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RUSSIAN CRIMINAL CORPORATE VICTIMOLOGY: NOTION, SUBJECT, PROSPECTS

The article grounds the necessity to elaborate the modern field of victimology – the Russian criminal corporate victimology, gives its criminological definition, describes the basic structural elements of the suggested scientific field, and marks the prospective directions of its development in the nearest future.

Key words: victimology; victim; juridical person; victimity; victimological prevention; victimological rehabilitation.

Victimology as an interdisciplinary science about the victim of crime and criminality is a comparatively new field of science. According to specialists, it acquired the status of a relatively independent field of criminological knowledge [1, p. 67], connected with criminological theory of criminal behavior causes in a society, not earlier than the 40s of the 20th c. [2, p. 243–247].

Since that time the world victimology has significantly broadened the limits of its subject filed and now is actively forming as an independent complex scientific discipline outside criminology [3, p. 114–115]. In contrast to international trends, the modern post-Soviet, including Russian, victimology pays more attention to the victim of crimes and authority abuse, and less – to the victims of other natural and social phenomena and processes, which is why it is deservedly called the criminal victimology [4], or more seldom the criminological victimology [5, p. 154–165].

The active growth of criminality in Russia in the end of the 20th c influenced both the activization of criminological research and recognition of the criminal victimology as an independent criminological theory, and later – the branch of criminological knowledge [6, p. 19].

The modern Russian criminal victimology, being a branch of criminological knowledge, acquiring, storing and processing scientific data about a victim, keeps suggesting the directions of its further development to the researchers. At present we can mark the following actively developing particular criminological-victimological theories: victimology of violent crime; victimology of military crime; victimology of terrorism; victimology of economic crime; penitentiary victimology; juvenile victimology; reckless victimology; victimology of organized crime;

corruption victimology; criminal political victimology, etc. [7, p. 13–16]. The listed directions of victimology development are classified by criminological approach to the object of criminal-legal protection. However, the reference to the legal status of a victim, stipulated in Article 42 of the Russian Criminal-procedural Code, allows to additionally classify the crime victims into two subgroups. The object of research in the first group is a person as a crime (criminality) victim; the object of the second group is juridical persons which became victims of crime, criminal activity or power abuse.

Initially, when studying the crime victims, the Russian victimology turned to researching the physical persons: acquiring anthropological data about the victim and interpreting them, it has actually turned the modern victimology into the criminal victimological anthropology – a scientific field studying physical persons (individuals) and their communities as victims of crime and power abuse..

The second victimological direction is no less important but is far less studied – mainly because the Russian legislators for many years did not admit the status of aggrieved parties of juridical persons. Due to that this branch of the modern Russian criminological victimology is formed very slowly and, as a rule, is limited to the statement of the fact that various kinds of injury are caused not only to physical, but also to juridical persons. Taking into account the specificity of the victims, we have termed this branch of the Russian criminological victimology as criminal corporate victimology – the science of juridical persons which became victims of crimes or power abuse [8, p. 30].

The term «corporate», in our opinion, is appropriate and justified for the new branch of victimological knowledge. First, the modern foreign criminology quite often uses it to describe and explain the crimes of ju-

ridical persons (corporate crime) [9, p. 92–99]. Second, such approach does not contradict the existing traditions of forming new branches in the Russian victimology, which traditionally uses the inversion technique.

Undoubtedly, the main object of criminal corporate victimology is juridical persons which became victims of crimes and power abuse, but the subject field of this scientific branch should not be limited to it, but should include also a number of other indispensable elements. Such elements are: a) corporate victimity – that is possibility or ability (potential or actual) of a certain juridical person to become a crime victim; b) corporate victimization – that is realization of potential victimity of a juridical person into physical, material or reputational damage; c) corporate victimogenity – that is the ability of phenomena or processes to influence harmfully on the juridical person, increasing its victimity; d) victimological factors of crime – that is phenomena and processes doing significant harm to the legal rights and interests of juridical persons, promoting their victimization or vulnerability; e) corporate victimological prevention – that is activity of special subjects aimed at reducing corporate victimity; f) corporate victimological rehabilitation – that is activity of special subjects aimed at providing juridical persons with victimological assistance and restoration of their legal rights and interests, impaired by a crime or power abuse.

Along with the mentioned elements of criminal corporate victimology subject, a number of other issues concerning this branch should be studied in the nearest future, as its further formation and development would not be possible without it.

First, one should define the list of crimes which impair the juridical persons, and to divide them into two groups. The first group should include crimes which result in doing harm to juridical persons exclusively, while the second one – to both juridical and physical persons.

Second, the Russian specialists should determine the methodology and techniques of studying the juridical persons as crime victims, to suggest their classification; to form the victimological statistics appropriate for further research.

Third, it is necessary to study the Russian and foreign practice of victimological prevention and victimological rehabilitation aimed at reducing the

corporate victimity and providing special victimological assistance to juridical persons which became victims of crime and power abuse.

We hope that in the nearest future, due to various reasons, the Russian victimologists will face a number of new issues:

- a) of the structure of criminal corporate victimology;
- b) of the scientific description and explanation of each of the main elements included into its subject;
- c) of its objectives, tasks and functions;
- d) of the development prospects of this scientific branch in Russia and abroad.

However, that would be the next stage of development and institutionalization of criminal corporate victimology as a particular scientific victimological theory.

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