

**The scientific study of factors affecting the victim's psychology and the statute law in Islamic Republic of Iran**Shirzad Amiri<sup>1</sup>, Amir Ahmadi<sup>2</sup>, Shahabuddin Naseri<sup>3</sup>, Shahab Ivan neshan<sup>4</sup><sup>1</sup> Department of law Islam Abad Gharb branch, Islamic Azad University, Islam Abad Gharb, Iran<sup>2</sup> Department of law, Payame noor University, Iran, Email: [Amir.ahmadiy91@gmail.com](mailto:Amir.ahmadiy91@gmail.com)<sup>3</sup> Department of law Islam Abad Gharb branch, Islamic Azad University, IslamAbad Gharb, Iran<sup>4</sup> Department of law Islam Abad Gharb branch, Islamic Azad University, IslamAbad Gharb, Iran

**Abstract:** Today, along with new revolutions in the domain of criminology studies leads attentions to fours beyond criminal act, namely victims by the researchers of sociology according to victim –oriented approaches, the dominant conditions on forming the crime and victimization is investigated and analyzed to take step preventing crimes and its consequences victimization has physical effects,mental effects (decreasing the external relationship and emotions and continuous anxiety),cognitive disorders (memory and concentration,legal effects and economical effects.in the present paper,while investigating different dimensions of victimization and different views about victim logy,we will investigate the effective factors on victimization.

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**1. Introduction**

The more various crimes,the more victims we have (mortazavi,1996-97-.p.13)victim is someone who is imposed and incurred an absolute loss on his/her physical wholeness and all people of society believe this one Hans Ron feinting,a pioneer in the victimization,defined victim as :victim is someone who formed the body of criminal act,he introduced this definition in hid Logical concept that means victim. Victimization means criminally victimizing someone this criminal action can be murder theft harassment and soon and victim can be woman.man, old or young.on the other hand.

victimization has some physical effects,mental effects (liked decreasing the external relations and emotions and continuous anxiety) cognitive disorders (memory and concentration), legal effects and economical effects.researches show that waves of shocks caused by victimization not only in fluencies the victim but also it in fluencies victim's family and kinship and neighbors after the crime,victim may suffer from physical effects like in seminal anorexia (disorder of appetite) headache and ...the ft accompanied with physical injury can remain the sense of inability insecurity, wrath and fear till long time (Rajeni Asli, 2002, p, 22). There are some targets and situations that facilitates the passage and transforming to criminal act, the danger of Trans forming to a criminal act is caused by a relationship between a charming sign ovi` that protecting with a potential criminal, in which makes a strategic analysis of these benefits and hazards (alasti-2006-25).

Based on criminologists, victimization has some causes, dividing to biological factors (age and gender), physical state (physical disabilities like mental or physical disability), social factors like hazardous jobs, the way of life, economical and social conditions (poverty and being fired from job) place solitude (a parking without guards and direct psychological factors, little paying attention to the kind and quality of different crimes, proves this hypothesis that every crime has it's victim,on the other hand conditions of victim prepare the field for criminal to commit a crime for example victims of theft are rich and wealthy people.although this doesn't mean that poor people aren't victims of theft,therefore presence of special economic situation or victim's situation causes criminal act.there are some theories that justify the causes of victimization.

1-theory of haste (precipitance) according to this point of view some people may provide the provisions of their being victimized,dividing haste "and passive haste "active haste is when the victim, intentionally and provocatively threatens other one and by using stimulating words stimulates words stimulates him to fight and straggle in the passive from, victim unwontedly and because of some features, threatens the benefits of the invader and stimulates him unconsciously some factors like concurrently job competition and without knowledge of victim that his job threatens the benefits of another one.

2-the theory of living style: according to this, the reason of some people victimization is their way of living.because the victim's life exposes him /her in

the access of criminals attack like night commuting t. the public places and ....

### **Definition of victim logy**

Victim logy is a sub branch of criminology and less than one century after birth of criminology and in recent years it came to birth in criminology because of prolonged ignorance about victim, all the researches focused on the crime victim to determine the role of his personality in forming the crime this was a big change in legal reason –knowing and victimization formed and reached a stage that it is necessary to focus on victim more than ever :DR keynia defines the victim logy as follow : victimization or Against victim Anthropology is new branch of criminology that investigates direct victim of crime so, the knowledge of victim and what relates him/her is the subject of this new science in this know ledge we investigate the personality, bio features, mental, ethical, social and cultural of victim and also his share in forming the crime and his relations with crime (Hassan por, alasty, 2006, 24).

Less than one century after the birth of criminology, the traditional triangle of crime, criminal and criminal had geo metrical shape changing. a forgotten side namely. victim was investigated by some of the criminologists :this new approach led to open a new gate in criminology and birth of new major called victim logy in following findings of criminology, the special (Differential)penal policy pursuing prevent people's victimization that are vulnerable by some reason in the penal process moving from thinking and intention to commit a crimes the victim can play an important role as a proposal factor studying the victim and his relationships with criminal and his per manse and reaction in committing a crime are of preferences that has spend new horizons in the criminology.

### **Establishing the know ledge of victim logy**

Before the advent of Research school, the penal law formed with the ideas of “Update” fry hand Gabr Dfalv this school believes in a kind of determinism in people's victimization (Sharifi Khezarati –Etelat news paper) in penal law, all the attention were focused on crime, but by the advent of Research school and establishing criminology felon and criminal were in the center of penal studies, but also the role and share of victim in forming the crime was ignored. victim in Iran's penal law was donated by some terms like “Victim against” or ‘plain tiff “and law faculty professors by a deep insight, mainly from the law point of view, analyze the role and position of Victim against but the term victim is a creature of “investigation commission on term related to justice “in 1937. Based on this change the term Victim was used instead of Victim against but the word victim was used by ‘Fredric verthan “an American

psychiatrist “for the first is his book “presentation of violence “he expressed the necessity of having a science as victimization and said that in murders, criminologist frequently investigate the perpetrators and victims is ignored. he believes that as far as we don't know the victim, we can't know the psychology of murderer (Tavana Najafi 2006-2007).

### **Looking through to divisions of victimization**

Being victimized caused by human tangible actions, is divided into three minor clusters.

#### **A-structural victimization**

#### **B-victimization because of crime**

C-being victimized because of damaging affairs or mistakes that aren't felon like these division continuously, has got 6 subsections:

1-natural victimization: being victimized as a result of natural performance forces and disasters like earth quake, volcano, draught, famine, diseases caused by environmental installations, Radiation sickness and animal attacks.

2-self victimizing –including suicide, self wounding, addiction, alcoholism and ....

3-being victimized of industrial and technological products including synthetic products or material condition and changes in environment by people

4-structural and cultural victimization as a result of tradition, that is, being victimized because of society's social, religious, cultural and political structure and legal system in this case victimization is a result of inequalities in dividing wealth and pon.

5-being victimized of crime or victimization as a result of crime this can inched violent and personal crimes, associated with cheat, ownership, organized, white collar, quid and police system structural violence's.

6-being victimized as a result non –criminal actions, namely being victimized because of damaging deeds or abandoning the crime –like affairs (dadyar, 1998, p, 20).

### **Divisions of victims according to their vulnerabilities**

Hunting –a jurist –considers the human weakness as a base for categorizing the victims and divides victims in eight groups: 1-children and teenagers because of their physical weakens and external crisis's 2-women because of physical weakness an special features of woman like hood 3-old people because of their physical weakness 4-immigrants that their social position in their resident isn't very stable 5-minorities because of weakness of social position 6-mental retarded because of mental 7-types of psychic people (insane people, depressed people, upset people, disappoint people and sufferers)8-other victims like war victim or physical retarders.

### Types of victims from the victim personality point of view

In another classification, victims are 4 groups: 1-indifferent victim who is affected by an accident 2-hidden victim, the groups of people who has permanent and unconscious talent to be victim 3-special victim –that victimization is preferable than privet relationship which is seen between felon and victim 4-victimimized criminal.one can be victim or felon continuously this unknown aspect of human personality can emerge suddenly and change someone to victim or criminal.further more one who is criminal,meanwhile can be victim like participants in a fighting or agents of an accident.victims by weak social position that aren't accepted in one society complete,immigrants and minorities are evident samples of this kind (Alavy Zadegan –looking through kinds of victim division)women and girl who are victim,as directly or indirectly including sexual harassment or assault and battery or family violence's (Rajeian Ashi. 2005.p.20) (these violence's can be in the shape of husband torture on wife, father on girl, brother or sister or even mother) these group of women because of their mother hood in future should be helped and supported more and more these supports can be financial or mental in our idea some centers should be established to support their group (Ratejian, Asli, Mehrdad, 2002, p, 13).

2-victimimized children (enfant): those children who are affected by the crimes directly or indirectly because they have less power and ability than adults are exposed by the crimes more including harassment at home to harassment in the society they should be supported.

3-unable victim, including people who are in the expose of crime because of inability and them and they should be supported.

3-victimimized body corporate maybe some people believe that body corporate can't be victim but in our idea there is no difference between body corporate and actual person to be victim.

For those people who were victim but now they aren't victim statistics as a masteries, tells us the features of crime and enable us to get some information about victim pursuant findings of cuss criminal acts aren't accidently crimes but they show the time of stability.

1-Social Criminology neus findings show that violent crimes occur morcm these places.:

1- In a public open place like street,park or form 2- in a school building.

2- 3-in commercial centers.

From the time point of view the most important groups of these crimes like assault, repetitive attack dies after, 6pm trivial crimes and not important tetts

occur more in.day time Almot 2.3% assaults and sexual harassments occur between 6pm to 6a.m.

Woman victimization according to 1994 statistics occurs in day.

B but for men it is equal in day and night.60% of men and 47% of women are victimized in public places.

Specifically, resident place also is important in being victimized who live downtown, mainly are affected by the crime more than.

Who live in suburbs.those people who live in small cities their victimization is half of the macro cities resident and those who have their own houses less than tenants are victimized.

While travelling women are victimized less than tenants are victimized while they aren't using vehicles: but for women using their own vehicle brings them more victimization.

### Biologic hazardous factors

1-Age –child and old people are victimized move than other, a child because of his/her continuous effort to search and get strong passions.

Like dangerous games and because of their dependence to their family are victimized more and old people because of physical weakness and spirally amnesia are vintner able the statistics of victimization has show that young people are victimized more than old people victimization loses its speed after 25.over 65year old people in U.S.A are just 1% of victims of violence.

But young adults between 12-19than are 15%of population constitute 30%of victims.

2-Sex-based on statistics women are the biggest share of victims inside or outside the house sometimes men because of the pre formats of belief can't complain because legal system yet don't accept that a man is a victim of his wife or his family men are victimized more than women, man are affected by theft and attack two times more than women, although women are affected 6 times more than men from the sexual harassment.

3-physical state: physical deficits are hazardous are hazardous factor like physical or mental retarded interaction or ....and also foreigners, who are gotten fired from job and immigrants who are considered mythic all by “Rene Zhyraz” and is suppressed regularly by authorities especially in the crisis time.

### 3-Social factors

1-Hazardous jobs :taxi drivers,polices,...2-criminals –they are victim because of their living style for finding pleasure 3-tifestyle :commuting in dangerous places -4-economical and social conditions :poverty and laying off are two victiconaker factors living in some places called “criminal environments is like that in contrast,wealth also attracts criminal attention.

5-place solitude, who if far from the family (student, immigrant) and an obsolete house, a parking without guard,

2-Race :Negros are under crime more than whites in Negros the rate of crime is 56 per 1000, in white people 42 per 1000 and others is 36 per 1000 and generally victimization is seen between Negros and his panics more than others.

3- Income: woman who have less income are more victimized although men with low income are in clangor of victimization.

4-Education: the less education the more women and men are in danger of victimization. but in every educational level man are victimized more than women.

5-Maritus orates according to some surveys in 1994, single men and women are victimized 4times more than married one divorced men and women have equal share in being victimized those women who live far from their husband 105 times more than those who have never married 2, times more than divorced women and 6times more than married women are victimized the rate of victimization of women, living far from their wives is more than means victimization in the married nests state (Alasti Hassanpor, 2006, 25).

#### 4-psychological factors

1-Un desirable characteristics: disregarding and not paying attention, greed, stinginess, over trust, paranoia, of pathology (very cautious behaviors attracts criminal attention) 2-continpous discrimination and specially job discrimination 3-special past rote of person :sometimes on explicit family order determines that one of the family member because of family cohesion exposes the crime pursuant Chicago school and from psychoanalysis point of view this has been a kind of bulling mentioning a kind of homogenization process with parents wishes. in this case some questionnaires about victimization and those questionnaires that someone confesses his/her crimes (apparent crime questionnaires)enable us to investigate the hard relationship between being hlon and being victim (Neamati -.p18).

#### Victimization theories

For years, criminology theories focused on criminal actions and victim was ignored then a group researchers found out that victim isn't a neutral agent, but also is someone who can be effective on his/her destiny Stephens chafer says: that victim may help a crimes by the motion of being victim then it is necessary to focus on the victim because the body corporate for example can be effected by theft and he/she loses his property and also other crimes consequently body corporate who are under crime directly or indirectly are classified in this group

5-Cybercrime victims those people who are affected by cyber crime directly or indirectly. place in this group in my idea they are the most innocent group of victims, although in these recent years some precautionary works have been done like considering this abnormalities as crime and also establish ray specialized courts to investigate the cyber crimes (of course these courts doesn't investigate the cyber crime only)(Tehran Public court and revolution)but we think we should have some specialized cants in this case to help people and find the crime (directly or indirectly).

#### Cause of victimization or back ground reasons of assault

Victim is a person that suffers from a loss on his physics or mentality, based on un, victims are those persons who are affected by the crime in a group or in dividedly this loss is very significant for victim this loss is caused by 1-legal law abolishes one part 2-it shows breaching those legal laws that are known in human right to help victims on one side and to misuse the power on another side in international level. victim is an element of pre criminal or pre murder Giessen defines pre manner of committing a crime as follow :a set of external situation that are preferable than criminal act and includes it's provision.

Abdol fatah considers two groups of victims.

1-Special victim that is the actual person and has been damaged,

2-Non-special victim that means victim organization, whether social or body corporate Paul superrich in his book "victim logy says victims are those people that still suffer from the accident symptoms and side effects he uses "remainders "next to victim.

#### Victimization and family violence

What is ignored from the sociologist minds is the state of children who are forgotten when children see the parents struggle accompanied with assaulting and insulting word will have a restful life because he should have family support, while there isn't so they are more probable to become victim.

Violence's intentional using of physical power or threat can be a damage accompanied with probability of wound, mental damage, growth disorder or different deprivation (Hamshahre Newspaper, 2004).

If the family is a pilot of making violence or aggressiveness has absolute role in enhancing the violent behavior (Aezazi, 1997, p, 171).

A new research in Los Angeles and Kalgari showed that were abused sexually in child hood two times more than other are in the risk of mental problems from depression to excitement and they tend to use narcotics more than others they don't

have self confidence are unstable in their intimate relationship (eazazi,1997,p,211).

### **The whys of controlling and modification the aggressive nests**

In past different roles were on the burden of the family they in the passage of time it became pale and some of family duties we assigned to the social sections although some children are witnessing the quarrel between parents we see the creasing number of divorce and separation a big share of children's problems depends on authorities point of view that are in charge of children's problem

In forming people, in forming to crime badness, removing the frustration, making a warm environment, making hobby and job, keeping a way from chaos and not paying attention to ostentation are decreasing factor of aggressiveness

### **UN is table leaning and child abundance**

Suitable targets (valuable and moving goods like VCR)and lack of effective security (protective's like police)according to this theory their daily activity maybe expose them with crime for example if one leave priceless things at home,maybe they are stolen.according to this approach the probability of victimization is an action that relates to criminal motivation and potential lochavior and it seems that this theory opens a reliable way to realize the crime,victimization features and predicting the risk of victimization.

### **Back grounds and conditions of victimization**

Family is one of the most important back grounds of growth of crime and victimization experts,social workers,lawyers and sociologists believe that to make society's member immune and to reduce social damages we should investigate those factors in which they provide some situation that under those situation one can tolerate the crime lack of attention and mercy,family discrimination a lot of children or only child,irresponsible parents,immigration and living place remarriage,living with step mother or father can lead children to be criminal (Ghaemi, 1987,p,75)family relationship can have a big effect on being whether criminal or victim. Iranian family has mercifulness and kindness and if children is derived from family kindness he will go to crime absolutely (Aghabakhsi. 1999) some researchers showed that if a child gets less kindness or too much kindness,they can have abnormalities in their future life (Ghaemi 1987,p,75).

Positive relationship between family and family's religious and national performance and joining to the family,powerful family and easy going family are from important factor that is a predictor of understanding between families and parents (khorasani, 2005).

Populous families aren't in good state economically, the level of life is low and house doesn't have enough security these families don't have a plan and don't pay attention to their families not very much muchness of children provides the conditions and back grounds of perversion and social damage and make them aggressive,confused and bad tempered mentally even because in populous families not enough place can generate competition and jealousy and mal adjustment sexual difference and discrimination make them coupled because the sense of inferiority is a origin of many abnormalities this attitude by families from the parents can generate the back grounds of inferiority,hated and disgusting in their children.

Researches show that parents show their discrimination from the first moments of birth between goal and boy (eazazi,1997,p,195) parents lack of belief and crime beliefs can decrease abnormalities and perversions being familiar with religious beliefs leads to makes some virtues like :selflessness,piety,parity,dignity,helping the people and getting away from non human thoughts like oppression tyranny and lie in a family that couple base their common life on kindness,un for ornately this loving and kindness can't last more oven because off poverty (Hamshahri,2004)poor parent lose their credit and dignity before their children and consequently they can't control the family that makes ethical perversion poverty leads economical disorderness and is followed by cultural poverty side effect of cultural poverty are as follows depression sense of in ferocity,revange and suppression in contrast,conformism has important role In making crime and victimization. Parents are irresponsible to their children.they want to always be happy.

### **Resident place and its effect on emerging crime and victimization**

The appearance of residential house and its place has signify I can't affect on city's crime and victimization families social and cultural environment on one hand and the house place has direct effect with emerging or reducing social perversion.the more environment is full of crime,the more people go to be criminal (keynia,1995,p,277).

### **Residential place**

By choosing the place of residence parents choose the social relatives.if one lives in a place full of crime he will experience some kinds of crime imam Ail (pbuh) says: people similarity to their social environment is move than their similarity to family characters (khorasani,2005).

### **Parents' education level and crime**

The rate of education is one of the important indicators in family environment that parents' education level has important role in decreasing or

increasing crime rate when children learn the necessary trainings, even they over in dangerous environment, they avoid doing it (Ghaemi, 1485.p181).

#### **The relationship of addiction and victimization**

Addiction is when one heeds to do something or use something mentally or physically: addiction may involve all or part of family member.also direct exposing with drugs may put them in addiction.a family in addiction suffers from indifference by both of parents or one of them (Ghaemi,1987,p,26).

Researches show that children from family with addicted father don't get along with their peers their relationship with their parents doesn't adjust with mutual relationship. They regularly abandon education or they have lowering education grades family members' external and social relationship, depends on father actions at home mainly violence dominates on their social behaviors (Agha Bakhshi, 1999).

#### **Investing the effect of family disintegration ad victimization**

Family disintegration influences' on the children growth that maybe because of parents death or divorce when family struggle leads divorce, child loses sense of trust and selflessness and they will have straggle because of conflict that will make crime (Keymin 1995.p.26).

#### **Relationship of people say: and victimization**

Age has effect in type of crime directly or indirectly cares and by this reason commits crime and in teenager hood (12-18) because one exposes mental and physical changes and prepares the background to commit a crime and in young hood (18-25), the time of crisis and changing religious belief.

Can be a factor to commit a crime adulthood starts with physical weakness because the lack of physical power,the crime rate reduces totally speaking teen hood and young hood is the time of emotional separation they want to be a way from their families and learn new and different and new people(Khorasani.2005).

Family as the most important and fundamental social institution is effective in healthy and dignity of family members that have following function: producing service and economical goods determining a social base for children, their education, their religion, generation and strengthen the family social relations.

#### **4. Discussions**

1-Victim logy is a sub branch of criminology and less that one century after birth of criminology and in recent years it came to birth in criminology because of prolonged ignorance about victim,all the researches focused on the crime victim to determine the role of his personality in forming the crime this

was a big change in legal reason –knowing and victimization formed and reached a stage that it is necessary to focus on victim more than ever :DR keynia defines the victim logy as follow :victimization or Against victim Anthropology is new branch of criminology that investigates direct victim of crime so,the knowledge of victim and what relates him/her is the subject of this new science in this know ledge we investigate the personality,bio features,mental,ethical,social and cultural of victim and also his share in forming the crime and his relations with crime.

2- Before the advent of Research school,the penal law formed with the ideas of “Update”fry hand Gabr Dfalv this school believes in a kind of determinism in people's victimization (Sharifi Khezarati –Etelat news paper) in penal law,all the attention were focused on crime,but by the advent of Research school and establishing criminology felon and criminal were in the center of penal studies, but also the role and share of victim in forming the crime was ignored.victim in Iran's penal law was donated by some terms like “Victim against”or ‘plain tiff “and law faculty professors by a deep insight,mainly from the law point of view,analyze the role and position of Victim against but the term victim is a creature of “investigation commission on term related to justice “in 1937.

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4- Hazardous jobs :taxi drivers,polices,...2-criminals –they are victim because of their living style for finding pleasure 3-tifestyle :commuting in dangerous places -4-economical and social conditions :poverty and laying off are two victiconaker factors living in some places called “criminal environments is like that in contrast,wealth also attracts criminal attention.

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6- Family is one of the most important back grounds of growth of crime and victimization experts, social workers,lawyers and sociologists believe that to make society`s member immune and to reduce social damages we should investigate those factors in which they provide some situation that under those situation one can tolerate the crime lack of attention and mercy,family discrimination a lot of children or only child,irresponsible parents, immigration and living place remarriage,living with step mother or father can lead children to be criminal.

7-Age has effect in type of crime directly or indirectly cares and by this reason commits crime and in teenager hood (12-(8) because one exposes mental and physical changes and prepares the background to commit a crime and in young hood (18-25), the time of crisis and changing religious belief.

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