

# Victims' Needs, Well-Being and 'Closure': Is Revenge Therapeutic?

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## Abstract

*Considerable political pressure is currently being brought to impose severe punishments, and it is frequently suggested that these punishments would enhance the well-being of victims and achieve 'closure'. Populist images such as 'victims have a right to revenge' have gained great influence. To what extent would therapeutic professionals have to support victims' needs that are shaped within such punitive contexts? When victims' needs take centre-stage in therapeutic jurisprudence, how does one deal with such emotions as anger and resentment? Would feelings of revenge also have therapeutic value? If so, would defenders of therapeutic justice be compelled to support that 'ideal'? This paper deals with problems related to therapeutic jurisprudence and the victim-oriented 'therapeutization' of restorative justice and asks: is revenge therapeutic? It is concluded that revenge may bring temporary relief, but anger rumination precludes healing.*

## 1. Introduction

Criminal justice practices may be associated with many adverse effects, both for offenders and victims as well as their respective circles of friends and relatives: loss of reputation, feeling one has been deceived, affected integrity, worsened social relationships, the regeneration of hostility through conflicting interpretations of facts, etc. Many initiatives have been undertaken in the past to combat these adverse effects, such as protecting children, rehabilitation, recognition of victim rights, offers of compensation, etc. In this light, thera-

peutic jurisprudence can be viewed as one of the youngest members of this reformist family within the legal system.

The proponents of the therapeutic justice movement stress that there is no real limit on who could benefit from therapeutic applications, so victims too may benefit. It is also necessary to add victims to the application domain, if only to avoid the reproach that only the rehabilitation of offenders is important.

When victims' needs take centre-stage in therapeutic jurisprudence, how does one deal with such emotions as anger and resentment, which are ascribed healing functions? Would feelings of revenge also have therapeutic value? If so, would defenders of therapeutic justice be compelled to support that 'ideal'? Considerable political pressure is currently being brought to impose severe punishments, and it is frequently suggested that these punishments would enhance the wellbeing of victims and achieve 'closure.' Populist images, such as 'victims have a right to revenge' have gained great influence. To what extent would therapeutic professionals have to support victims' needs that are shaped within such punitive contexts?

In this paper I deal first with some problems related to therapeutic jurisprudence. In which respects do therapeutic aims fit in with criminal justice? Is it easier to align these aims with mediation and restorative justice? At the same time some critical remarks are made about the victim-oriented 'therapeutization' of restorative justice. Subsequent sections discuss the relationship between victims' needs and revenge. It is stressed, first, that revenge embraces ambivalent meanings. Although avengers are lauded in the popular imagination, feelings of revenge are still viewed as ethically unacceptable. In recent decades, however, a penal populism has been gaining ground as a result of which revenge was stripped of its pejorative associations. In a punitive climate it is believed that victims would demand harsher penalties and that such penalties would promote closure and peace. The final sections deal with the core question: is revenge therapeutic? Some social psychological research findings on revenge motives and revenge satisfaction are presented. It is also explained that revenge is partly a personality trait; vengeful victims rapidly attribute blame to others and are not really willing to judge offenders with charity. It is concluded that revenge may bring temporary relief, but anger rumination precludes healing.

## 2. Therapeutic Jurisprudence: Some Critical Remarks

'Therapeutic jurisprudence' is defined as 'the study of the role of the law as a therapeutic agent' (Wexler & Winick, 1996: xvii). The study concerns

'the extent to which a legal rule or practice promotes the psychological or physical well being of the people it affects'. Legal rules, procedures, and actors are seen as 'social forces that, whether intended or not, often produce therapeutic or anti-therapeutic consequences' (see also Wemmers & Cyr, 2005). Therapeutic jurisprudence also has higher ambitions, though: it suggests that 'legal professionals examine and adjust the roles they play so that they serve clients in a manner that is "therapeutically beneficial."' According to Wexler and Winick, therapeutic jurisprudence wants to 'ascertain whether the law's anti-therapeutic effects can be reduced, while enhancing its therapeutic effects, without subordinating due process and other justice values' (Wexler & Winick, 1996). Although therapeutic jurisprudence had its origin in the field of mental health law and focuses chiefly on offenders, they stress that the approach is equally relevant to crime victims (see also Wemmers & Cyr, 2005).

Therapeutic jurisprudence relies on the law as a therapeutic agent, promoting the interests of all parties, but it is difficult to see how law practices can function therapeutically. Many critics stress that existing legal systems are inherently anti-therapeutic (Arrigo, 2004; Roderick & Krumholz, 2006). In criminal justice practices concerns about the furtherance of well-being are de-emphasized and ignored, although recent years have seen more concern for wellbeing in the sense of treating the participants with respect and giving them an opportunity to tell their story (the principles of procedural justice). These 'voice'-opportunities are generally minimal and not geared to letting the parties participate in solutions, in contrast to mediation.

Therapeutic jurisprudence thus finds no application in situations where judges function as fact-finders in evidentiary hearings. Of course, possible therapeutic impacts might be relevant when determining which types of treatment for offenders may be fruitful, but in my view the concept is still controversial when associated with statements to the effect that the law and legal procedures should stimulate healing per se. The whole idea of retributive justice, one of the chief pillars of criminal justice practices, seems to be irreconcilable with this approach. In my view, the criminal justice procedure should be organized primarily so that respect and recognition are guaranteed; any effects that are helpful to the wellbeing of the participants are only derivative.

The meaning of the statement that 'fair procedures are therapeutic' is that fair treatment may help victims to recover from their victimization. Although these effects certainly do occur, fair treatment is not intended to heal; rather, it aims to guarantee the dignity and respect of the participants. It is this quality of fair treatment that is decisive, not such instrumental benefits as recovery or regaining self-esteem.

'Therapeutic jurisprudence' suggests that formal reactions to crime should ideally comply with therapeutic victims' needs. In this way criminal justice procedures—as well as mediation and restorative justice conferences—seem to be charged with new tasks, such as pursuing lower scores on post-traumatic stress symptoms. Besides the classic aim that the criminal procedure should prevent secondary victimization, it is seductive to add a new aim: the procedure should serve to lessen the psychological consequences of primary victimization (Daems, 2007).

Introducing 'therapeutic discourses' into the criminal procedure (or into mediation in penal matters) may be risky when concepts such as 'healing,' 'personal growth,' 'closure' and 'reconciliation' gain the upper hand and start to outstrip discussions on the crime and its aftermath. I think that giving victims the opportunity to express their views has a proper and independent meaning, unconnected with therapeutic aims. The 'victim's voice' would seem to be decisive when it is constitutive to regaining trust and self-respect as a citizen, someone who deserves to be treated worthily, having equal rights, and who is owed a public censure of the unlawful behavior of the offender.

We should distinguish carefully between the question of what victims need and the question of what the legal system ought to provide. Judges are obliged to reach a fixed, categorical judgment; they are obliged to weigh a host of other factors against the victim's needs, including the rights of the defendant (Bardes, 2001). Moreover, the law has obligations to the public at large, which places constraints on how flexible the legal system can be in its attempt to pursue therapeutic goals. The closure that a legal system demands—which incorporates notions of fairness and due process—may not be linked with the therapeutic closure that victims seek. This closure can probably be far better provided by psychological, social and religious support systems.<sup>1</sup>

Therapeutic aims also seem to be incompatible with such core values of restorative justice as active participation and reciprocal communication. The primary aim of mediation is to offer a safe dialogue wherein the participants can express their personal experiences of the conflict. Both restorative justice and victim support/healing have their own goals and working methods. Of course, victim-offender dialogues can have unintended positive psychological effects. These dialogues can be transformative, because victims learn that the crime did not occur because of something they did (Strang, Sherman et al., 2006). Unexpected therapeutic effects constitute a 'bonus'. If one were to ex-

pect therapeutic effects, unnecessary extra pressure would come to bear on all participants. The mediator, however, would not have to accept a burden of proof to stimulate 'healing'. Besides that, in moral terms the victim-offender dialogue is not primarily a case of coping with suffering, but rather of accepting responsibility. For the victim this means telling his/her story, pursuing integrity and regaining control (Van Stokkom, 2008).

It is important to keep these two logics apart; the more so because there is considerable pressure to embrace therapeutic language in restorative justice (Richards, 2005). We are facing a new generation of evaluation research in which the measurement of positive victim effects has gained a prominent place. Many new terms are introduced in this research: healing, closure, emotional restoration, reducing the sense of alienation. A 'therapeutic logic' seems to dominate research issues. To give but one example, Lawrence Sherman and Heather Strang formulate the aims of the Jerry Lee Program on Restorative Justice in the following way: 'to learn whether a kind of justice can change people's lives for the better, with long-term effects'. This program focuses on many victim effects. The first research question addressed is: 'Can it [restorative justice] cure the post-traumatic stress symptoms and improve health of crime victims?' More and more evaluation research is coming to focus on the psychological needs of victims, aiming to measure positive 'victim effects' of restorative interventions (Strang, 2002; Strang, Sherman et al., 2006; Wemmers & Gyn, 2005).

This focus on 'victim effects' may have some strategic advantages for a reform movement such as restorative justice because it may increase its social and political appeal in a victim-sensitive context and, in addition, it may lead to larger numbers of victims willing to participate in restorative programs (Daems, 2007). Yet the particular focus on 'therapeutic effects' may have adverse consequences. For instance, one might be seduced into promoting strategies to enhance positive outcomes, for instance by encouraging offenders to offer an apology or, conversely, encouraging victims to take the offenders' handicaps into account. This could easily undermine the victim's dignity.

This, of course, is not to say that therapy and the fount of its knowledge, positive psychology, are irrelevant. On the contrary, positive psychology is very helpful in understanding such victim motivations as recognition, self-respect, revenge and forgiveness. This will become clear when we try to answer the questions in the next sections. Positive psychology also gives more insight into reasons why helpful or harmful effects may occur during criminal procedures and mediation (Remberton et al., 2007).

In the following sections I want to deal with the problem that positive concepts like 'healing' and 'closure' are made to depend on the satisfaction of neg-

1. In terms of Pemberton et al. 2007: the law-related aspects of victimology are more fundamental than the psychology related aspects.

active emotions like revenge. The question is whether vindictive and punitive feelings are appropriate tools for achieving well-being.

### 3. Ambivalent Views on Revenge

In Western cultures people are ambivalent about revenge: although we may feel that taking revenge is justified under certain circumstances, we also often find it petty and unethical. Revenge has been discredited as crazed, uncontrolled, subjective, and missing any rule of limitation. Western legal systems have sought to weed out and silence revenge in the search for more rational forms of justice. In literature and the cinema, though, we celebrate as heroes those who do not allow themselves to be walked over when harm is done to them. We even consider them more heroic according to the degree to which they are less mindful of the risks they incur in doing so (French, 2001). People delight in revenge fantasies and the revenge theme has a powerful appeal in mass entertainment. While few people will admit they approve of revenge, they clearly enjoy watching and hearing revenge stories. Nevertheless, in public we pretend that justice and vengeance have nothing to do with each other.

In fact, revenge and retribution do share many social and psychological mechanisms. Retributive punishment might be called 'cold' and vengeance 'warm' (French, 2001). Nevertheless, there are important differences (Nozick, 1981: 366–68). Retribution is committed to general principles and sets internal limits on the amount of punishment. The agent of retribution does not have a special or personal tie to the victim of the wrong. On the other hand, revenge is personal and depends on how one feels at the time about meeting out appropriate injuries. Moreover, revenge involves pleasure in the suffering of another, while retribution involves no emotional tone, or involves only the pleasure attached to justice being done. Therefore, someone who pursues revenge will often want to experience the infliction of suffering.<sup>2</sup>

Many consider revenge the opposite of justice: the antithesis of detached, impersonal, proportionate and rule-bound. But according to the philosopher Solomon there is an irreducible connection between the emotional dimensions of revenge and punishment (1990: 40–41): '... to seek vengeance for a grievous wrong, to revenge oneself against evil: that seems to lie at the very foundation of our sense of justice, indeed, at the heart of ourselves, our dignity

and our sense of right and wrong ... Vengeance is the "undoing of evil", "getting even" for wrong.' The victim's desire for revenge should be respected and acknowledged (see also Murphy, 2003). Vengeance may be primitive, but it is still the conceptual core of justice. We have an almost instinctive sense that we should not be violated, and when we are violated we naturally feel a desire to 'get even'. It seems that revenge does indeed have some morally worthy effects. Victims stand up and assert power; they act out anger and demonstrate their own conviction of self-respect.

Nevertheless, most people regard vengefulness as neither attractive nor sympathetic. The mere mention of the word 'vengeance' is still capable of frightening most people. Philosopher Trudy Govier says: 'One reason for doubts about the merits of revenge is that people often become obsessed with thoughts of revenge and may bring great harm to themselves and others in their quest for it. Another is that campaigns for revenge often escalate' (Govier, 2002: 8). Revenge behavior is indeed poorly modulated and can easily lapse into excessive mutual retaliation, partly due to such things as an exaggerated evaluation of the self and the harm done to that self (Newberg et al., 2000). Thus, avengers may make mistakes about the identity and motives of perceived offenders, direct their anger at innocent third parties, or fail to understand injuries to themselves in context. Individual acts of revenge may encourage others to imitate that behavior. Revenge often escalates conflicts and damages relationships (Tripp & Bies, 1997).

Is there anything wrong with the desire for revenge as such, considered apart from its consequences? According to philosopher Trudy Govier revenge is morally objectionable because it consists of a deliberate effort to damage and diminish another person. The offender is made to suffer in order that the victim may take satisfaction in that result. Using the suffering of others to satisfy oneself means that wrongdoers are treated as a means only, failing to respect their human worth and dignity. The argument in favor of restoring a kind of moral balance cannot change that: the victim puts herself on the same level as the offender, making him an instrument for her own satisfaction. Govier concludes that since morality is based on obligations to respect other persons and to limit human suffering, the quest for revenge is fundamentally immoral. What is wrong with revenge is that 'to act as agents of revenge, we have to indulge and cultivate something evil in ourselves' (Govier, 2002: 12). Respectable persons should not feel joy in the fact that we have caused another person to suffer.

In spite of this ethical interpretation, Govier and many other philosophers acknowledge that feelings of revenge cannot be eliminated from human behavior. No matter how upsetting, they are a vital part of our emotional life. The

2. For a critique, see Zaibert 2004 (arguing that retribution and revenge are not at all easy to distinguish; both the avenger and the retributive punisher feel indignation and outrage).

harm caused by those who break basic rules arouses moral indignation, anger and revenge. It is for that reason that the expression of punitive symbols<sup>2</sup> is so important in serious criminal justice cases: the condemnation of offenders is needed to tone down public rage. Censuring redirects destructive emotions in possibly morally acceptable and social constructive ways (Van Stokkom, 2007). Moreover, the task of retributive justice is to 'name' vengeance and canalize vengeful desires in a legal framework of just desserts and proportionality. In the words of Susan Jacoby (1983: 152), retribution may serve as the domestication of the otherwise unbridled lust for revenge. Thus, the public's passion for vengeance is an extraordinarily powerful force and it often plays a major role in severe criminal cases. Durkheim (1984) suggested that this passion is 'the soul of punishment and remains the primary motivation underlying penal practices.

Nowadays, there seems to be considerable political and cultural pressure to reassess the revenge feelings of victims. So much so that one may question whether revenge has acquired too much credit in modern society.

#### 4. The Re-Evaluation of Revenge: Victim-Centered Discourse and Penal Populism

In a classic study on vengeance published in 1983, Susan Jacoby could still claim that revenge has been made a taboo in Western culture. 'We prefer to avert our eyes from those who persist reminding us of the wrongs they have suffered [...] Such people are disturbers of the peace; we wish they would take their memories away to church, a cemetery, psychotherapist's office ...' (Jacoby, 1983: 2-3). Nowadays the revenge taboo has been considerably weakened. Since the 'nineties there have been several noteworthy efforts to rehabilitate vengeance by stripping it of its usual pejorative connotations. We are witnessing a striking revival of revenge feelings, not only in masculine mass amusement products and sports, but also in political oratory, corporate takeovers and the legal professions. Anger, rancor and vindictiveness seem to have been awakened from their dormant state, they are praised and—like any other emotion—commercially exploited.

Victims are no longer strangers, anonymous, without a face. In newspaper and television reports their voice is heard louder than ever. In a 'world of lies' victim stories seem to represent the truth. In line with 'therapeutization' trends, all troubled feelings should be expressed, silence is suspect. Victims are often presented as martyred and avenging angels; they are not people so much as

banners to galvanize public retribution (Meyer, 2005). Public support for penalties is sought in their name. Many populist politicians, lawyers and victim supporters claim that—in case of serious offences—one function of punishment is to offer psychological redress. Punishment should help victims to cope with their injuries. Many crime fighters and victim advocates argue that only tough penalties will show victims that they are being taken seriously by the criminal justice system (Elias, 1996). The failure to sentence a particular offender to a long prison term is often experienced as a devaluation of the worth of the victim's life and an infliction of pain on the victim's family.

A victim-centered discourse that refers to the public's preferred images of 'harmless' victims (hiding 'ugly' victims like drug runners or prostitutes) may have considerable social costs: it takes the focus off blameworthiness and individuation of the offender, and centers on the victim's troubles and painful emotions (Kanwar, 2004). Invited to talk about horrible sufferings, victims and the public may mobilize rage feelings and powerful punitive desires. They may work themselves into disappointment when offenders turn out to be humane and victimized themselves. 'Emotional conviction' is often the only weapon victims have available to fight back, but this engenders a reluctance to engage with them in debate and it can be a serious impediment to moderating victims' demands (Strang, 2002: 31). Putting their misery into perspective or offering objections often arouses severe indignation and any departure from the harshest penalty may be taken as a personal insult.

In the United States this tendency seems to be more manifest than in Europe. In the early 'nineties many victim groups—and the media—began to embrace the therapeutic discourse of 'closure' and 'healing.' 'Closure' has become the buzzword of the victims' rights movement and has even become an independent justification for harsh penalties. Groups such as Mothers Against Drunk Driving (MADD) show a missionary zeal for severe punishments. Since the 'nineties the opinion that harsh punishment does help victims find closure has come to play a dominant role in the discussion on capital punishment. The death penalty is regarded as a policy intended to serve the interests of the victims and those who love them, 'an undertaking to serve the needs of individual citizens for justice and psychological healing' (Zimring, 2003: 49). According to Franklin Zimring, the symbolism of 'closure' transforms the horrifying process of execution into a victim-service program. It gives the execution of a human being a positive impact with which many citizens can identify. 'It is assumed that there is a "zero-sum" relationship between the welfare of the victim's relative and that of the offender: the greater the suffering to be inflicted on the offender, the better the victim's loved ones should feel' (Zimring, 2003: 55).

Judith Kay points out that since the 1980s the public in the United States has come to believe that capital punishment is performed as a sort of therapy for survivors. Dominant scripts like 'revenge is natural,' 'the more he loved the deceased, the angrier he should be,' and 'a harsh punishment will make him feel better' are taken as truths, not presuppositions or delusions. 'These misunderstandings set up expectations, such as that 'people should feel vengeful' and 'relatives who oppose the death penalty, do not love the deceased' (Kay, 2007: 242).

On the other hand, many parents and relatives of murdered victims feel troubled by the rhetoric of revenge. They believe that capital punishment is not going to bring peace of mind. Many victims' families claim that the death penalty actually prolongs their grief and speak out against what many have dubbed 'the closure myth.' They assert that the anticlimax involved in an execution only adds to their pain, preventing them from moving forward with their lives.

Many researchers stress that 'revenge policies' do victims a disservice. Elias (1996: 22) comments: 'Despite the enormous pressures encouraging victims to "want" revenge, it is remarkable that many victims, nevertheless, do not seek revenge in practice, and are far less punitive than we might imagine.' Indeed, many research findings point out that the experience of victimization does not automatically increase support for punitive answers. Intuitive beliefs that victims are most likely to seek retributive or harsh consequences for offenders, are obviously inaccurate (Maruna & King, 2004). This is noteworthy since hard-line criminal justice policies are often justified with the claim that victims are the main proponents of a 'tougher' approach to sentencing.

In a recent study Vanessa Barker concludes that victims and victim advocacy have not been inevitable or uniform sources of punitiveness. Some victim movements have led to retributive approaches to crime, while others have led to more restorative approaches to victimization. The Californian movement to pass Proposition 8 (limiting the rights and liberties of defendants) encouraged a zero-sum logic in which the worthiness of victims and the victimized public is counterpoised against dehumanized criminal offenders. In this populist context, victims' rights were equated with offender-sanctioning. However, the Washington case study suggests that the link between victims and vengeance is much looser and much more variable than might be expected (Barker, 2007: 654).

Many victims do indeed seem to want revenge, but revenge certainly is not the only response of people who have been victimized. Many victims prefer to deal with their experience and move on; joining a punitive single-issue organization does not strike them as a particularly productive way to do so. Ap-

parently, victims are not a monolithic group with similar preferences and needs.<sup>3</sup> Victims' responses about how to achieve closure and deal with grief vary widely.

Nevertheless, in a populist era, punishment has become more or less a victim service gesture. The government is frequently the servant of public desires. Moreover, it is assumed—see the zero-sum relationship that Zimring mentioned—that the well-being of the victim depends on inflicting pain on the offender. In sum, revenge feelings would have therapeutic benefits.

## 5. Is Revenge Helpful (Therapeutic)?

Do revenge feelings give psychological satisfaction? Does a vengeful act augment self-esteem? Let me first discuss some moral functions of revenge. Retaliation represents a form of self-defense, seen as necessary to preserve one's image and honor. It serves to restore the victim's self-image. 'The failure to respond to a perceived injustice can actually further diminish the victim, both in his or her own eyes, as the eyes of others' (Miller, 2001). In a similar way Trudy Govier (2002) defines revenge as a way to reassert ourselves, to attempt to get relief from the hurt and humiliation of being wronged. It is a desire to 'get even' and seek (anticipatory) satisfaction in attempting to harm the transgressor or offender. We expect to feel better if we can somehow express our negative feelings in actions intended to 'get back' at those who harmed us.

Three moral goals are often mentioned that may potentially underlie revenge motivations (Tripp and Bies, 1997; Orth, 2004; Miller, 2001; McCullough et al., 2001). First, revenge is the desire to 'get even,' or 'balance the scales.' Revenge is intended to re-equilibrate gains and losses caused by the assault, or to re-equilibrate power. It is linked to the norm of reciprocity expressed by the *lex talionis*. Thus, in the eyes of the vengeful person vengeance might be understood as truly moral. Second, revenge is intended to restore the victim's self-esteem; through revenge one can present oneself as a strong person who does not tolerate unjust treatment by others. Revenge is 'saving face': an attempt to change the belief of the offender and others that the victim is not worthy of better treatment. Third, revenge can have an educative

3. As it is often stressed, the connection between impact of crime and needs is problematic. 'Those suffering the worst harm or loss do not necessarily have correspondingly high needs. They may enjoy a supportive environment, be innately resilient, or otherwise able to overcome the effects of victimization. Victims suffering objectively less serious crimes may require greater support if they are vulnerable or isolated.' (Zedner 431)

mission: the desire to teach the offender a lesson. Vengeance in this way is moral instruction, designed to convince the offender that his behavior will not be tolerated or go unpunished. This preventive motivation may also have a purely instrumental aim: deterrence.

In a therapeutic context, the second motivation is important. Is the victim regaining status or gaining relief by an action intended to harm the offender? The view of the psychologist Nico Frijda (1994) is of special interest because one of his explanations would meet the zero-sum expectations within the logic of penal populism (put simply: 'his suffering is my healing'). According to Frijda the major social functions of vengeance are 'power equalization' and 'deterrence' (1994: 270). Restoration of the balance of power may also strengthen self-worth. Besides these (more or less) social functions Frijda also distinguishes an important personal function, which he calls 'the restoration of the balance of suffering.' This means that hurting someone who has hurt us could diminish our own suffering. If this is true, revenge would indeed have therapeutic value. What reasons does Frijda offer to substantiate these suppositions? One explanation is that emotions operate according to an 'additive theory of affect' which states that pleasure and pain can be added to and subtracted from one another. 'If the pain inflicted on a wrongdoer may be subtracted from the pain he has caused me and if the two are commensurate, then indeed a restoration of the balance of suffering might be achieved' (quoted in Crombag, 2003: 334). Frijda is not satisfied with this interpretation, which is no more than a metaphor for Justice's scales. His alternative explanation is his Law of Comparative Feeling. Our feelings, he states, 'depend on how one's fortunes or misfortunes compare with one's fortunes or misfortunes at earlier times, or with those that were possible, or those of others' (Frijda, 1994: 274). It is the contrast between happiness and sorrow that matters: he is happy and I am suffering. This contrast is what vengeance is meant to remedy.

Are these suppositions convincing? There has not as yet been much empirical research into what moves people to take revenge and how they experience it. I shall discuss some research findings, especially those of Hans Crombag, a Dutch legal psychologist who has examined Frijda's theory. Crombag criticizes his alternative theory of balancing the suffering: it has implications that are at least counterintuitive, if not counterfactual. One of the suppositions is that our happiness must increase as the number of unhappy people surrounding us rises. That is obviously not the case: the opposite is more likely. Moreover, Frijda's theory does not explain why in taking revenge our target is almost exclusively the person who has hurt us and not somebody else whose suffering might equally serve as a contrast to our relative happiness.

Nevertheless, does the infliction of harm on someone who has hurt us diminish our own suffering? Let us concentrate on Crombag's findings. In his study,

a large group of respondents (students) were asked to think of a particular recent incident that made them feel vengeful, and to report whether they had acted on it or not, what their purpose had been in doing so, and how they felt afterwards. First it turned out that most respondents who have suffered from injustice do not actually retaliate, but restrict themselves to brooding about it, eventually to find a relatively peaceful way of dealing with it. The major reasons that elicited revenge feelings include 'false accusations' and 'violation of trust'.<sup>4</sup> Of the respondents who actually had acted to get even (do the same in return; end relationship; tell the truth loud and clear; etc.), 74 percent recalled that their action appeared to have served a purpose in that they had felt good about it.

When asked about their reason for taking revenge, the most common answer (54%) was: 'I wanted to make it clear to the perpetrator that I will not allow anybody to walk over me' (Crombag, 2003: 340). This answer comes close to the 'equalization of power' motive mentioned by Frijda. The second most frequent answer for taking revenge turned out to be the wish to restore the damaged feeling of self-worth (16%). Only few respondents chose the motives 'deterrence' (10%) and 'restoration of the balance of suffering' (11%) (inflicting an equal amount of pain; expectation that taking revenge would ease pain). These results do not bear out Frijda's supposition that restoration of the balance of suffering is an important motive for taking revenge, either in the form of the 'additive theory of affect' or in the form of his 'law of comparative suffering'.

When the two groups of respondents—those who did retaliate and those who did not—were asked whether the urge for revenge had since subsided, it turned out there was no significant difference in residual feelings of revenge. In both groups about two-thirds of the respondents indicated that their urge for revenge had entirely or at least partially subsided' (Crombag, 2003: 341). These data are surprising because earlier it turned out that 74% of those who had actually taken revenge indicated remembering that afterwards they felt satisfied or even triumphant. Crombag concludes that those satisfying feelings must have been very temporary, and that they do not appear to have contributed to peace of mind in the long run. In sum, actually taking revenge may give some instantaneous satisfaction, but in the end may not significantly speed up the process of leaving vindictive feelings behind.

4. These findings are also reported in Bies and Tripp (1996); most respondents do not appear to have retaliated, restricting themselves to brooding and revenge fantasies. In this research, too, the most frequent answer to the question why respondents decided to take revenge is 'violations of trust.'

In case of minor incidents—Crombag's young respondents generally reflected on everyday incidents—the passage of time appears to heal many wounds. But in case of grave intrusions, vindictive feelings do not wither easily. Many researchers point out that the motivations for seeking revenge frequently result from ruminative thinking about the injustice done to us and about possible ways to get even, although some acts of vengeance might be spontaneous and impulsive (McCullough et al., 2001). Rumination maintains or increases angry moods. Orth and colleagues (2006) found that feelings of revenge are significantly linked to post-traumatic stress reactions in crime victims. It is not the retaliation motive implied in feelings of revenge that explains this connection, though; most likely it is the ruminative nature of feelings of revenge. The authors conclude that revenge must presumably be regarded as a maladaptive coping reaction to experienced injustice, but not in the first period after victimization. This confirms Crombag's findings. In another study Orth (2004) found that punishment does satisfy feelings of revenge among victims of violent crimes, but only partially, and moreover only temporarily, and that in the long run feelings of revenge are not influenced by severity of punishment. Length of time since victimization (in Orth's study: four years) had no influence on the intensity of feelings of revenge. In this study anger rumination is again considered to be the crucial factor.

Ideally one may reason that punishing an offender eliminates the imbalance: justice is served. It is supposed that the victim should feel a sense of justice and then let go of the negative emotions (Tripp et al., 2007). As long as rumination continues, though, offering justice—the infliction of pain—is not enough. Besides, persons preoccupied by ruminative revenge feelings do not seem to be susceptible to mitigating factors (such as convincing excuses, sincere apologies or compensation) (for these factors see Miller, 2001).

## 6. Revenge as a Personal Disposition

Many psychologists stress that vengeance is a personal disposition (McCullough et al., 2001; Worthington, 2006). Some people might simply be more vengeful than others and thus less likely to be sympathetic, lenient or forgiving in the aftermath of transgressions. As stated, the motivations for seeking revenge frequently result from ruminative thinking about the offence, although some acts of vengeance might be spontaneous and impulsive. The irony of vengeance is that rumination may actually perpetuate the emotional distress that vengeance is intended to dissipate.

Indeed, McCullough and his colleagues (2001) found that some people are more amenable to 'anger rumination' and also maintain their motivation to

seek revenge over time. They also tend to experience greater levels of negative affect and lower levels of life satisfaction. When victims have a strong desire to 'save face' they are more likely to seek revenge and respond in angry ways. Rather than proceeding with their own life and projects, and enjoying relationships for their own sake, they concentrate their energies on past grievances, rage, hatred of the offender, and destructive plots. These findings are not new. Psychoanalysts distinguish non-psychotic elaborations of mourning, in which the pain of mourning can be endured with the confidence that it can eventually be overcome, from psychotic elaborations of mourning which are based on the projection of blame onto the enemy. If victims avoid mourning over loss or humiliation and if they do not acknowledge their potential destructiveness, they are tempted to displace it by engaging in hostility (Mitscherlich & Mitscherlich, 1967). Victims who project blame often deal with unacknowledged feelings of guilt or shame (Scheff, 1994).

Nevertheless, McCullough says, it is possible that 'vengeful people' do maintain their desire for revenge rather out of principled moral reasoning that convinces them that seeking revenge is a morally justifiable response to having been injured (2001: 609). Victims who are more oriented toward concerns for justice (e.g., rules, fairness) than relational concerns (e.g., harmony, empathy, mercy) are likely to resist expressions of forgiveness if they are not satisfied that justice has been served (Exline & Baumeister, 2000; Pemberton et al., 2007). If justice standards are retributive ('guilty persons deserve to suffer'), forgiveness and other empathic options (pardon, mercy) are generally obstructed. Pardoning an offender's debt (forgiveness) and judging offenders with (some) charity often imply a willingness to bypass immediate self-interest and loosen justice-oriented rules in favor of mercy. In other words: when victims rely on standards of justice that dictate a reciprocity-based approach (be it retributive or restitutorial), they tend to be reluctant to release a perpetrator without demanding punishment or repayment. In this context expressions of forgiveness might even be viewed as morally defective.

In an overview, Yidmar (2000: 24–26) also mentions that there is some evidence that a greater commitment to rules and obligations causes greater punitive responses to offenders. The same is true for persons scoring high on measures of authoritarianism. These 'high authoritarians' tend to view offenders as personally responsible for their actions, whereas low authoritarians stress environmental factors as a cause of criminal behavior (Yidmar, 2000; see also Gaubatz, 1995). They are more likely to perceive minor infractions as intentional and deliberate actions (attributing blame). People who easily blame offenders, even if they themselves partially initiated the sequence of events, are more likely to contemplate revenge and to enact revenge behaviors (Brad-

field & Aquino, 1999; Stuckless & Goranson, 1992; Hennessy & Wiesenenthal, 2005).<sup>5</sup> A host of research shows that individuals with 'high trait hostility' display biased social information processing (i.e., over-attribute a bad character to offenders) and are more likely to respond with aggression.

Thus it is seems important to help 'vengeful persons' to re-examine the accuracy of their attributions. If possible they should take notice of the context and details of the criminal act, including the motives of the perpetrator. However, it seems senseless to appeal directly to the moral standards of forgiveness and mercy. In order to challenge revenge justifications it might be more fruitful to appeal to the register of desert and reciprocity-related moral feelings: encouraging reflections about one's own real or potential culpability, and remissions after one's own transgressions (Berry et al., 2005).

## 7. Conclusions

The research findings discussed in this paper show that the major motives for revenge feelings are related to equalizing power and restoring self-respect ('telling the opponent the truth'; 'not letting oneself be walked over'). The expectation that revenge would ease pain ('balancing the suffering') plays only a marginal role in the views of Crombag's respondents. Punishment or other forms of 'dragging down' the offender may provide temporary satisfaction or relief, but punishment does not seem to change victims' long-term ability to deal with loss. These findings lead to two paradoxical conclusions. First, the victims' feelings of revenge should be considered as a comprehensible emotional reaction to the injustice suffered. In terms of coping with pain and developing nuanced judgments, victims must have experienced feelings of infuriation. Denial of these feelings may even initiate a process of anger-rumination. Second, when long-term rumination is concerned, it is plausible to view revenge as irrational: by brooding and impatiently waiting for our chance, we deprive ourselves of more rewarding and productive activities (Elster, 1990).

In a way victims of crime do have a 'natural' right to be enraged (Van Dijk, 2006). They want to express their anger and draw attention to the consequences of the crime. Withholding them these opportunities is experienced as an in-

fringement of their sense of justice, and even as additional punishment (Shapland et al., 1985; Pemberton, 2005). For these reasons, the criminal justice system should take the 'victim's voice' seriously and try to absorb it in its proceedings. Some reformers plead for a full right for victims to state their view, including tough opinions about the harm the offender caused and putting the blame on him (Van Dijk, 2008: 162–65). If this were to be allowed right at the end of the proceedings it would not interfere with the determination of punishment. Victims should also have the opportunity to obtain financial redress. According to Orth (2004), financial compensation for damages and suffering might have a greater mitigating impact on feelings of revenge than punishment.

Outside court we might encourage restorative justice conferences, which can be interpreted as a 'communicative form of revenge,' although victims are not allowed to articulate their case in violent ways and must be open towards the offender (Kool, 2005). We might even reinstate the 'civilized confrontation' in everyday life, in which citizens tell each other the truth, loud and clear. Too often unarticulated conflicts survive and the parties are tied down to rancorous feelings. To be sure, these 'vengeful acts' need modeling as well: ideally they should be proportional, subsidiary and directed at conflict resolution. Acting promptly and foregoing violence are other important conditions (Denkers, 2000).

One may wonder whether these disciplined acts of confrontation might be called 'vengeful.' The conditions mentioned illustrate that revenge is rather problematic from a moral perspective. Vengeful actions are typically more severe than the precipitating action in an attempt to exert power and control over the perceived violator and to produce an explicit conclusion to the dispute (Stuckless & Goranson, 1992; Elster, 1990). It may be concluded that revenge is not so much linked with justice, but is more connected with reclaiming honor and prestige, and exerting superiority (Meyer, 2005).

Not all victims' needs are legitimate or deserve support. As stated, some types of victims tend to maintain and even cherish anger rumination. For that reason the following statement from Winick merits a degree of criticism: 'the thrust of much of the existing therapeutic jurisprudence work is that the individual's own views concerning his or her health and how best to achieve it should generally be honored' (cited in Arrigo, 2004: 25). Of course, paternalism should be eschewed if possible, but, for instance, it would be unacceptable to support victims in their belief that harsh penalties would contribute to their healing.

The populist plea that harsh punishments would lead to closure is a fantasy. Obviously most victims have revenge feelings, but they do not think that

5. Studies that have developed a Vengeance Scale (Stuckless and Goranson 1992; Vidmar 2000; Hennessy and Wiesenenthal 2005) indicate that women consistently score lower than men. These studies also show that vengeance is a motivational factor that is implicated in a wide variety of antisocial and illicit acts including theft, vandalism, assault and rape.

the infliction of suffering might help them. They want justice to be done. Maybe we should keep in mind the words of Nietzsche in *The Gay Science*: let's not make ourselves uglier than we are, by punishing others and subsequently feeling disappointed. It is a tragedy that punishment cannot chase away the feelings of hate, bitterness, pain or grief.

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