japan:** These are the social, economic, and cultural rights that children in Japan enjoy.

**Child Human Rights in Pakistan:** These are the social, economic, and cultural rights that children in Pakistan enjoy.

**Child Human Rights in Sri Lanka:** These are the social, economic, and cultural rights that children in Sri Lanka enjoy.

**Cultural Context of Human Rights:** This is the place-specific social, economic, and cultural rights that human beings enjoy in their countries.

**Human Rights:** These are inalienable rights that are associated with the social, economic, and cultural survival of individuals, irrespective of sex, creed, and race in a society.

**Human Rights of Children:** These involve the social, economic, and cultural rights which children enjoy as human beings.

**Human Rights Violations:** A human rights violation occurs when an individual, group of people or organization deprives another individual of the fundamental rights to social, economic, and cultural survival.

# Chapter 12
# Gender–Specific Burden of the Economic Cost of Victimization:
## A Global Analysis

**Samuel Kolawole Olowe**

*West African Management Development Institutes Network (WAMDEVIN), Nigeria*

## ABSTRACT

*This chapter explores the impact of specific burden of the economic cost of victimization on gender. Gender-related victimization is disproportionately concentrated on women and girls. Forms include sexual assaults, intimate-partner violence, incest, genital mutilation, homicide, trafficking for sexual exploitation, and other sexual offences. Costs of violence against women are widespread throughout society. Every recognizable effect of violence has a cost whether it is direct or indirect. Direct costs come from the use of goods and services for which a monetary exchange is made. Direct costs exist for capital, labour, and material inputs. Indirect costs stem from effects of violence against women that have an imputed monetary exchange, such as lost income or reduced profit. Effects of violence against women also include intangible costs such as premature death and pain and suffering for which there is no imputed monetary value in the economy.*

## INTRODUCTION

Gender-based violence is perceived as one of the most severe forms of gender inequality, and it remains one of the most pervasive human rights violations of modern time. It is an issue that affects women disproportionately as it is directly connected with the unequal distribution of power between women and men; thus, it has a profound effect on families, communities, and societies as a whole. Violence against women is an invasive phenomenon common in developing and developed countries alike. It manifests in multiple behaviours including rape, sexual coercion, incest, honour killings, female genital mutilation, acid burnings, stalking and trafficking.

Violence against women has been recognised internationally as a major violation of a woman's human rights. This was formalized in 1993 with the United Nations Declaration on the Elimination of Violence Against Women developed at the World Conference on Women held in Nairobi, stated that violence against women is both a result of and an obstacle to the achievement of women's equality, affecting all women worldwide. World Health Organization (WHO) (2013) report estimates that one in three women across the globe has experienced physical and/or sexual assault at some point in their lifetime, indicating the epidemic scale of such violence.

In addition to health impacts, violence against women had, the report equally pointed out, economic costs in terms of expenditures on service provision, lost income for women and their families, decreased productivity, and negative impacts on future human capital formation. Smith, Chen, Basile et al. (2017) reported that in 2012, an estimated 26% of U.S. women and 10% of men reported their lives had been impacted (e.g., missed work or post-traumatic stress disorder (PTSD) symptoms by contact sexual violence, physical violence, or stalking by an intimate partner. The report went further to quantify intimate partner violence (IPV) per-victim cost, which at a minimum includes victims' impaired health, lost productivity, and criminal justice costs. A 1995 National Violence Against Women analysis estimated the cost of IPV limited to acute and short-term follow-up medical costs and included only female victims ($838 per rape, $816 per physical assault, and $294 per stalking victimization (1995 US$); or $1,210; $1,178, and $424 as 2014 US$)(. In a study conducted by KPMG Human and Social Services in South Africa, the study reports that the economic impact of GBV is between at least R28.4 billion and R42.4 billion for the year 2012/2013, representing 0.9% and 1.3% of GDP respectively(KPMG Human and Social Services, 2014)

Studies in India indicate, for example, that women can lose an average of at least five paid workdays for each incident of intimate partner violence. This fact would mean the affected woman would get 25 percent less of her salary each time an incident of violence happens. In Uganda, about nine percent of violence incidents forced women to lose time from paid work, amounting to approximately 11 days a year, equivalent to half a month's salary, affecting not only the incumbent person but her family and dependents. (Staggs & Riger2005)

## Definition and Prevalence of Violence Against Women:

Violence against women, recognised globally as a fundamental human rights violation, is widely prevalent across high, middle, and low income. UNIFEM (2006) described violence against women and girls as a problem of pandemic proportions. At least one out of every three women around the world has been beaten, coerced into sex, or otherwise abused in her lifetime with the abuser usually someone known to her.

The Istanbul Convention (Council of Europe Convention on preventing and combating violence against women and domestic violence, 2010) of the Council of Europe reveals that Violence Against Women (VAW) as "all acts of gender-based violence that results in, or are likely to result in, physical, sexual, psychological or economic harm or suffering to women, including threats of such acts, coercion or arbitrary deprivation of liberty, whether occurring in public or in private life". The UN Declaration on the Elimination of Violence Against Women 1993, states," Violence against women is a manifestation of historically unequal power relations between men and women" and "violence against women is one of the crucial social mechanisms by which women are forced into a subordinate position compared with men.

Violence against women can fit into several broad categories. These include violence carried out by individuals as well as states. Some of the forms of violence perpetrated by individuals are rape, domestic violence, sexual harassment, acid throwing, reproductive coercion, female infanticide, prenatal sex selection, obstetric violence, and mob violence; as well as harmful and forced marriage. There are forms of violence that may be perpetrated or condoned by the government, such as war rape, sexual violence, and sexual slavery during a conflict; forced sterilization; forced abortion; violence by the police and authoritative personnel; stoning and flogging.

Kearns, Coen, & Canavan (2008), in an attempt to describe domestic violence, used various terms such as "family violence," "intimate partner violence," "battered wives," and "gender-based violence." Bobonis, Castro and Cronzales-Brenes (2009) define domestic violence as including physical (i.e., pushing, kicking, throwing objects, hitting with hands or objects, choking, attacking with a knife or blade, and shooting), sexual (i.e., forced sexual relations, demanding sex) and emotional abuse (ranging from "lower" severity—e.g., destroying or hiding belongings, not speaking to an individual—to "high" severity—e.g., threatening an individual with a weapon or a partner threatening to kill himself, her or the children).

Panda & Agarwal (2005), in a similar vein, define Intimate Partner Violence (IPV) as including physical (i.e., slapping, hitting, kicking, beating, threatening with a weapon, forced sex) and psychological violence (i.e., insults, belittlement, threats to woman or someone she cares about or threat of abandonment).Babcock et al (1993) define IPV as occurring where a partner engages in six or more minor acts (e.g., pushing or hitting with something), two or more moderately violent acts (e.g., slapping) or at least one life-threatening violent act (e.g., beating up or threatening with a knife or gun).In what looks like consensus of all definitions on violence against women, the 1993 UN Declaration of Violence Against Women defined the concept "violence against women" as any act of gender-based violence that results in, or is likely to result in, physical, sexual or psychological harm or suffering to women, including threats of such acts, coercion or arbitrary deprivation of liberty, whether occurring in public or in private life (UN, 1993, UN 2018).

The definition covers not only domestic or intimate partner violence (IPV) but also child sexual abuse, sexual violence by strangers, cultural practices such as early marriage, "honour" killings, dowry, death and structural violence in institutions such as schools and institutions, exploitation and trafficking. Furthermore, the definition can be said to include but not be limited to:

(a) Physical, sexual and psychological violence occurring in the family, including battering, sexual abuse of female children in the household, dowry-related violence, marital rape, female genital mutilation and other traditional practices harmful to women, non-spousal violence and violence related to exploitation;

(b) Physical, sexual and psychological violence occurring within the general community, including rape, sexual abuse, sexual harassment and intimidation at work, in educational institutions and elsewhere, trafficking in women and forced prostitution;

(c) Physical, sexual and psychological violence perpetrated or condoned by the State, wherever it occurs.

Buvinic et.al (1999), quoting from figures published by the Inter-American Development Bank in 1999, indicated that 10% to 40% of women in the Latin American and Carribbean region have experienced physical violence from their partners; 10% to 20% have been sexually violated, and 30% to 75% have been psychologically abused. UNICEF and the World Health Organisation (United Nations Children's

Fund, 2000) both revealed that between 20% and 29% of women have been assaulted by their partners in industrialized countries including Canada, New Zealand, Switzerland, the UK, and the USA. In Japan, the rate is 59%. In Cambodia, India, Korea, and Thailand, the rates range from 16% to 45%. In Egypt and Israel, the rates are 35% and 32% respectively, while in Kenya, Uganda, and Zimbabwe the rates are between 32% and 42%. In Estonia and Tajikistan, the rates of intimate partner physical violence range from 23% to 29% and the rate in Poland is 60% among divorced women.

Compared with their non -abused peers, victims of IPV are at higher risk of health problems, including gynaecological dysfunction (such as pelvic pain), sexually transmitted infections, gastrointestinal problems, chronic pain, and post-traumatic stress disorder. Analysis of a randomized phone survey of 3,333 women aged 18-64 and enrolled in an insurance plan in the Pacific Northwest found that health care costs for those experiencing abuse were 42% higher than the costs for non-abused women. One analysis of seven waves of data collected between 1976 and 1987 from the National Youth Survey (NYS) of adolescents 11-17 years old showed that having experienced victimization as an adolescent was associated with a decline in the effort put into schoolwork and academic performance, even when controlling for income and other factors (Criminal Justice Research, 2000) . Data from the 2013 Youth Risk Behaviour Survey, a national survey that measures the prevalence of behaviours that contribute to leading causes of death and disability among high school students, showed that students who experienced dating and sexual violence were more likely to skip school due to safety concerns than their peers (Centres for Disease Control and Prevention CDC, 2014)

A 2016 survey of five job training programs in the greater Cincinnati region found that 30% of participants reported experiencing IPV. Participants reported that abusive partners frequently discouraged their enrolment in workforce development programs, some of whom reported experiencing physical violence to prevent them from participating (Partners for a Competitive Workforce 2016).The World Health Organisation (WHO) (1997) in its research on violence against women has analysed and categorised the different forms of VAW occurring through all stages of life from before birth to old age:

Violence against women and girls (VAWG) is further classified into six broad categories: Intimate Partner Violence (IPV), Non-Partner Sexual Abuse (NPSA), Harmful Traditional Practices (HTP), Human Trafficking (HT), and Child Sexual Abuse (CSA). This can further be represented thus:

## THE NATURE OF VICTIMIZATION

Most men and boys are victimized by other males; most girls and women are victimized by males. The National Crime Victimization Survey (NCVS) (1993-1999) revealed that of the victimizations of Native American females, 65% involve a male offender, and for crimes against females in all other racial groups, this percentage is above 70%. According to the survey, males are very rarely victimized by females—less than 10% for every racial group—and females are much more likely than males to be victimized by someone they know. Women and girls interviewed for the 1993-1999 NCVS said that in 79% of their victimizations, they knew the offender; males reported that they knew the offender in 59% of their victimizations. At the low end, just 13.9% of Native American Females' victimizations involved a stranger, and at the other extreme, 59.3% percent of male Asians' victimizations involved a stranger.

The concentration of nonlethal victimization of women and girls in their homes by people they know is mirrored in statistics on homicide, Fox and Zawitz (2003) revealed that in the year 2000 in the United States, 65.2% of homicides involved a male offender and a male victim, 25% involved a male offender

and a female victim, 7.2% involved a female offender and a male victim, and 2.6% involved a female offender and victim. Similarly, in Canada between 1921 and 1988, Gartner and McCarthy (1991) reported that the proportion of women killed by intimate partners stayed at about 50%, and women were most likely to be killed in their homes. Population-based surveys in South Africa show very high levels of IPV and non-partner sexual violence (SV) in particular, with IPV being the most common form of violence against women.

Machisa, et.al (2011) revealed the following:

- Whilst people of all genders perpetrate and experience intimate partner and or sexual violence, men are most often the perpetrators and women and children are the victims;
- More than half of all the women murdered (56%) in 2009 were killed by an intimate male partner;
- Between 25% and 40% of South African women have experienced sexual and/or physical IPV in their lifetime;
- Just under 50% of women report having ever experienced emotional or economic abuse at the hands of their intimate partners in their lifetime;
- Prevalence estimates of rape in South Africa range between 12% and 28% of women ever reporting being raped in their lifetime;
- Between 28% and 37% of adult men report having raped a woman;
- Non-partner SV is particularly common, but reporting to the police is very low. One study found that one in 13 women in Gauteng had reported non-partner rape, and only one in 25 rapes had been reported to the police;
- Most men who rape do so for the first time as teenagers and almost all men who ever rape do so by their mid-twenties;
- One study across four Southern African countries, including South Africa, found that 31.1% of women reported having experienced forced sex; and
- Male victims of rape are another under-studied group. One survey in Kwazulu-Natal and the Eastern Cape found that 9.6% of men reported having experienced sexual victimisation by another man.

Pengpid & Peltzer (2013), in a study among university students in high-income countries, found that in Finland, 42.0% reported physical violence, in Poland 34.3% of females and 28.4% of males reported sexual aggression victimization, and in Spain,15.2% of females reported lifetime gender-based violence victimization. Among university students in low– and middle- income countries, they revealed that in Chile 31% of women and 21% of men reported exposure to sexual violence; in China the rates of being the victim of physical assault and sexual coercion were 18% and 5.1%, respectively; in Nigeria 44.1% of females reported lifetime prevalence of IPV 46.7% sexual violence and 22.8% and 22.2% of students experienced physical and sexual violence, respectively; in Russia 25.5% were the victims of physical partner violence and 24.1% were sexually coerced in the previous year; and in Uganda 10%, with no significant gender differences, had exposure to physical partner violence.

Sample Characteristics and Intimate Partner Violence by Country and by Sex, among university students in 22 countries, as presented by Peltzer and Pengpid (2013) in table 1 below.

*Table 1. Sample Characteristics and Intimate Partner Violence*

| Phase | Type of Violence |
|---|---|
| Pre-birth | Sex-selective abortion; effects of battering during pregnancy on birth outcomes. |
| Infancy: | Female infanticide; physical, sexual and psychological abuse |
| Girlhood: | Child marriage, female genital mutilation, physical, sexual and psychological abuse, incest, child prostitution,and pornography |
| Adolescence and Adulthood | Dating and courtship violence (e.g acid throwing and date rape); economically coerced sex e.g. school girls having sex with " sugar daddies "in return for school fees); incest; sexual abuse in the workplace; rape; sexual harassment; forced prostitution and pornography; trafficking in women; partner violence; marital rape; dowry abuse and murders; partner homicide; psychological abuse; abuse of women with disabilities; forced pregnancy |
| Elderly | Forced "suicide" or homicide of widows for economic reasons; sexual, physical and psychological abuse. |

## Types and Categories of Costs of Violence

Costs of violence against women are widespread throughout society. Every recognizable effect of violence has a cost whether it is direct or indirect. The WHO (2004) opined that all forms of violence are costly and negatively impact economic growth and poverty reduction effects. Day, McKenna and Bowlus (2005) divided the cost into both direct costs and indirect costs. Direct costs come from the use of goods and services for which a monetary exchange is made. Direct costs exist for capital, labour, and material inputs. Indirect costs stem from the effects of violence against women that have an imputed monetary value even though they do not involve an actual monetary exchange, such as lost income or reduced profits. Effects of violence against women in the words of Day, McKenna and Bowlus (2005) also include intangible costs such as premature death and pain and suffering for which there is no imputed monetary value in the economy. Costs, according to them, can also be borne in the short-run or the long-run. This can further be represented in table 2.

*Table 2. Violence against women and girls categories*

| Intimate Partner Violence | Non-Partner Sexual Abuse | Harmful Traditional Practices | Human Trafficking | Child Sexual Abuse |
|---|---|---|---|---|
| Any type of violence committed by a current or former partner | Sexual violence by non-intimate partners (irrespectiveof the age of survivor) | Any incident of violence perpetrated in the name of social, cultural or religious values. Can include female genital mutilation/cutting and child marriage | Violence experienced by someone who is recruited or harboured by another through the use of force exploitation | Rape or sexual assault where the survivor is less than 18 years old |

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## THE ECONOMIC COSTS OF VIOLENCE AGAINST WOMEN

Costs of violence against women can be both direct and indirect and are incurred by women and their families, by perpetrators and their families and by state and non-state institutions. Siddique (2011) asserted that in Bangladesh, the cost of domestic violence at US$2.3 billion (equivalent to 2.1% of GDP in 2010) was equal to the health and nutrition budget for the whole country in that year. In Zambia, Zulu et al (2017), opined that the cost of GBV at 2.27% of GAP or US$473 million was comparable to the entire health budget for the country in 2016. In Uganda, Kasirye (2012) asserts that the US$22.2 million costs borne by providers of public services for domestic violence were 0.75% of the country's national budget in 2010/11.

A new global report (2018) launched by the international relief and development organisation, CARE International, estimates that VAW costs society upwards of 2% of global GAP and states that the problem is serious in low-, middle- and high-income countries alike. The social "cost" of IPV is impossible to measure in monetary terms, but statistically, IPV is quite costly to society. VAWG is not only a public health crisis and human rights violation, but it also has a significant economic impact. Epidemiological research has demonstrated that VAWG is a major cause of ill health among women and girls (Garcia-Moreno, Jansen, Ellsbers, Heise & Watts, 2006; Ellsberg, Bradley, Egan, & Haddad, 2008). Its impact can be seen in death and disability caused by injuries, increased vulnerability to contracting sexually transmitted infections, increased physical and mental illness, and increased alcohol use. According to the World Health Organisation (2013), VAWG may also result in unwanted pregnancy and abortions and low birth weight among infants. In line with this, the World Bank World Development Report (2012) asserts that violence and the fear of violence severely limit women's agency and affect their potential contributions to social and economic development.

The costs of victimization are substantial. Victims, third-party individuals, relatives, witnesses, employers, the criminal justice system, and society, in general, are affected by victimization. Individuals pay out of pocket expenses, and their families experience a change in their consumption choices as a result. Individuals and their families also bear the burden of reduced income, reduced savings and loss of household output. Communities cover the costs of private services provided by local agencies such as churches or volunteer workers in crisis centres. Municipal, state or provincial, and national governments bear the costs of public services offered within their jurisdictions, as well as supporting private initiatives through granting programs. The entire economy and the whole national society are affected by the monetary losses resulting from violence against women.

Day, McKenna and Bowlus (2005) presented the categories and examples of costs resulting from violence against women in table 3.

Lending credence to this, Oliver, Alexander, Roe, and Wlasny (2019) gave the estimated cost of domestic abuse in England and Wales for 2016/17 at £66billion as against £16billion in 2008. While by far the biggest proportion is the estimated physical and emotional costs associated with the harms borne by the victims themselves following their abuse, lost output also represents a significant element of these costs. This is further presented in table 6:

Oliver et al (2019) further explain that the average unit cost of a domestic abuse victim is calculated to be at £34,015. The largest element of domestic abuse cost is the physical and emotional harm suffered by the victims themselves (£47billion), accounting for 71% of all estimated costs of domestic abuse. Sexual abuses interfere with women's ability to work, in 2008 in the United State of America nearly thirty-eight percent of total health care costs were spent on violence and abuse (Dolezal, McCollum,

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*Table 3. Sample characteristics and intimate partner violence by Country and by sex, 2013.*

| | Total sample N | Sexually active sample N (%) | Age M (SD) | Intimate violence All | Male | partner Female | Physical violence Male | Female | Sexual violence Male | Female |
|---|---|---|---|---|---|---|---|---|---|---|
| All | 16979 | 7032 (41.9) | 21.8 (3.5) | 16.3 | 15.4 | 17.2 | 11.3 | 10.4 | 9.3 | 11.3 |
| **Africa** | | | | | | | | | | |
| Cameroon | 627 | 286 (45.6) | 21.6 (2.6) | 47.9 | 45.9 | 51.5 | 43.2 | 48.5 | 22.7 | 18.8 |
| Ivory Coast | 824 | 604 (73.3) | 24.0 (2.6) | 20.3 | 11.4 | 30.2* | 3.8 | 12.7* | 8.9 | 26.8* |
| Madagascar | 800 | 323 (40.4) | 20.4 (1.8) | 15.2 | 14.7 | 15.9 | 11.5 | 6.3 | 5.3 | 11.1 |
| Mauritius | 501 | 148 (29.5) | 21.0 (1.2) | 7.4 | 8.3 | 6.7 | 6.7 | 4.0 | 5.0 | 5.3 |
| Namibia | 503 | 344 (68.4) | 22.0 (3.7) | 19.2 | 17.7 | 21.5 | 6.2 | 7.4 | 15.0 | 15.0 |
| Nigeria | 820 | 328 (40.0) | 21.7 (2.7) | 17.6 | 19.2 | 15.1 | 11.9 | 6.6 | 11.7 | 14.8 |
| South Africa | 888 | 635 (74.9) | 22.6 (3.7) | 18.3 | 18.1 | 18.5 | 11.1 | 14.3 | 12.5 | 9.8 |
| Tunisia | 960 | 164 (17.1) | 21.6 (2.2) | 7.5 | 8.7 | 6.4 | 2.9 | 1.3 | 7.2 | 7.5 |
| **Caribbean and Latinamerica** | | | | | | | | | | |
| Barbados | 580 | 421 (72.6) | 22.0 (2.8) | 13.9 | 9.8 | 19.6* | 7.2 | 12.4 | 5.1 | 14.9** |
| Grenada | 435 | 307 (70.6) | 24.8 (6.0) | 22.6 | 20.0 | 23.5 | 16.8 | 15.5 | 9.5 | 16.1 |
| Jamaica | 762 | 524 (68.8) | 21.6 (5.5) | 21.3 | 16.0 | 23.0 | 8.4 | 8.6 | 12.2 | 18.8 |
| Colombia | 816 | 699 (85.7) | 21.3 (3.3) | 6.9 | 4.0 | 9.4* | 3.4 | 7.5 | 1.2 | 2.7 |
| Venezuela | 564 | 425 (75.5) | 20.9 (2.9) | 6.2 | 5.9 | 6.5 | 3.0 | 4.1 | 3.5 | 4.6 |
| **Asia** | | | | | | | | | | |
| China | 1184 | 143 (2.1) | 21.0 (2.6) | 4.2 | 6.5 | 3.1 | 4.3 | 2.1 | 2.2 | 2.1 |
| India | 800 | 116 (14.5) | 18.0 (0.9) | 12.1 | 16.0 | 2.9 | 13.6 | 2.9 | 8.6 | 2.9 |
| Indonesia | 750 | 186 (24.8) | 20.0 (4.2) | 1.6 | 1.6 | 1.6 | 1.6 | 0.8 | 0.0 | 0.8 |
| Kyrgyzstan | 837 | 372 (44.4) | 21.6 (1.7) | 45.4 | 42.2 | 54.7 | 37.9 | 54.7* | 23.5 | 15.8 |
| Laos | 806 | 280 (34.7) | 22.6 (1.7) | 1.8 | 0.0 | 3.4 | 0.0 | 0.7 | 0.0 | 3.4 |
| Philippines | 968 | 67 (8.9) | 19.3 (1.3) | 17.9 | 21.4 | 15.4 | 3.6 | 5.1 | 17.9 | 15.4 |
| Singapore | 894 | 166 (18.6) | 21.7 (1.7) | 6.7 | 6.4 | 7.5 | 5.5 | 3.8 | 5.5 | 7.5 |
| Thailand | 860 | 281 (34.6) | 20.6 (1.2) | 9.9 | 13.9 | 6.6 | 7.4 | 3.3 | 12.3* | 3.3 |
| Turkey | 800 | 212 (26.5) | 21.6 (2.7) | 5.7 | 4.4 | 9.6 | 3.1 | 7.7 | 3.1 | 3.8 |

*Table 4. Four categories of costs of violence against women*

| | |
|---|---|
| Direct tangible | These costs are actual expenses paid, representing real money spent in response to GBV [gender-based violence]. Examples are taxi fare to a hospital and salaries for staff in a safe house or shelter. These costs can be estimated through measuring the goods and services consumed and by multiplying their unit cost. |
| Indirect tangible | These costs have monetary value in the economy but are measured as a loss of potential. Examples are lower earnings and profits resulting from reduced productivity. These indirect costs are also measurable, although they involve estimating opportunity costs rather than actual expenditure. Lost personal income, for example, can be estimated by measuring lost time at work and multiplying by an appropriate wage rate. |
| Direct intangible | These costs result directly from a GBV incident but have no monetary value. Examples are pain and suffering, and the emotional loss of a loved one through a violent death. These costs may be approximated by quality or value of life measures, although there is some debate as to whether or not it is appropriate to include these costs when measuring the economic costs of VAW [violence against women]. Those who support including direct, intangible costs seek to quantify, for example, the value of child or elder caregiving that a lost household member may have once provided to support a household member working and earning outside the home. |
| Indirect intangible | These costs result indirectly from GBV and may have no direct monetary value. Examples are the negative psychological effects on children who witness GBV. These effects cannot be measured or estimated numerically. |

Source: Day, T., McKenna, and A. Bowlus (2005): The Economic Costs of Violence Against Women; An Evaluation of the Literature. London, Ontario: United Nations: http://www.un.org/womenwatch/daw/vaw/expert%20brief%20costs.pdf.

& Callahan, 2009, Lyon, 2002, Sutherland, Bybee, & Sullivan, 2002, Brush, 2000) . In their words, the next highest cost is for lost output relating to time lost at work and reduced afterward (£14billion). MacMillan, (2000) estimated a lifetime income loss at $241, 600 in adulthood bythe sexual violence survivors as a result of victimization in adolescence.

*Table 5.*

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Justice

Police: Vehicle use, dispatch center use, emergency response teams, interrogations, training, administrative time, criminal investigations, forensic services, in-court time, restraining orders, coroner. Legal: prosecuting and defending lawyers' time in office, preparation and in court, legal aid, judge time, court time, jury costs, witness time, Courts of Appeal, Supreme Courts hearings and decisions. Penal: jail time both prior to and after sentencing, probation, parole, therapies. Related: prisoner support organizations, victim compensation payouts

**Health**

Direct costs include short run and long run health care in doctor's offices, clinics of all types and hospitals including:

Capital in buildings, infrastructure, laboratory equipment, machinery and vehicles.

Labour for ambulance, emergency ward services, hospital admissions, outpatient clinics, physicians offices support staff, mental health services and clinics, physicians, nurses, paramedics, physiotherapists, other specialists, psychiatrists, psychologists, alternative healers, dentists, etc.

Materials for: diagnostic procedures, treatments, medications, food, etc.

Health insurance premiums and payouts.

Indirect health costs borne by individuals include reduced longevity, the effects of poor health on lifestyle choices, reduced mobility for participating in public life, HIV/AIDS from coerced sex and health consequences of practices such as female genital mutilation (FGM).

**Social Services**

May apply to victim, perpetrator or children

Publicly funded services such as shelters, crisis lines and services, social workers, counselling, home visits, children's services, emergency response teams, fire fighters, therapeutic support groups, retraining, networked support services.

Government time addressing laws on violence against women, administration of ministries responsible, government research and policy analysis.

Research grants, conferences, publications, policy papers, advocacy groups, public awareness campaigns.

Privately funded services such as hot lines and help lines, Red Cross and Red Crescent societies, community support groups, church-run support, perpetrator therapeutic support groups, volunteer hours, volunteer agencies

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**Education**

Special education for children who witness violence.

Job-readiness, training in the local language, re-training for victims and their children.

School programs aimed at reducing violence against girls.

Indirect cost of reduced educational attainment for women and their children

**Business and Employment Costs**

Reduced productivity, reduced output, reduced profits.

Administrative time and costs of search, hiring and training replacements.

Programs for creating safe workplaces, training staff, on-site medical services, Employee Assistance Plans.

Overtime paid to co-workers who cover for a victim.

Relocation, separation pay, benefits, insurance premiums.

Grievances for incidents at work, supervisory time, processing complaints, litigation, court time, compensation expenses.

Lost tax revenue from reduced output and income, lower GNP.

**Personal or Household Costs**

Lost earnings from time off work, lower productivity, less attachment to the labour force, expenses of a new job search.

Medical fees, therapies, counselling, transportation for doctors or legal appointments, childcare for same, medications, prescriptions, treatment programs, alternative healing, self-help materials.

Lower savings and investments.

Lost household productivity in unpaid work, loss of economies of scale if separating.

Legal fees for assault, custody, separation or divorce cases.

On-going child custody disputes, custody arrangements or visitation problems requiring time, attention and resources to solve.

Interest on loans, car rentals, lost deductibles on insurance claims, bad debts of ex-spouse, loss of shared pensions or transfer payments.

Expenses incurred from relocation, replacing destroyed articles, repairing damage to home or possessions, temporary accommodation.

Funerals and burials.

Other out-of-pocket expenses such as interpreters, drugs, alcohol, protection services, self-defence courses, rehabilitation and recovery programs, special diets, unlisted phone numbers.

**Intangibles**

Pain and suffering of the victim and her children.

Death of the victim or perpetrator, including suicides.

Second-generation effects on children who witness violence.

Loss of freedom for incarcerated perpetrators.

Fear of violence among women in society

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*Table 6. Total costs of domestic abuse in England and Wales for 2016/17 (£ million)*

| Costs in Anticipation | Costs as a consequence | | | | Costs in response | | | | Total |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| | **Physical and emotional harm** | **Lost output** | **Health services** | **Victim services** | **Police costs** | **Criminal legal** | **Civil legal** | **Other** | |
| £6m | £47,287m | £14,098m | £2,333m | £724m | £1,257m | £336m | £140m | £11m | £66,192m |

## SOCIAL COST OF VICTIMIZATION

The cost of victimization goes beyond the financial cost, the social cost which consists of emotional and psychological effects have far more reaching effects on the victims. Langton and Truman (2014) in their study explained that 68% of the victims of rape or sexual assault, robbery, or aggravated assault reported ever experienced socio-emotional problems between 2009-2012. Violent victimization is a traumatic and stressful life conditions which brings about negative emotionality such as anxiety, depression, frustrations and anger(Agnew, 2006; Taylor & Stanton, 2007), which can result to maladjustment coping strategies such as; seeking revenge, drinking alcohol and using excessive amounts of drugs (Turanovic & Pratt, 2015)..The copping strategies with high rates of depression may result to primarily post-traumatic stress disorder (PTSD) which are pathways through which victimizations affect physical health. (Astbury& Cabral, 2000;Varcoe& Dick, 2008, Wuest et al., 2009).Studies of female IPV victims also identified, feelings of shame, increased rates of eating disorders, substance dependence, antisocial personality disorders, and non-affective psychosis, guilt, humiliation, entrapment, and lack of control which will lead to poor self-esteem and depression (Astbury & Cabral, 2000; Staggs & Riger, 2005; AuCoin & Beauchamp, 2007; Maniglio, 2009; Afifi et al., 2009; Jordan, 2010) .

The sexual abuse of girls has long and short term effects on the mental health depending on the persistence, severity, protective factors, and risk factors. Those who have experienced Child Sexual Abuse (CSA) may likely espouse maltreatment, physical abuse and shock with a likelihood of sexual re-victimization (Roodman & Clum, 2001; Putnam, 2003; Andrew et al., 2004). While it is very difficult to predict how individuals will responds\ to violence and victimizations, the psychological effects created by crime are more difficult to cope with and normally have long-lasting impacts on the victims. In the case of IPV and CSA, exposure to abuse and misuse of power will transfer the impact from one generation to the other. Studies have shown that the shock from the waves of victimization will not only touch the victims but also the immediate family, neighbours, next of kin and associates (Basile, Arias, Desai & Thompson, 2004; Banyard, Williams, & Siegel, 2001; Bergman & Brismar, 1991).

All the same, the social injuries from victimization cannot be quantified; these are caused by society in the aftermath of the crime. It can be from the family members, friends, law enforcement officer, Crown prosecutor, clergymen, counselor or a victim services worker. The attitudes of the people to the victims are also paramount in the issue of victimization. Some of the relatives, friends and next of kin contacted by the victims may also distance themselves from the victims especially those victims of sexual assaults such as rape, sexual molestations, and sexual harassment. They may accuse the victim or view the victim's behaviour as the contributing factor to the victimization. The responses of the individuals and institutions can also lead to secondary victimizations. Some of the examples secondary victimization mentioned by the Canadian Resource Centre for Victims of Crime (2005, p. 6) include:

- The refusal to recognize their experience as criminal victimization.
- Intrusive or inappropriate conduct by police or other criminal justice personnel.
- The whole process of criminal investigation and trial (decisions about whether or not to prosecute, the trial itself, the sentencing of the offender, and his or her eventual release).
- The victim perceives difficulties in balancing their rights with those of the accused or the offender.
- Criminal justice processes and procedures do not take the perspective of the victim into account.
- Relatives may have restricted access to the body of a loved one due to hospital policies and procedures.
- The hurried schedule of the emergency room may affect a sexual assault victim's privacy or sense of dignity.
- School personnel may discount child disclosure of abuse.
- Doctors may not acknowledge signs of spouse abuse.
- Spiritual leaders may attempt to guide victims into paths of forgiveness or accommodation before they are ready or against their wishes.
- Intrusive or inappropriate investigation and filming, photographing and reporting by the media.

## SOLUTIONS AND RECOMMENDATIONS

Looking at the economic cost of victimisation, it is expedient to find ways on how to reduce this cost, if not eliminated. Since violence against women and girls is preventable, there is a need to design and implement programmes that will prevent violence from occurring. The programme needs to remove the inequality between both men and women in sharing power and resources. Girl child needs to be educated, this will allow her to make the right reproductive health choices and increase the age of marriage. Women empowerment concerning labour force participation will enable their voices to be heard(in terms of household decision makings for purchases within the family, reproductive health decision making and financial contribution to household needs) and reduced poverty among women. Once the violence against women is eliminated from our society, the equivalent cost will be used to close the gender gap and empower women and girls. It is also very necessary to address family violence since the effects often last for years after the abused has ended.

Studies confirm that adults who have been abused as children, had a parent with mental illness, witnessed IPV, or parental substance abuse are at higher risk of depression, heart disease and suicide (Felitti et al., 1998; Bergman & Brismar, 1991). Identifying and respond to abuse will make a difference throughroutine inquiry with special attention on the victims of IPV and face to face screening of women by the skilled health workers will help to identify IPV victims and those who are at risk (Mausner & Kramer,1985; McFarlane et al., 1991; Koziol-McLain, Coates, & Lowenstein, 2001). Also without sexual assaults advocates, victims are less likely to receive critical services (such as referrals to community-based services, filing of police reports, information about sexually transmitted diseases and pregnancy) immediately after the incidence. There is a need to create referral centres for the victims of sexual assaults like rape, CSA and IPV, this will reduce the long term cost and consequences of sexual assaults on the victims and the society.

## FUTURE RESEARCH DIRECTIONS

Since the cost and burden of victimization are enormous, it is important to re-direct the study on victim recovery and secondary victimization. Putting one's life together can be difficult after victimization and the process is normally slow, filled with ups and downs. It requires the psychological and physiological process with a deep understanding of both tangible and intangible costs.

## CONCLUSION

The economic cost of victimization is a huge cost to any society as a result of violence against women and girls. The cost is much higher than homicides or civil wars since it can be direct or indirect. Direct cost in-terms of expenditure on health, justice system, child and welfare support systems. Indirect costs as a result of the loss of wages, productivity, and potentials. The intangibility aspect of victimization costs are pain, injuries, broken bones and eventually result in death. Becoming a victim of crime is not a pleasant and palatable life experience, the impact which can throw the victims into an unrepaired state of mind, shock, frustrations while some victims may not recover from the sad event. There is a need for positive change by encouraging the victims to speak out these will help others from fallen a victim and make our society a better place to live. Concerning the cost of victimizations on sustainable development, it has to be tackled to achieve the 2030 development goals.

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## KEY TERMS AND DEFINITIONS

**Gender-Based Violence (GBV):** Gender-based violence against children refers to the violence inflicted on a child due to stereotypes and roles attributed to or expected of them according to their sex or gender identity.

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# About the Contributors

**Johnson Oluwole Ayodele** is a lecturer and faculty member, Department of Sociology, Lagos State University. A specialist in Criminology, Victimology, Social Problems, Social Works, Sociology of Education and Sociology of Mass Communication, with a particular interest in victims' crime reporting to the police. He has done extensive work in Lagos, some in Ogun, Oyo and Osun states of Nigeria. His work has focused on social responses to victimization, police attitudes to victims, agba, ajobi, and ajogbe as structures of vigilantism among the egba people, women as victims of widowhood practices, subsidy withdrawal injustice, and marital rape. Ayodele has some of his works published in both local and reputable and scholarly international journals.

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**Waziri Adisa** is a Senior Lecturer in the Department of Sociology where he lectures Criminology, Theory, and Political Economy of Security in Developing Countries.

**Kavitha Balakrishna** was a former Dean, Faculty of law, Kannur University, Member of various professional and academic bodies across India. Author of 40 articles with ISSN number and edited chapters in 12 books with ISBN number.16 years of teaching experience. presented research papers in more than 50 national and more than 18 international seminars. Coordinated 12 international conferences and 19 national conferences. Presently working as head of the Department, School of legal studies, Kannur University, Kerala, India.

**Leela Bilmes Goldstein** received their Ph.D., Linguistics, University of California, Berkeley, 2001; Executive Director, Women's Fund of Hawai'i; Board Member, Hawai'i Friends of Restorative Justice. Leela studies sociolinguistics – the use of language in its social context. She has served as an editor and consulted with various technology companies, including Ask Jeeves (now Ask.com), SRI, and Motorola. She is currently executive director of Women's Fund of Hawai'i (https://womensfundhawaii.org/), a non-profit that supports programs for women and girls in Hawai'i. The Fund has supported various organizations that serve incarcerated and previously incarcerated women, a population in which she has been especially interested.

**Debarati Halde** is the Honorary Managing Director of Centre for Cyber Victim Counselling (www.cybervictims.org) Currently, she is Professor-Legal Studies at, Unitedworld School of Law, Karnavati University Gandhinagar, Gujarat; . She received her LLB from the University of Calcutta and her master's degree in international and constitutional law from the University of Madras. She holds a PhD degree from the National Law School of India University (NLSIU), Bangalore, India. She received WebWonderWoman award from Ministry of women and child, Government of India, Twitter and BreakThrough India in April, 2019. She has authored books titled Child Sexual abuse and protection laws in India (Sage, 2018), Cyber Crime against Women in India' (Sage, November 2016) and 'Cyber Crime and the Victimization of Women: Laws, Rights and Regulations' (IGI Global, July 2011). She has also published an edited book volume, co edited by K.Jaishankar, titled "Therapeutic Jurisprudence and overcoming violence against women" published by IGI Global (2017). She has published many articles in peer-reviewed journals and chapters in peer-reviewed books. Her work has appeared in scholarly journals, including the British Journal of Criminology, Journal of Law and Religion, Victims and Offenders; Murdoch University E-Journal of Law; ERCES Online Quarterly Review; TMC Academic Journal (Singapore); Temida and Indian Journal of Criminology & Criminalistics; and edited volumes, Crimes of the Internet, Trends and Issues of Victimology, Cyber Criminology. She has presented her research works at many international conferences including the Stockholm Criminology Symposium held during June 11–13, 2012 and the International Conference on Social Media for Good, held during May 15-16, 2015 at Istanbul, Turkey. She is a resource person in various programmes conducted by the National Commission for Women, UNICEF, Facebook, Kerala, Tamilnadu, West Bengal, Gujarat State Commission for Protection of Child Rights, Rajiv Gandhi National Institute for Youth Development, Women Christian College (Kolkata & Chennai), Loyola College, North Eastern Police Academy, Assam State Child right protection council and Manonmaniam Sundaranar University, Tirunelveli. Debarati's research interests include Criminal Law, Cyber Law, Victimology, penology, Therapeutic Jurisprudence, Gender Rights, Child rights International law, etc.

**Olowe Samuel Kolawole** holds a PhD from University of Lagos, Lagos, Nigeria. He is a researcher and management consultant to a number of public and private sector organizations, especially in the area of management training and gender studies. He was once a Visiting Fellow to Ghana Institute of Management and Public Administration (GIMPA), Ghana. He is the author of the popular book, Walk Yourself to Prosperity Even in Retirement. Dr Olowe is currently the Executive Secretary/Chief Executive Officer of West African Management Development Institutes Network (WAMDEVIN) whose secretariat is in Nigeria.

**Okhuevbie James Olu** is a postgraduate scholar at the Lagos State University, in criminology. He is an Assistant Superintendent of Police in the Nigeria Police, in charge of general policing duties.

**Adeyemi E. Oluwagbemiga** is a lecturer with Federal University, Oye-Ekiti, Nigeria. He has carried out studies on reproductive health in Nigeria. He has interest in gender and sexuality issues.

**Nicoletta Policek** is Head of the Graduate School and Associate Professor in Policing and Criminology at the University of Cumbria, UK. Her research interests are academically located within three principal research themes, namely Gender and Sexuality Studies, Human Rights and Global Justice, and War Crimes and Genocide. The last two areas emerge out of, but are grounded in, the first research

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theme. She is specifically interested in researching violence perpetrated on and by women during and post conflict and the consequences of such violence on women's health. In studying war crimes and genocide, Nicoletta's work focusses in particular on the dichotomy between collective memory and collected memory. Furthermore, her research aims to deconstruct existing theoretical models of displacement which are characterized by the difficulties in explaining migration as one the possible side effects of war crimes and genocide. In this way her research aims to delineate how transformations in a global political economy shape the formulation of disporic subjectivities.

**Tracie Lea Scott** is a lawyer and legal academic currently teaching at Heriot Watt University in Dubai UAE. She has published on a range of topics, including Canadian First Nation treaties, human rights, postcolonial theory, and property law.

**Tamanna Shah** is a doctoral student in the Department of Sociology at the University of Utah, Salt Lake City, Utah, USA. She holds a master's degree in Sociology from the Kansas State University, USA, an MBA and a Bachelor's degree in Economics. She has interest in comparative political sociology, gender and race, social change and inequality. Previously she was the Head of Policy Advocacy and Research at IL&FS Education and Technology Services Ltd., India. She has authored journal articles and other publications, notably, Adjustment to Divorce (Spouses) for the Wiley Blackwell Encyclopedia of Family Studies, Chaos and fear: Creativity and Hope in an uncertain world in the journal International Sociology and book chapters on innovation, sustainability issues, and job readiness of the youth. She has also worked with Asian Development Bank on water and sanitation policy papers.

**Lorenn Walker** is a health educator and restorative lawyer using public health, restorative justice, and solution-focused approaches to help prevent and address injustice and crime. She designs, implements, evaluates and publishes the results of group processes addressing conflict and reconciliation. She is an associate professor of public health and law for the University of Hawai'i where she has taught administration of justice, law, communication, ethics and business management. She is executive director of Hawai'i Friends of Restorative Justice (www.hawaiifriends.org), Senior Fulbright Specialist in conflict management, and provides international, national, and local training on peacemaking and communication skills.

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