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Constructing victims: Suffering and status in modern world order

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Abstract

What is the basis of status in world order? Status is assumed to come from strength, even if strength is reconfigured to be social and normative, not just material. Status, however, can also come from perceived weakness – it is conferred to those recognised as 'victims'. We make four theoretical contributions to the scholarship on status in world affairs. First, we examine how the category of victim is produced. Two, we expand the possible sources of status in world affairs by adding the category of victim. Three, focus on victimhood status further demonstrates that status is independent of material power. Lastly, victimhood as status exhibits the paradox that power depends on perceived powerlessness. We illustrate these arguments with three features of victim status in modern international politics: the changing desirability of victim status in Israel, the gendered construction of ideal victim in the Congo, and the hierarchy of victimhood in Bosnia.

Keywords: Victimhood; Status; Gender; Genocide; Global Culture

Introduction

What is the basis of status in the modern world order? Status derives from the collective beliefs of a community regarding what it values or holds in esteem and honour. The growing literature on status in International Relations treats it as produced through a mixture of material power such as wealth and military capabilities and some normative element. If the world was constituted solely by material forces, and esteem and honour were generated solely by might, then status would become epiphenomenal of traditional realist conceptions of power that focus on material capabilities. But the concept of status retains its attraction because it resists such reductionist tendencies, an insight owed to Max Weber's foundational work on social order.[1]

In this spirit, much of the literature on status in world affairs claims that while status accrues to those states with considerable material power, there are states that 'punch above their weight' due to non-material factors.[2] For example, status could derive not from the ability to destroy but from: the contribution to peace, the ability to get things done, helping solve global problems, or

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[1]Max Weber, *Max Weber: Selections in Translation* (New York, NY: Cambridge University Press, 1978), pp. 43–65.

[2]William Wohlforth et al., 'Moral authority and status in international relations: Good states and the social dimension of status seeking', *Review of International Studies*, 44:3 (2018), pp. 526–46; Marina Duque, 'Recognizing international status: A relational approach', *International Studies Quarterly*, 62:3 (2018), pp. 577–92; Steven Ward, *Status and the Challenge of Rising Powers* (Cambridge, UK: Cambridge University Press, 2017); Elias Götz, 'Status matters in world politics', *International Studies Review*, 23:1 (2021), pp. 228–47; Jonathan Renshon, *Fighting for Status: Hierarchy and Conflict in World Politics* (Princeton, NJ: Princeton University Press, 2017); Deborah Welch Larson and Alexei Shevchenko, *Quest for Status: Chinese and Russian Foreign Policy* (New Haven, CT: Yale University Press, 2019); Reinhard Wolf, 'Respect and disrespect in international politics: The significance of status recognition', *International Theory*, 3:1 (2011), pp. 105–42. For a meta-review of scholarship on status, see Paul MacDonald and Joseph Parent, 'The status of status in world politics', *World Politics*, 73:2 (2021), pp. 358–91.

contributing to the public good.[3] The status that accrues to states that demonstrate prowess in science and technology has been evident from the space race to the race to find a vaccine for COVID-19. Esteem and honour might also be conferred on those who exhibit compassion towards distant strangers in need through foreign aid and humanitarian assistance.[4] Other states develop status through reputation – on their own they may be small actors, but they build their status through international diplomatic networks.[5] Status, however, is embedded in social relations. It cannot be obtained without the recognition of others.[6]

In this article we explore how status derives not only from material power, problem solving, scientific and technological innovation, moral authority, helping others, and pursuing social justice – but is also conferred to those who are recognised as 'victims'. We contribute to the literature on status in the following ways. Much of this scholarship focuses on actors that are viewed as situated at the top of a hierarchy underpinned by recognition of capabilities, honour, and esteem that follows from traditional understandings of power. Realists focus on great powers, liberals on relationships between state and society, and constructivists on aspirational practices in global culture. We, on the other hand, focus on victims – those that might be conferred status even though they have none of the characteristics usually associated with it. In other words, even the weakest members of international society can be conferred status on the basis of their suffering, and this demonstrates how status could depend on perceived powerlessness, and not only strength.[7] The effects of victim as status are similar to the effects of other status categories, including status seeking, status competition, status hierarchy, and so on. But not everyone who has suffered is recognised as a victim, suggesting how scholars of status need to uncover the underlying structures that make possible any status category.

While there has been increasing recent attention to the implications of victimhood narratives as justifications for contemporary political movements, especially those of nativism and populism,[8] the scope and objective of our inquiry takes a few steps back. We investigate, first, how 'victim' category became historically produced, and second, what are the effects of victim status in international politics. The first section explores the three cultural layers that produce the category of the victim as status. The first layer historically locates the production of a discourse of humanity constituted by compassion for the suffering of distant strangers, but *only* those strangers who were constructed to be part of a shared humanity. The second layer regards the elements of suffering that are generative of the category of victim – the world is littered with suffering, not all suffering matters, and victims are perceived to have sets of attributes that distinguish them from run-of-the-mill sufferers. The third layer is constituted by justice: victims are often symbols of injustice and the attempt to redress their harms represents an attempt to bring justice to them and the world. These layers represent the conditions of possibility. In other words, we do not attempt a theory of victim as status category; instead these conditions of possibility help identify why some cases are more likely to be conferred victim status than others. The second section advances this exploration as it discusses how the category of victim is a form of status and

[3]Vincent Pouliot, *International Pecking Orders: The Politics and Practice of Multilateral Diplomacy* (New York, NY: Cambridge University Press, 2016).

[4]Wohlforth et al., 'Moral authority and status'.

[5]Pouliot, *International Pecking Orders*. Also Benjamin De Carvalho and Iver B. Neumann, 'Introduction: Small states and status', in Benjamin De Carvalho and Iver B. Neumann (eds), *Small State Status Seeking: Norway's Quest for International Standing* (London, UK: Routledge, 2014).

[6]Pål Røren and Paul Beaumont, 'Grading greatness: Evaluating the status performance of the BRICS', *Third World Quarterly*, 40:3 (2019), pp. 429–50.

[7]Catherine Lu, *Justice and Reconciliation in World Politics* (New York, NY: Cambridge University Press, 2017), p. 69.

[8]Clara Eroukhmanoff and Alister Wedderburn, 'Introduction: Constructing and contesting victimhood in global politics', *Polity*, 54:4 (2022), pp. 841–8; Adam B. Lerner, 'The uses and abuses of victimhood nationalism in international politics', *European Journal of International Relations*, 26:1 (2020), pp. 62–87; Jessie Barton Hronešová, 'The uses of victimhood as a hegemonic meta-narrative in eastern Europe', *Journal of Contemporary European Studies* (2022), pp. 1–17.

how this victim-status based on powerlessness, weakness, and suffering expands our notion of status in International Relations.

Whereas the first and second sections examine the underlying conditions that make victim a status category in modern international society, section 3 illuminates some of the effects with three short cases. The case of Israel explores the changing desirability of, and conditions required for, being recognised as a victim. The case of gender-based violence in the Congo serves as the contemporary paradigmatic case of weakness as status. The case of Bosnia examines the hierarchy of victimhood where some victims of war crimes become constructed as deserving of a higher victim status than others. We conclude by extending our argument to consider concepts and effects that accompany a world in which sympathy and suffering are part of global culture; and contemplate the possible decline of victimhood as status.

The suffering of others

There is widespread, interdisciplinary consensus that something happened in the eighteenth century that made the suffering of others a matter of public concern. As Hannah Arendt observed, whereas once the 'spectacle of misery' could not 'move men to pity', in the 'eighteenth century … this age-old indifference' began to disappear 'when, in the words of Rousseau, an "innate repugnance at seeing a fellow creature suffer" had become common in certain strata of European society.'[9] What happened? Arendt and others argued that Enlightenment processes, in part, produced new beliefs that humans could and should stop unnecessary suffering, and the emerging discourse of humanity stressed the importance of compassion to all humans.[10] Prior to this shift, suffering was a natural state of affairs and there was little that humans could do about it. Much suffering occurred because of 'acts of God' and thus was caused by fate. With the emerging belief that humans could control nature in ways that minimised suffering and improved welfare, suffering became something that humans could mitigate. Technology, science and development, and rational organisation could prolong lives and reduce pain and sorrow.

The broader discourse of humanity also began to develop in this climate, as well as an articulation of feelings of compassion and the desire to prevent and alleviate suffering, not just of neighbours but of strangers. Compassionate action could come in many different forms, from emotional support to active material assistance, to armed protection, and even to a consideration of how one's actions or inactions might impact vulnerable populations. In short, there developed negative duties and the obligation to avoid taking action that produces unnecessary and foreseeable harm, and positive duties to 'prevent and alleviate human suffering wherever it may be found'.[11] Suffering took on new meanings and cultural significance as it dissolved barriers between individuals and helped make humanity visible.[12]

Discourses of humanity fuelling newfound concerns for the unnecessary suffering of distant strangers sounds too good to be true – and it was and continues to be. Of course, even as the discourse of humanity developed, most people were not treated as equals, some were seen as more human than others, and some as not human at all.[13] Abolitionists were among the first

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[9]Hannah Arendt, *On Revolution* (New York, NY: Penguin Classics, 2006 [orig. pub. 1963]), pp. 70–1.

[10]John Robertson, *The Enlightenment: A Very Short Introduction* (Oxford, UK: Oxford University Press, 2015); Anthony Pagden, *The Enlightenment: And Why It Still Matters* (Oxford, UK: Oxford University Press, 2013).

[11]Jean Pictet, 'The fundamental principles of the Red Cross', *International Review of the Red Cross Archive*, 19:210 (1979), pp. 130–49.

[12]Lynn Festa, 'Humanity without feathers', *Humanity*, 1:1 (2010), pp. 3–27 (pp. 6–7).

[13]Francisco Bethencourt, 'Humankind: From division to recomposition', in Fabian Klose and Mirjam Thulin (eds), *Humanity: A History of European Concepts in Practice From the Sixteenth Century to the Present* (Gottingen: Vandenhoek & Ruprecht, 2016); Paul Betts, 'Universalism and its discontents: Humanity as a twentieth-century concept', in Klose and Thulin (eds), *Humanity*; Siep Stuurman, *The Invention of Humanity* (Cambridge, MA: Harvard University Press, 2017).

to claim that Africans were human, but nevertheless saw them as lacking reasoning and cognitive skills that precluded independence and justified civilising missions and colonialism. Scientific racism provided a more 'empirical' basis for judging non-Westerners as less than fully human. Hierarchies of humanity fed into some of the most horrific bloodletting of the twentieth century before and during the Second World War, only to be encased by a postwar insistence on humanity, human rights, and the equality of all people. Perhaps the surest indicator of this development was that the suffering of all others could now be narrated.[14]

The construction and diffusion of the concept of humanity, the growing importance attached to suffering and its amelioration, and the practice of compassion as humanity's highest act, made the suffering of others a matter of global concern. But some suffering matters more than others and the suffering of some matters more than the suffering of others. Global and domestic societies have constructed many different mechanisms of discrimination based on various criteria. In other words, a world of suffering requires a process of triage, sometimes unconscious and at other times quite explicit. Some are sacrificed because they do not have the right skin color, the right amount of money, the right connections, the right sex organs, pray to the right God, suffer in the right way, or display innocence. As we demonstrate next, in the modern world it is the suffering of 'victims' that often receives privileged attention.

Victim as status

There is a hierarchy of suffering, and at the top of the hierarchy sits the victim. Victims do not objectively exist but rather are a social construction imbued with cultural significance and meaning.[15] The category of victim did not circulate widely until the seventeenth century when it came to mean a 'living creature sacrificed to a deity', and thus had a religious meaning.[16] A century later, a victim became someone who suffered acute loss.[17] In the twentieth century the category of victim concerned not just those who have suffered gravely but also met other specific criteria.

In the current global culture, someone who suffers is more likely to be recognised as a victim if she is deemed to possess the following criteria. They must be viewed as part of humanity. If they are relegated to a lower status category – 'illegal' migrants, prisoners, the homeless – then their suffering will become either deserved, a matter of indifference, or even celebrated because they are viewed as a threat to the community. In addition to being human, the suffering must be grave. Yet what counts as serious is itself culturally determined. For centuries domestic violence and gender-based violence were considered mundane, but in many contemporary societies they are now considered serious and those who experience this violence are labelled victims. Victims are also expected to be weak, vulnerable, and passive. Gender often plays an important role here. While women and children are assumed to meet these qualities, men are often not because

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[14]Thomas Laqueur, 'Mourning, pity, and the work of narrative in the making of humanity', in Richard Ashby Wilson and Richard D. Brown (eds), *Humanitarianism and Suffering: The Mobilization of Empathy* (Cambridge, UK: Cambridge University Press, 2009).

[15]Nils Christie, 'The ideal victim', in Ezzah A. Fattah (ed.), *From Crime Policy to Victim Policy* (London, UK: Palgrave Macmillan, 1986); Joris Van Wijk, 'Who is the "Little Old Lady" of international crimes? Nils Christie's concept of the ideal victim reinterpreted', *International Review of Victimology*, 19:2 (2013), pp. 159–79; Christine Schwöbel-Patel, 'The "ideal" victim of international criminal law', *European Journal of International Law*, 29:3 (2018), pp. 703–24; John Brewer and Bernadette Hayes, 'Victims as moral beacons: Victims and perpetrators in Northern Ireland', *Contemporary Social Science*, 6:1 (2011), pp. 73–88; Rainer Strobl, 'Becoming a victim', in Paul Knepper and Martin Kett (eds), *International Handbook of Victimology* (London, UK: Routledge, 2010); Astrid Jamar, 'The exclusivity of inclusion: Global construction of vulnerable and apolitical victimhood in peace agreements', *International Journal of Transitional Justice*, 15:2 (2021), pp. 284–308.

[16]Alyson Manda Cole, *The Cult of True Victimhood: From the War on Welfare to the War on Terror* (Stanford, CA: Stanford University Press, 2007), p. 16.

[17]Judith Shklar, *The Faces of Injustice* (New Haven, CT: Yale University Press, 1990), p. 35.

the constructions of masculinity do not allow space for vulnerability and passivity. Victims are often expected to suffer silently, and they do not necessarily claim to be a victim; this is a designation conferred by others. They directly experienced the loss. The more of these qualities sufferers possess, the more likely they will be seen as an 'ideal' victim.[18] Victim status cannot be bequeathed or delegated. It is not enough to be related to the group, either by birth or by association. Some groups might have suffered because their ancestors did, but they are not victims. This is why the claims of intergenerational victimhood – that underpin the demands for restitution of indigenous rights or reparations to descendants of past repression – tend to be more socially controversial and resisted than do claims of 'direct victimhood'.

The last element that factors into the construction of the victim is the law. To have one's suffering recognised requires that it be codified in law and constituted as a crime. Once these wrongs are constituted as crimes and those who are harmed are now formally and officially labelled as victims, it becomes much easier to obtain attention, redress, compensation, and punishment of perpetrators. This legalisation of moral wrongs is important for several reasons. This is a rational-legal world order in which knowledge and moral claims are increasingly judged in relationship to rational and legal categories.[19] The law has a legitimacy that is important for recognition and status. One of the effects of this legalisation is that there can be a gap between how the law defines whose suffering counts and how those who are harmed defined their suffering.[20] Another is that the law mediates how the suffering is known and made meaningful.[21] Lastly, the law can establish hierarchies of victims.[22]

These are the principal attributes that constitute an 'ideal' victim, but there are those who fall short of the ideal and whose claim to victim status ranks below others. There is a hierarchy in instances of transitional justice, with some victims seen as more worthy than others.[23] There are deserving and undeserving victims. There is allusive victimhood, in which the victim designation does not necessarily accrue because of harm directly experienced but rather because of how the harm is connected to a previous harm whose victim status is unambiguous. There are complex victims, those who have both victim and perpetrator qualities.[24]

It is a small step from ranking victims to victim as a status category. Status can be simplistically defined as a 'comparative social ranking of people, groups, or objects in terms of their social esteem, honor, and respect accorded to them'.[25] Status, therefore, 'is fully cultural in nature. It is created by beliefs shared by a group or community about "what counts" and "who counts more"' according to a group standard.[26] The super rich have status in a capitalist society that values money and conspicuous consumption. The status of religious authorities is tied to a society that values faith. The status of a PhD depends on the existence of a credentialed society. When

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[18]Michael Wilson and Erin O'Brien, 'Constructing the ideal victim in the United States of America's annual trafficking in persons reports', *Crime, Law and Social Change*, 65:1–2 (2016), pp. 29–45; Van Wijk, 'Who is the "Little Old Lady"'.

[19]Shklar, *Faces of Injustice*.

[20]Sara Kendall and Sarah Nouwen, 'Representational practices at the International Criminal Court: The gap between juridified and abstract victimhood', *Law & Contemporary Problems*, 76 (2013), pp. 235–62.

[21]Austin Sarat, *Knowing the Suffering of Others: Legal Perspectives on Pain and Its Meanings* (Tuscaloosa, AL: University of Alabama Press, 2014).

[22]Mijke de Waardt, 'Naming and shaming victims: The semantics of victimhood', *International Journal of Transitional Justice*, 10:3 (2016), pp. 432–50; Tristan Anne Borer, 'A taxonomy of victims and perpetrators: Human rights and reconciliation in South Africa', *Human Rights Quarterly*, 25 (2003), p. 1088.

[23]Kieran McEvoy and Kirsten McConnachie, 'Victimology in transitional justice: Victimhood, innocence and hierarchy', *European Journal of Criminology*, 9:5 (2012), pp. 527–38.

[24]Erica Bouris, *Complex Political Victims* (Bloomfield, CT: Kumarian Press, 2007); Trudy Govier and Wilhelm Verwoerd, 'Transcending "victims" and "perpetrators"', *International Journal of Humanities and Peace*, 20:1 (2004), pp. 84–90; Diane Enns, *The Violence of Victimhood* (University Park, PA: Pennsylvania State Press, 2012).

[25]Cecilia Ridgeway, *Status: Why Is It Everywhere? Why Does It Matter?* (London, UK: Russell Sage, 2019), p. 1.

[26]Ridgeway, *Status*, p. 15.

the underlying culture changes, so too will the relative salience of different status categories. This relational approach also underscores how status is conferred and not possessed.[27]

Actors will seek status recognition for various reasons. It can bring attention to themselves and their interests, amplify their voice and authority, generate resources and influence that would otherwise not exist or in the same amount, and mobilise support for their cause.[28] And because 'victim' can be a status category, it will generate dynamics commonly associated with status: status seeking, status competition, status inconsistency, and status conflict. For example, some communities can feel status inconsistency, where the world does not see them as the victim that they see themselves to be. There is status competition, with communities competing with each other to make the case that they have a higher status or that their rival cannot be considered a victim, potentially leading to a 'suffering Olympics'.[29] Former UN Secretary-General Boutros-Ghali demonstrated a lack of diplomacy when he told the Bosnian people that while they have suffered, he could point to other people who had suffered more, with the insinuation that they should stop their whining.[30] But because the weakest and most beaten have little opportunity to acquire status 'the old-fashioned way', being recognised as a victim might be one of the few avenues available for various forms of support. And yet, not all will grab at the opportunity because not all accept the derogatory baggage that might accompany the status of victim, as we will see in the case of Zionism.

Status exists in all social orders, including international orders. International status has been defined as 'collective beliefs about a given state's ranking on valued attributes (wealth, coercive capabilities, culture, demographic position, sociopolitical organization, and diplomatic clout)'.[31] This definition nicely follows from most discussions of status in International Relations, but it is too restrictive in two ways. As is evident in this widely accepted definition, it is unnecessarily tied to states. Status is conferred on states – and on international non-governmental and international organisations, on transnational civil societies, on individuals, and so on. Status is presumed to be conferred on those who are doing things – good things that are valued in global culture. But the possibility of victims having status suggests that status can be conferred for vigilance, silent resistance, objects of injustice, and suffering. These are individuals who have made a name for themselves not because of their capacity to destroy (as is the case with Great Power status) but rather with the capacity to exist in spite of it all. Increasingly, these are individuals who have been identified by a growing global legal culture that helps define whose suffering matters – those who have experienced genocide or atrocity crimes, those who have been forcibly displaced or exiled, those who have experienced gender-based violence, those who have been trafficked. In general, the possibility that status might be linked to suffering implies a global culture with many kinds of actors and with a much richer tapestry than most International Relations scholarship allows.

Profiles in victims and status

Having outlined the conditions of possibility of victim as status category, we now turn to some of its effects. Consider these cases as profiles in victimhood. The Israeli case illustrates the interaction between a changing state identity and the international conditions for victim status.

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[27]Joe Magee and Adam Galinsky, 'Social hierarchy: The self-reinforcing nature of power and status', *Academy of Management Annals*, 2:1 (2008), pp. 351–98.

[28]Tami Amanda Jacoby, 'A theory of victimhood: Politics, conflict and the construction of victim-based identity', *Millennium*, 43:2 (2015), pp. 511–30.

[29]Roger Cohen, 'The suffering Olympics', *New York Times* (30 January 2012). Also see Ian Buruma, 'The joys and perils of victimhood', *New York Review of Books* (8 April 1999).

[30]Stanley Meisler, 'Despite Sarajevo jeers, UN chief urges talks', *LA Times* (1 January 1993).

[31]Deborah Welch Larson, T. V. Paul, and William Wohlforth, 'Status and world order', in Deborah Welch Larson, T. V. Paul, and William Wohlforth (eds), *Status in World Politics* (New York, NY: Cambridge University Press, 2014), p. 7.

The Congo case highlights the gendered underpinnings of 'ideal victim', how international activists self-consciously sculpted victims of gender-based violence, and how this had displacement effects on other possible victims and reinforced racist tropes of Africa and African men. The Bosnian case captures the existence of a hierarchy of victims, and how this hierarchy leads to forms of status seeking and competition.

Israel and the global construction of victim status

Zionism is often cast as the Jewish people's nationalism, but historically it was much more than that. There was the Zionism that aspired to give the Jews what all nations had – a state of their own and national self-determination. Zionism, though, was also the Jewish people's twelve-step programme to create a 'new Jew'. The Jews were a long-suffering people, as deserving of the status of victim as any people in the world. But Zionist ideology had little patience for such self-pity or the pity of others. Forming their own state was not only an end but also a means – to transform a broken-down Jewish people into a confident nation prepared to take control over their destiny. According to Zionist thought, exile had distorted the Jewish character, describing the 'galut' (diasporic) Jew in terms that resembled classical antisemitism. Centuries of exile and persecution had left the Jews emotionally, psychologically, culturally, and physically damaged and passive. No wonder, Zionists claimed after the Holocaust, that European Jews went to death like lambs to slaughter. Zionists wanted to create Jews who were agents of their own history and took control of their fates and future.[32]

Zionists were not looking for sympathy or victim status and the world was not necessarily inclined to show or grant it. The Jews, reduced to a miserable skeletal existence by the Nazi Holocaust, were not any more lovable after the Second World War than before. Yet there were important voices that insisted that the Jews demanded special attention not because they had suffered more during the war but rather because Jewish suffering became tied to humanity. Simply put, the Jews who only decades before were (and continued to be in many circles) viewed as a threat to humanity, now became a symbol of it. And this is because the Nazis, the personification of radical evil, had made Jews their enemy, a civilised West had to care for the Jews.[33] The Jews became a test of the humanity of the West. As Lord Davies wrote in the *Manchester Guardian* in 1944, 'Whether we like it or not, and however inconvenient it may be, the Jewish people have become the personification of the issues involved in the world struggle between right and wrong, between good and evil.'[34] Horace Kallen similarly observed that the Jews had become 'the symbol of this faith's victories in the Christian world.'[35] Whereas once the association with cosmopolitanism had been a curse, now Jews became the world's light metre – signalling whether it was trending towards dawn or night.[36]

As the West's quintessential victim, the Jews deserved the West's sympathy, and this sympathy translated into new forms of support. This was not unconditional support, or even a willingness to incur costs. Western states did not provide the survivors with financial relief or open immigration doors; hundreds of thousands of Jews continued to languish in detention camps after the end of the Second World War waiting for someone to accept them. But the conclusion that something had to be done for them and that Christians could never figure out how to keep their hands off the Jews did influence the international community's decision to vote in favour of a partition plan

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[32]Ehud Luz, *Wrestling with an Angel: Power, Morality, and Jewish Identity* (New Haven, CY: Yale University Press, 2008), pp. 50–2. See also Arnold Eisen, *Galut: Modern Jewish Reflection on Homelessness and Homecoming* (Bloomington, IN: Indiana University Press, 1986).

[33]Jeffrey Alexander, *Remembering the Holocaust: A Debate* (New York, NY: Oxford University Press, 2009), p. 26.

[34]Cited in Horace Meyer Kallen, *'Of Them which Say They are Jews': And Other Essays on the Jewish Struggle for Survival* (New York, NY: Bloch Publishing Company, 1954), p. 64.

[35]Kallen, *Of Them*.

[36]Alain Finkielkraut, *The Imaginary Jew* (Lincoln, NE: University of Nebraska Press, 1997).

in 1947 that would create one Jewish state, one Palestinian state, and an internationalised city of Jerusalem. But when Israel declared independence in 1948, and the subsequent war erupted, sympathy did not translate into much financial, diplomatic, and financial assistance. The West turned away and imposed an arms embargo. The Soviet Union did more than any other state, but not because of its philosemitism but rather because it thought that the socialist Zionists in charge were more likely allies than 'backward' Arab states.

Just because the world now saw Jews as victims did not mean that the Zionists or the newly born Israeli state were ready to accept the recognition. Zionist attitudes towards the diaspora permeated the elite, including its conflicting treatment of Holocaust survivors. On the one hand, they were despised and stigmatised.[37] On the other, Israel and the Holocaust were intertwined.[38] The Holocaust was simultaneously the Jewish people's greatest tragedy, the closing argument in favour of a Jewish state, and the symbol of the redemption and hope of the Jewish people.

The 1961 Eichmann Trial dramatically softened Zionist attitudes towards Holocaust survivors and the Holocaust, but the breakthrough occurred beginning in 1967, as both the Holocaust and Israel's self-understanding as a victim became more fully developed. The timing is counterintuitive. Israel was becoming the region's major military power, solidified its special relationship with the United States, had won several wars, developed a nuclear monopoly, became an occupying power, and went from economic pauper to economic dynamo. So, why now?

The groundwork was laid by 1967 and 1973 wars, whose dynamics were given meaning by Israelis and diaspora Jews in relationship to the Holocaust.[39] The 1967 war began as a replay of every nightmare of Jewish isolation and vulnerability and ended in a Jewish fantasy. For Israel and Jews around the world Holocaust analogies were immediate – the world was abandoning Israel at the very moment that Arab states were vowing to throw the Jews into the sea. Israel, however, refused to play victim or act like how Zionist ideology claimed the Jews of Europe did, and instead struck decisively and victoriously against the Arabs. But it was not Israel's triumph but rather the world's willingness to abandon the Jews that left the greater impression.[40] The 1973 war replayed many of these themes, but with the added horror that the surprise attack had left Israel on the brink of collapse without any ally coming to its aid. The Holocaust had changed nothing in terms of the world's indifference to Jewish life.

The second development was the 'discovery' of the Holocaust and its growing centrality to Israeli identity.[41] The destruction of the European Jews did not become the 'Holocaust' – a sacralised event that became part of global memory – until the 1970s.[42] There were Holocaust remembrance ceremonies and other sorts of events prior to then, but nothing like the extensive attention it generated from the 1970s onward. Major museums and memorials were founded and new Holocaust remembrance holidays instituted. Holocaust-related events began to populate calendars among Jews and non-Jews alike, there was an explosion of Holocaust-related books, films, television shows, and plays, colleges began to offer courses, survivor oral histories were released, and so on.[43]

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[37]Tom Segev, *The Seventh Million: The Israelis and the Holocaust* (New York, NY: Macmillan, 2000). Also Robert Wistrich, 'Israel and the Holocaust trauma', *Jewish History*, 11:2 (1997), pp. 13–20 (pp. 16–17).

[38]Wistrich, 'Israel and the Holocaust trauma', p. 3.

[39]Daniel Navon, 'Embracing victimhood', in Ilan Peleg (ed.), *Victimhood Discourse in Contemporary Israel* (New York, NY: Lexington Books, 2019).

[40]Steven Rosenthal, *Irreconcilable Differences? The Waning of the American Jewish Love Affair with Israel* (Waltham, MA: Brandeis University Press, 2001).

[41]Segev, *Seventh Million*.

[42]Jeffrey Alexander, 'On the social construction of moral universals: The Holocaust from war crime to trauma drama', *European Journal of Social Theory*, 5:1 (2002), pp. 5–85.

[43]Daniel Levy and Natan Sznaider, 'Memory unbound: The Holocaust and the formation of cosmopolitan memory', *European Journal of Social Theory*, 5:1 (2002), pp. 87–106.

This was occurring everywhere there was a Jewish community – and even places where there was none. The reservations that Israel once had to the Holocaust disappeared, and in its place rose a deep, emotional connection. Whereas once Israel used the ghetto fighter and partisans as the primary representation of the Holocaust, it now included victims and survivors.[44] Once ridiculed, Holocaust survivors became the walking sacred.

A related development was a revitalised fixation on the suffering of the Jews.[45] Stories of destruction and survival cannot exist without corresponding accounts of suffering and victims, and an immediate consequence of the twinning of the Holocaust and Israel was an acute sensitivity among Jews to their history of suffering and growing identification with the role of victim. Jews, of course, are not the only people to invest suffering with meaning, for many religious communities do, but suffering has a central place in the historical memory of the Jews.[46]

A fourth development was the rise of the Likud.[47] The Labour Party ruled Israel from 1948 through 1977, when it was defeated by Menachem Begin's Likud Party. Likud's ideology included a strong belief that the world is permanently hostile to the Jews. 'The whole world is against us' became a refrain heard from a succession of Likud Prime Ministers and became part of Israel's worldview.[48] Because the world's antisemitism was an unchangeable fact, Israel would always be the victim, and the Arab states, the Palestinians, and Iran were often portrayed as modern-day Nazis intent on destroying the Jews and Israel through all possible means necessary.[49] This interpretation of Jewish history defined Jews as a permanent victim – if Jews allowed themselves to be vulnerable.

Israel became much more comfortable with the idea of being a victim. Some suggest that this burst towards victimhood was organic.[50] Others argue that Israel self-consciously promoted these attributes of victimhood to help cultivate bonds with world Jewry and generate greater global diplomatic, financial, strategic, and political support. Either way Israel began referring to itself as a victim with greater frequency at precisely the moment when it ceased to look, act, or sound like the victim from the vantage point of many international observers.[51] It was the region's major military power with a nuclear monopoly and the world's superpower in its corner. It was a 'start-up nation' whose economy was the envy of many developing countries. The Holocaust no longer automatically conferred on Israel victim status; its association owed not to the fact that Nazi Germany occupied and exterminated Israelis, but rather to an Israel that shelters many Holocaust survivors and that claims to be the representative of the Jewish people that has historically been a victim.[52] In fact, it became increasingly common for international actors to comment how the victims had now become the victimisers, and the Palestinians were now the Jews of the Middle East.[53] Israelis were being harmed and even killed by Palestinians, but Israel bore some responsibility for its circumstances. At best, Israel was a complex victim, simultaneously victim and perpetrator.[54]

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[44]Navon, 'Embracing victimhood', p. 71.

[45]Esther Benbassa, *Suffering as Identity: The Jewish Paradigm* (London, UK: Verso, 2009).

[46]For various statements on the intimate relationship between Jews, suffering, and a sense of victimisation, see Benbassa, *Suffering as Identity: The Jewish Paradigm*, Ofer Shiff, *Survival Through Integration: American Reform Jewish Universalism and the Holocaust* (Leiden: Brill, 2005), pp. 142–7; Steven Cohen and Charles Liebman, *Two Worlds of Judaism: The Israeli and American Experiences* (New Haven, CT: Yale University Press, 1990), pp. 31–4.

[47]Yael Aronoff, 'Israeli prime ministers', in Peleg (ed.), *Victimhood Discourse in Contemporary Israel* (New York, NY: Lexington Books, 2019).

[48]Aronoff, 'Israeli prime ministers'.

[49]Navon, 'Embracing victimhood', p. 71.

[50]Rosenthal, *Irreconcilable Differences?*, p. 72.

[51]Michael Barnett, 'Cosmopolitanism: Good for Israel? Or bad for Israel?', in Emanuel Adler (ed.), *Israel in the World* (London, UK: Routledge, 2012).

[52]Carolyn Dean, *Aversion and Erasure: The Fate of the Victim after the Holocaust* (Ithaca, NY: Cornell University Press, 2017), p. 9.

[53]Finkielkraut, *Imaginary Jew*, pp. 11–16.

[54]Wistrich, 'Israel and the Holocaust trauma', p. 17.

Ideal victimhood and sexual violence in the DRC

Two things can be said about the history of war and sexual violence. First, women and girls have suffered immensely and heinously during armed conflict throughout history; rape, sexual slavery, sexual barter, and forced marriages are mentioned repeatedly and casually in many historical and religious texts.[55] Second, women's suffering has rarely been considered a matter of concern. Sexual violence was dismissed as part of the 'spoils of war', as committed by a 'few bad apples', or as an inevitable if regrettable result of 'boys being boys' who are feral because of war and being far from home. International humanitarian law failed to single out sexual violence as a matter of specific concern for most of its history, and states and their militaries rarely punished perpetrators.

This collective silence began to change after the end of the Cold War because of several factors. Women's rights became a central element of an expanding global human rights agenda, showcased by the Fourth World Conference on Women in Beijing in 1995, which occurred under the slogan 'women's rights are human rights'. At the same time, the growing salience of the concept of human security called attention to the security of civilians, cultural and societal groups, and women and children. Both women's rights and human security made the 'private' 'public' and forms of violence women suffered at home and in society newly visible.[56]

The wars of the 1990s, especially the genocides in Bosnia and Rwanda, brought attention to rape as a strategy of war. There was growing recognition that rape was not incidental, but rather was an integral, strategic part, of military operations. Working through member states and the United Nations, human rights and women's rights organisations campaigned to make wartime rape an international crime. The International Committee of the Red Cross, the guardian of international humanitarian law, abandoned its position of neglect and began to integrate sexual violence into its operations and advocacy work. A watershed moment occurred when the international ad hoc tribunals for the former Yugoslavia (ICTY) and Rwanda (ICTR) established legal precedents by including rape as a separate category of international crimes. The 1998 Rome Statute that established the International Criminal Court (ICC) further institutionalised rape as a war crime. The UN Security Council also brought high-profile attention to women's security in 2000 with Resolution 1325 on Women, Peace, and Security.[57] The sum total of these political and legal developments made women's suffering an international concern and made possible their categorisation as victim.

Without these developments, large-scale sexual violence in the Democratic Republic of Congo (DRC) would not have become an international cause célèbre. There were two major wars in the DRC between 1996 and 2003, often described as Africa's World War because of the number of countries that intervened either directly or through proxy. Approximately six million died.[58] Sexual violence was rampant, with regular occurrences of mass rape, gang rape, and sexual mutilation; according to one report, at the peak of the conflict 48 women were raped every hour.[59] Despite the widespread horrors, the international community showed little interest in the war, the millions of dead and displaced, or the tens of thousands of victims of sexual violence.

Paradoxically, international attention to GBV in the DRC began at almost the same moment the war formally ended and the rates of GBV began to slowly recede. Suddenly the world wanted to know about sexual violence, and to the exclusion of the many other horrific consequences of

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[55]Catherine Niarchos, 'Women, war, and rape: Challenges facing the International Tribunal for the Former Yugoslavia', *Human Rights Quarterly*, 17 (1995), pp. 649–90.

[56]Ruth Gavison, 'Feminism and the public/private distinction', *Stanford Law Review*, 45 (1992), pp. 1–45.

[57]See {http://undocs.org/en/S/RES/1325%282000%29}.

[58]International Rescue Committee, 'Mortality in the Democratic Republic of Congo: An Ongoing Crisis' (New York, NY: IRC, 2008).

[59]Amber Peterman, Tia Palermo, and Caryn Bredenkamp, 'Estimates and determinants of sexual violence against women in the Democratic Republic of Congo', *American Journal of Public Health*, 101:6 (2011), pp. 1060–67.

the war.[60] A 2002 Human Rights Watch report, *The War Within a War*, helped catalyse activism among international human rights groups.[61] The horrors of the DRC jumped from the written page to the big screen with the award-winning documentary, *The Greatest Silence: Rape in the Congo*. Victims told their stories in candid details, demonstrating incredible courage as they risked stigma and ostracism from their communities.[62] The UN Security Council and the US State Department made sexual violence a high-profile concern.[63] Major donors began providing more funds for GBV programming. Fuelled in part by the availability of outside funding, there was a dramatic rise in the number of local non-governmental and civil society organisations that focused on GBV; in South and North Kivu the number grew from fewer than ten in 2000 to between 300 and 400 in 2010. Journalists reporting on GBV without much readership now found that their stories on rape were the most read.[64] Activists, celebrities, UN officials, and major state officials, such as US Secretary of State Hillary Clinton in 2010, began making pilgrimages to the clinics and treatment centres and speaking with the victims. Everywhere they went the cameras followed, drumming up greater concern. Parenthetically, all this attention could have its unseemly and harmful side. Investigative journalists and activists descended on the victims for first-person accounts, producing a 'pornography of violence' and 'SGBV tourism', at times showing remarkably little sensitivity to the depth of trauma, ripping apart fresh wounds.[65] By the end of the decade, the DRC was crowned the 'rape capital of the world',[66] and the 'most dangerous place on earth to be a woman.'[67]

The reporting, images, and discourses surrounding sexual violence in the DRC contained and contributed to racist narratives of Africa and the Congo. The colonising West viewed Africa as a 'dark continent' and the Congo the 'heart of darkness'.[68] Africans were less than human, defined by barbarianism and savagery, and without civilised morality. African men were in a category unto themselves – violent, menacing, oversexed, and predatory.[69] Western views of Africa were often predicated on its own self-image. If the West was civilised, modern, and had tamed its passion, Africa was primitive, uncivilised, and a place where passions ran wild.[70] For many liberal humanitarians and missionaries, the West had a civilising mission.

These images and self-images survived the formal end of colonialism and became a dominant frame for making sense of the sexual violence in the DRC. In the early 2000s a growing number of reports, articles, and documentaries reproduced these discourses as they brought attention to sexual violence. The use of highly persuasive but not terribly reliable statistics about astronomical

[60]Maria Eriksson Baaz and Maria Stern, *The Complexity of Violence: A Critical Analysis of Sexual Violence in the Democratic Republic of Congo (DRC)* (Upsalla: The Nordic Africa Institute, 2010).

[61]Human Rights Watch, 'The War within the War: Sexual Violence Against Women and Girls in Eastern Congo' (New York, NY: Human Rights Watch, 2002).

[62]Gillian Whitlock, 'Remediating Gorilla Girl: Rape warfare and the limits of humanitarian storytelling', *Biography*, 33:3 (2010), pp. 471–97 (p. 486).

[63]Séverine Autesserre, 'Dangerous tales: Dominant narratives on the Congo and their unintended consequences', *African Affairs*, 111:443 (2012), pp. 202–22 (p. 214).

[64]Autesserre, 'Dangerous tales', p. 215.

[65]Eriksson Baaz and Stern, *Complexity of Violence*, p. 7; Jane Freedman, 'Treating sexual violence as a "business": Reflections on national and international responses to sexual and gender-based violence in the Democratic Republic of Congo', *Gendered Perspectives on Conflict and Violence: Part B*, 18B (2014), pp. 125–43 (pp. 130–1).

[66]Nicholas Kristof, 'The world capital of killing', *New York Times* (6 February 2010).

[67]Judith Wanga, 'Why Congo is the world's most dangerous place for women', *Guardian* (27 March 2010).

[68]Marianna Torgovnik, *Gone Primitive: Savage Intellects, Modern Lives* (Chicago, IL: University of Chicago Press, 1990); Chinua Achebe, 'An image of Africa: Racism in Conrad's *Heart of Darkness*' (University of Massachusetts, 18 February 1975), available at: {https://polonistyka.amu.edu.pl/__data/assets/pdf_file/0007/259954/Chinua-Achebe,-An-Image-of-Africa.-Racism-in-Conrads-Heart-of-Darkness.pdf}.

[69]Chloé Lewis, 'The making and re-making of the "rape capital of the world": On colonial durabilities and the politics of sexual violence statistics in DRC', *Critical African Studies*, 14:1 (2022), pp. 55–72.

[70]Charlotte Mertens and Maree Pardy, '"Sexurity" and its effects in Eastern Democratic Republic of Congo', *Third World Quarterly*, 38:4 (2017), pp. 956–79 (p. 958).

rates of sexual violence in the DRC further perpetuated a colonial view of the DRC in the mind of international policymakers, activists, but also scholars.[71] Journalistic accounts suggested that Africa remained a land of the primitive and portrayed perpetrators as violent, barbaric beasts – and in contrast to the civilised norms of modern warfare in the West.[72] Even when these accounts attempted to avoid stereotypes of Africa, Western viewers often drew from these very stereotypes to make sense of these otherworldly, primitive, evils.

These media, advocacy, and official accounts portrayed victims of sexual violence as ideal victims. These were innocent women who had suffered greatly, and it was almost inevitable that they would be described in a manner that fit the ideal victim mould. In addition to 'natural' tendencies, those who participated in writing about and publicising these horrors also 'played to the camera' to generate compassion and resources.[73] Reports often highlighted the graphic violence and the physical injuries and emotional trauma that resulted. Female victims also attempted to give the media what they wanted. One researcher found that seven of ten female victims of sexual violence in eastern Congo 'wanted to be photographed in ways that showed them as sad, suffering or upset … These women possessed a clearly defined sense of what a humanitarian crisis image should look like … [I]t was clear that the women linked a sense of visual suffering with the west to the potential of further aid and benefit.'[74] Knowing that the Western community was prepared to provide aid to 'ideal victims' of sexual violence, Congolese women would 'advance their status of victim to enable their access to aid' – a kind of strategic essentialism.[75] The intensified international gaze on these victims presented Congolese women as ready-made victims, while Congolese men as ready-made, presumed perpetrators.[76] In his classic article on girlfriending, Utas observed how West African women would practice 'victimcy' whereby they amplified their victimhood and minimised their agency, including how they might have used sex as a survival technique or even participated in sexual violence themselves.[77]

As ideal victims they achieved a status that ranked them ahead of other victims in the Congo and increased their share of international assistance. Major donors began to prioritise women's security, health, and rights.[78] There was twice as much funding for sexual violence-related projects than for security sector reforms or support for internally displaced persons.[79] Delighted to shift their attention to a worthy cause that donors were prepared to reward, humanitarian and human rights organisations began to shift their activities to GBV, which became a buzzword inserted into project proposals to increase their chances of receiving funding.[80] The availability of funding, however, often encouraged the 'entrepreneurs' to advertise themselves as experts when they had no specialised knowledge. In general, there emerged a veritable 'market' for services to GBV victims.[81]

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[71]Lewis, 'Making and re-making'.

[72]Maria Eriksson Baaz and Maria Stern, *Sexual Violence as a Weapon of War?: Perceptions, Prescriptions, Problems in the Congo and Beyond* (London, UK: Zed Books, 2013), pp. 24–7. Some journalist accounts compared behaviour of perpetrators to gorillas living in DRC forests. See Freedman, 'Treating sexual violence'.

[73]Autesserre, 'Dangerous tales'; James Dawes, *That the World May Know: Bearing Witness to Atrocity* (Cambridge, MA: Harvard University Press, 2009).

[74]Aubrey Graham, 'One hundred years of suffering?: "Humanitarian crisis photography" and self-representation in the Democratic Republic of the Congo', *Social Dynamics*, 40:1 (2014), pp. 140–63 (p. 154).

[75]Dorothea Hilhorst, Holly Porter, and Rachel Gordon, 'Gender, sexuality, and violence in humanitarian crises', *Disasters*, 42 (2018), pp. S3–S16 (p. S8).

[76]Lewis, 'Making and re-making'.

[77]Mats Utas, 'West-African warscapes: Victimcy, girlfriending, soldiering: Tactic agency in a young woman's social navigation of the Liberian war zone', *Anthropological Quarterly*, 78:2 (2005), pp. 403–30.

[78]Autesserre, 'Dangerous tales'; Mertens and Pardy, '"Sexurity" and its effects'; Dorothea Hilhorst and Nynke Douma, 'Beyond the hype? The response to sexual violence in the Democratic Republic of the Congo in 2011 and 2014', *Disasters*, 42 (2018), pp. S79–S98 (p. 965); Freedman, 'Treating sexual violence'.

[79]Hilhorst and Douma, 'Beyond the hype?'; Ellie Hunte-Wood, 'Framing sexual violence: The Democratic Republic of Congo', *Medium* (28 February 2020), available at: {https://medium.com/@eloisehuntewood/framing-sexual-violence-the-democratic-republic-of-congo-b68fc073b71e}.

[80]Autesserre, 'Dangerous tales'.

[81]Freedman, 'Treating sexual violence', p. 137.

Not only was there more funding for conflict-related GBV, but its higher status meant that it was favoured over other needs, including other forms of sexual violence. Some donors explicitly conditioned any funds with the requirement that mobile clinics they supported served only GBV victims.[82] A local practitioner in the DRC explained that the international community focused on sexual violence in conflict while ignoring other sources of sexual violence and its connection to inheritance, property rights, and other gender-based inequalities.[83] Additionally, there was money for medical treatment for injuries caused by sexual violence during war, but not for the same injuries caused by sexual violence outside of conflict or other factors, such as prolonged child labour. Consequently, clinics and hospitals would list rape as the cause of ailment in order to cover treatment, which could inflate the overall rape numbers.[84] Relatedly, women would report their medical problems as caused by rape in order to access medical and therapeutic services that otherwise they would have been denied.[85] The frequency of these false accusations, and the frequency of *narratives* about false accusations then strengthened the social acceptance of 'rape myths' instead of contributing to prevention and accountability.[86]

The internationally generated, gendered, and racialised frames and status of victims of sexual violence had other effects. First, it positioned women as victims and men as perpetrators, when the reality was much more complicated. Male victims, already reluctant to report sexual violence, were neglected.[87] Women were assumed to be victims, when they also could be perpetrators.[88] Relatedly, many women were 'complex victims' – both victims and perpetrators.[89] This frame also masks the intersectional effects of conflict-related GBV.[90] All women and girls did not face equal risk of victimisation. For example, adolescent girls faced acute threat due to the widespread use of forcible recruitment of children.[91] Second, it also impacted the conflict itself – because armed groups knew that the international community was most concerned about rape victims, they would often use rape as a tactic to improve their bargaining leverage.[92]

Third, these frames reinforced a discourse of Africa as a place of anarchy and unfettered violence, and African men as uncivilised beasts.[93] The combination of women as ideal victims and Africa as an uncivilised land reinforced the modern-day version of the civilising mission – a 'white savior's complex'.[94] Ideal victims have long been part of justificatory discourse for Western interventions.[95] As the UN and others began to systematise their response to GBV, they developed a 'checklist' to determine whether GBV in a particular country constituted a threat

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[82]Hilhorst and Douma, 'Beyond the hype?', p. S91.

[83]Quoted in Eriksson Baaz and Stern, *Complexity of Violence*, p. 55.

[84]Laura Heaton, 'The risks of instrumentalizing the narrative on sexual violence in the DRC: Neglected needs and unintended consequences', *International Review of the Red Cross*, 96 (2014), p. 625.

[85]Freedman, 'Treating sexual violence', p. 126; Hilhorst and Douma, 'Beyond the hype?', p. S92.

[86]Hilhorst and Douma, 'Beyond the hype?', p. S94.

[87]Freedman, 'Treating sexual violence', pp. 216–17. For another case, see Gemma Bird, 'Constructing vulnerability and victimhood at the EU border', *Polity*, 54:4 (2022), pp. 874–81.

[88]Dara Kay Cohen, 'Female combatants and the perpetration of violence: Wartime rape in the Sierra Leone civil war', *World Politics*, 65 (2013), pp. 383–415; Heleen Touquet and Ellen Gorris, 'Out of the shadows? The inclusion of men and boys in conceptualisations of wartime sexual violence', *Reproductive Health Matters*, 24:47 (2016), pp. 36–46.

[89]Utas, 'West-African warscapes'.

[90]Kimberlé Crenshaw, 'Demarginalizing the intersection of race and sex: A black feminist critique of antidiscrimination doctrine, feminist theory and antiracist politics', *University of Chicago Legal Forum*, 1 (1989), pp. 139–67.

[91]Ana Martin Beringola, 'Intersectionality: A tool for the gender analysis of sexual violence at the ICC', *Amsterdam Law Forum*, 9:2 (2017), pp. 84–109.

[92]Autesserre, 'Dangerous tales', p. 217; Hunte-Wood, 'Framing sexual violence'.

[93]Patience Kabamba, '"Heart of darkness": Current images of the DRC and their theoretical underpinning', *Anthropological Theory*, 10:3 (2010), pp. 265–301.

[94]Hilhorst, Porter, and Gordon, 'Gender, sexuality, and violence', p. 58; Lila Abu-Lughod, *Do Muslim Women Need Saving?* (Cambridge, MA: Harvard University Press, 2013).

[95]Sara Meger, 'The fetishization of sexual violence in international security', *International Studies Quarterly*, 60:1 (2016), pp. 149–59 (p. 154).

to international security and what should the appropriate response be.[96] The ideal victim status, then, became fully securitised and integrated into international military responses.

Victim hierarchy in Bosnia

The Bosnian War (1992–5) was fought in large part over attribution and memories of historical victimhood of Bosnia's diverse ethnic groups – Bosniacs, Serbs, and Croats.[97] The massacre in Srebrenica in July 1995, however, created a new category of victim – the victim of genocide. The construction of this category is significant because, past its specific legal meaning and codification in international law, the language of genocide exhibits its own powerful social force.[98] Genocide is humanity's gravest sin; it is the crime of crimes. Victims of genocide are 'ideal victims' in that their suffering is the result of their immutable characteristics, of who they are (their racial, ethnic, or national identity) and not of anything they have done. It is the sacred status of genocide victims that catapults them to the top of the hierarchy of suffering and provides them with moral capital to seek amends.[99]

In July 1995 Bosnian Serb troops murdered more than eight thousand Bosniac boys and men in the UN-protected safe zone of Srebrenica. As the first case of genocide on European soil after the Second World War, Srebrenica was special in its horror and it is the shared experience of genocide that tied its victims to the victims of the Holocaust. The shocking images of Bosnian concentration camps with their skeletal inmates broadcast on major international television networks then further narratively connected Bosnia with the Holocaust for the international audience.[100] Often times, the victims themselves invoked this kinship of experience. One of the very few survivors of the Srebrenica genocide, Emir Suljagić, wrote movingly about experiencing profound survivor's guilt and turning to memoirs of Holocaust survivors to understand his own experience.[101]

Not incidentally, Srebrenica victimhood was also highly gendered – as the victims were almost all boys and men, the surviving family members were mostly women. It is this image of mourning mothers, sisters, wives and daughters that has been incorporated into the public state memorialisation of the genocide and has attained the characteristics of highly politicised 'performative victimhood'.[102] It is also the visual and narrative poignancy of mourning 'mothers of Srebrenica' that has further set these victims apart from other Bosnian victims, by creating a particularly sacred group – 'mothers', who occupy a 'sadly privileged place' in the hierarchy of victimhood, one that connected them to other famous victim-mothers, such as the Argentine Mothers of the Plaza de Mayo.[103] This was not the shared experience of all Bosnian victims. Srebrenica victims suffered an especially cruel fate.

[96]Jacqui True, *The Political Economy of Violence against Women* (Oxford, UK: Oxford University Press, 2012); Meger, 'Fetishization of sexual violence'.

[97]Christian Axboe Nielsen, 'Collective and competitive victimhood as identity in the former Yugoslavia', in Nanci Adler (ed.), *Understanding the Age of Transitional Justice* (New Brunswick, NJ: Rutgers University Press, 2018); Daniel Bar-Tal and Sabina Cehajic-Clancy, 'From collective victimhood to social reconciliation: Outlining a conceptual framework', in Dario Spini, Guy Elcheroth, and Dinka Corkalo Biruski (eds), *War, Community, and Social Change* (New York, NY: Springer, 2014); Jelena Subotić, 'Narrative, ontological security, and foreign policy change', *Foreign Policy Analysis*, 12:4 (2016), pp. 610–27.

[98]Benjamin Meiches, *The Politics of Annihilation: A Genealogy of Genocide* (Minneapolis, MN: University of Minnesota Press, 2019).

[99]Jelena Golubović, '"One day I will tell this to my daughter": Serb women, silence, and the politics of victimhood in Sarajevo', *Anthropological Quarterly*, 92:4 (2019), pp. 1173–99 (p. 1175).

[100]Levy and Sznaider, 'Memory unbound'.

[101]Emir Suljagic, *Postcards from the Grave* (London, UK: Saqi, 2005).

[102]Sebina Sivac-Bryant, 'The Omarska Memorial Project as an example of how transitional justice interventions can produce hidden harms', *International Journal of Transitional Justice*, 9:1 (2015), pp. 170–80.

[103]Olivera Simic, 'What remains of Srebrenica? Motherhood, transitional justice and yearning for the truth', *Journal of International Women's Studies*, 10:4 (2009), pp. 220–36 (p. 221).

That what happened in Srebrenica was different in kind and scale than elsewhere in Bosnia was then further determined by two international courts – the ICTY in 2001 (confirmed in subsequent rulings), and the International Court of Justice (ICJ) in 2007. The courts ruled that Bosnian Serbs in Srebrenica intended to destroy in whole or in part, Bosniac boys and men.[104] Since the 2001 ruling, several other cases have been brought to the ICTY that alleged genocide elsewhere in Bosnia, but each time the ICTY decided that there was insufficient evidence to demonstrate genocidal intent. Unable to gain convictions on the charge of genocide for any atrocity other than in Srebrenica, the prosecutors charged Bosnian Serbs suspected of mass crimes in other Bosnian locations with the more easily established charge of crimes against humanity. Radovan Karadžić and Ratko Mladić – wartime Bosnian Serb president and army commander, respectively – were thus convicted of genocide in Srebrenica, but of war crimes and crimes against humanity everywhere else.[105]

These international legal cases helped construct and sustain the victims' own understanding of their suffering as victims of genocide, and this is how they presented themselves locally, nationally, and internationally.[106] These rulings, however, created a disconnect between, on the one hand, legal determinations and findings, and, on the other, the lived experience of many victims of the Bosnian War, who maintained that Srebrenica was the culmination of the ethnic cleansing and genocide that began in eastern Bosnia already in 1992.[107] The legal determination that classified Srebrenica as genocide and other atrocities in Bosnia as war crimes or crimes against humanity then led to outsized attention paid to Srebrenica – compared to other locations of mass atrocity in Bosnia – by the international media, donors, civil society organisations, and politicians.[108]

By separating Srebrenica and the crime of genocide from the experience of other victims of war crimes, the victims of genocide acquired a higher status than the victims of these other, 'lesser' crimes.[109] This hierarchy of victimhood produced group identity based on the shared experience of suffering but also on the external identification of the group as a specific kind of victim. This hierarchy of victimhood then led to some very tangible material results as in, for example, new strategies of state-building, as well as different patterns of restitution payments, international aid, and memorialisation. This hierarchy of suffering then positioned those with the higher victim status with more advantages and opportunities to attract resources and seek redress.

The international legal determination that Srebrenica constituted genocide became a central element of the political strategy of the Bosniac majority to completely reconfigure the Bosnian postwar state. The goal was to break away from the constitutional straitjacket of the 1995 Dayton Peace Accords that ended the Bosnian War but put in place an incredibly complex, overlapping, and largely ungovernable political system based on ethnically controlled territorial 'entities'. In place of the current ethnic federation, Bosniacs demanded a unitary, Bosniac-majority multiethnic state.

Srebrenica victimhood was fundamental to this claim and became incorporated as an element of Bosniac ethnic identity.[110] The state-building argument here was constructed on moral

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[104]The case was *Prosecutor* v. *Krstić*, judgement summary, 2 August 2001, available at: {https://www.icty.org/x/cases/krstic/tjug/en/010802_Krstic_summary_en.pdf}.

[105]ICTY, Trial Judgement Summary for Ratko Mladić, 22 November 2017, available at: {https://www.icty.org/x/cases/mladic/tjug/en/171122-summary-en.pdf}; Trial Judgement Summary for Radovan Karadžić, 24 March 2016, available at: {https://www.icty.org/x/cases/karadzic/tjug/en/160324_judgement_summary.pdf}.

[106]Jessie Barton-Hronešová, *The Struggle for Redress: Victim Capital in Bosnia and Herzegovina* (Cham: Springer, 2020); Lara Nettelfield, *Courting Democracy in Bosnia and Herzegovina: The Hague Tribunal's Impact in a Postwar State* (New York, NY: Cambridge University Press, 2010).

[107]Lara J. Nettelfield and Sarah E. Wagner, *Srebrenica in the Aftermath of Genocide* (Cambridge, UK: Cambridge University Press, 2014), p. 119.

[108]Nettelfield and Wagner, *Srebrenica*, p. 118.

[109]Christian Axboe Nielsen, 'Surmounting the myopic focus on genocide: The case of the war in Bosnia and Herzegovina', *Journal of Genocide Research*, 15:1 (2013), pp. 21–39 (p. 30).

[110]Nielsen, 'Surmounting the myopic focus on genocide', p. 22.

grounds – as overwhelming majority of victims of mass crimes during the Bosnian War,[111] and as the *only* victims of genocide, the Bosniacs were, first, entitled to more direct control of their state than the ethnic partition of the current constitution allowed for, and, second, only a unitary state could guarantee Bosniac continued survival and non-repetition of violence.[112] These claims of Bosniac state legitimacy further built on the fundamental moral inversion of the Dayton constitution, according to which locations of Bosniac ultimate victimisation – such as the town of Srebrenica itself – in the postwar arrangement now rested within the Serbian entity, Republika Srpska, where the few Bosniac survivors or families of victims remaining had no political voice. From the Bosniac perspective, Bosniacs in Srebrenica were destroyed twice – first in genocide, and then again in the Dayton constitution. It is because of this moral failing of the postwar arrangement that Srebrenica survivors and victims' families lobbied in 2007 – ultimately unsuccessfully – for the Special Status Initiative for the city of Srebrenica, a form of political autonomy, that would take it outside of political control of Republika Srpska.[113] These claims to political autonomy and, ultimately, statehood based on victimhood, are built on an appeal to higher moral principles that derive from the victim identity of the claimants. This is an argument similar to the claims built into the Israeli case for statehood, where only an independent Jewish state could guarantee the survival of the world Jewry – and it is no coincidence that Bosniac claims for a unitary state were directly inspired by the Israeli case.[114]

The moral claim to victimhood and the implications of asymmetric victimhood in Bosnia were also evident in various claims to legal redress, reparations, and restitutions as in, for example, the claims filed by families of Bosnians who went missing during the war. This particular group of victims received high political visibility as well as clear moral authority because they included family members of Srebrenica's missing – the most salient victim group in Bosnia. It was the Srebrenica victim families who elevated calls for finding the missing relatives, their return home, and dignified burials. Over time, most of the claims became about economic restitution, especially return to victims' homes that have since been repossessed by Bosnian Serb families, as well as compensation for burial costs and child support. Ultimately, it was the high 'victim capital' of the Srebrenica victims' groups and the gradual identification of all Bosnia's missing with the genocide in Srebrenica that successfully led to the creation of the 2004 federal Law on Missing Persons.[115]

Srebrenica victims' highly visible activism has led to some international memorialisation successes, as in the establishment of Srebrenica Remembrance Day (11 July) by the European Parliament in 2009, and the passing of the EU Resolution condemning denial of Srebrenica genocide in 2015.[116] At the same time, this hierarchy of victimhood and elevation of Srebrenica's victims as Bosnia's 'model victims' created an imbalance in the broader community of victims. This constructed 'benchmark of victimhood' then marginalised victims from other parts of Bosnia whose suffering could not meet the high standard of victimhood established by Srebrenica, simply because their suffering was not understood to be the result of genocide.[117] The high visibility of Srebrenica's 'mothers', the connection of Srebrenica victims to the victims of the Holocaust, and the international recognition of Srebrenica victims' activism made their claims more difficult to ignore. Survivors of mass crimes in Prijedor – where 4,800 people were killed (3,500 of whom

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[111]More than 80 per cent of civilian victims of the Bosnian War were of Bosniac ethnicity. Mirsad Tokača, *Bosnian Book of the Dead* (Sarajevo: Research Documentation Center, 2013).

[112]Maja Catic, 'Bosnia charges genocide: Moral claims and the politics of state-building in a divided society', *The Carl Beck Papers in Russian and East European Studies*, 2104:September (2011), pp. 1–39.

[113]Nettelfield and Wagner, *Srebrenica*, p. 110.

[114]Maja Catic, 'A tale of two reconciliations: Germans and Jews after World War II and Bosnia after Dayton', *Genocide Studies and Prevention*, 3:2 (2008), pp. 213–42.

[115]Barton-Hronešová, *Struggle for Redress*, p. 146.

[116]Barton-Hronešová, *Struggle for Redress*.

[117]Ibid., pp. 150–1.

Bosniac), many tortured in a horrendous network of concentration camps in the area – often talked about being 'not seen', their attempts at memorialisation sparsely attended and publicised, their campaigns of getting international attention largely unsuccessful.[118] This unevenness in attention to other Bosnian victims has also been noted by Srebrenica activists themselves. Emir Suljagić, the survivor who has since become the director of the Srebrenica Memorial Center, has argued for the expansion of the status of genocide victims to other Bosniac victims: 'there is no and should be no difference between someone murdered in Omarska in 1992 and someone murdered in 1995 in Srebrenica. We can't do this anymore.'[119]

More broadly, there was growing dissatisfaction within the larger community of Bosnian victims with the overwhelming international attention and resources going into Srebrenica victims' groups at the expense of other Bosniac victims' associations. Some victims from other locations saw postwar reconstruction aid as a zero-sum game, with Srebrenica victims on the winning side of the ledger.[120] At the same time, there was negligible, if not completely absent, international attention to non-Bosniac war victims (Croats and Serbs).[121] The attention to these victims was almost exclusively in the purview of what had been constructed as their ethnic homelands – Croatia and Serbia.

The Bosnian case demonstrates that survivors of the Srebrenica genocide constructed their victimhood (during or after the war) as a desirable social status. In the hierarchy of victimhood, their status was higher in relation to other comparable victims, and this led to tangible material and normative benefits. Bosnia remains a site of victimhood hierarchies, driven both by domestic stratification of experiences but also by international identification and classification of victims. This uneven distribution of attention, resources, and benefits then further solidified the victimhood hierarchy and made it more stable and durable, through time. It also helped construct an ideal victim of genocide that can then be used to justify massive international military interventions, including 'total wars', as wars waged in defence of ideal victims of genocide. Those wars, however, tend to produce their own victims, and often on a massive scale.[122] The high status of Srebrenica victims, however, still did not translate into more substantive political victories, such as the special status for the city, appointment of a Bosniac city mayor or – most ambitiously – Bosnia's constitutional reform that would abolish Republika Srpska. The international sympathy for Srebrenica's victims extended more easily to symbolic gestures than to major political redress.

Conclusion

Students of status in world affairs struggle to demonstrate its independence from material measures of capabilities because power and status overlap considerably, just as Weber proposed. The possibility that the category of victims is a status category poses both opportunity and challenge. The opportunity is to demonstrate that status can be quite independent of material power; indeed, here victim as status is less likely to accrue the more material power the actor has. The challenge is to uncover the underlying normative structure that makes possible victim as a status category. Our strategy was to start historically, outlining when suffering became a matter of social concern, and compassion and care became a measure of humanity. Not everyone's suffering, nor all kinds of suffering, matters equally. Some suffering matters more than others and some who suffer are deemed to be deserving, and others undeserving. Importantly, it is not the sheer amount, the

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[118]Nidžara Ahmetašević, 'Bosnia's unending war', *New Yorker* (4 November 2015).

[119]Interview with Suljagić, July 2020, available at: {http://miruhbosne.com/?p=61593}.

[120]UNDP and USAID, for example, had specific line budget items just for Srebrenica. Nettelfield and Wagner, *Srebrenica*, p. 118. See also Jessie Hronešová, 'Might makes right: War-related payments in Bosnia and Herzegovina', *Journal of Intervention and Statebuilding*, 10:3 (2016), pp. 339–60.

[121]Barton-Hronešová, *Struggle for Redress*.

[122]Dirk Moses, 'Who counts as a victim?', *Aeon* (10 May 2021), available at: {https://aeon.co/essays/the-pantomime-drama-of-victims-and-villains-conceals-the-real-horrors-of-war}.

cruelty, the severity, or the magnitude of the suffering that decides whose suffering matters; there are a host of other factors as well.

Studies of victims as a category, sometimes called victimology, have laboured over the category and meaning of the victim, pointing to its social construction, contingency, and other situational factors. A major concern of this literature is the distinction between the victim from others whose suffering is not granted the same attention, or recognised. We have discussed the underlying normative foundations, but also noted the legalisation of suffering and victimhood.

These political, normative, and legal distinctions make it a status category, and those who are labelled victims can anticipate greater resources, sympathy, and support of all kinds. Accordingly, those who are suffering will actively seek the label of victim. It is worth pointing out something of an irony. Victims are routinely described as passive and weak, rendered voiceless. Yet being recognised as a victim provides a social capacity not available to those who are suffering but denied the victim label. The paradox is that the victim category provides agency.[123]

This article has demonstrated various ways in which victims can enjoy status that generates rewards and resources, and there are other effects of victims as a status category – especially in a world where many aspire to be a victim. The category of victims exists in a co-constitutive relationship with other categories. A world of victims requires those who are rescuers, another category of distinction. Status, in this context, accrues to those who are viewed as moral agents, who are compassionate and caring. Victims might achieve their standing because of natural disasters, but often there are perpetrators, another category of distinction but without much status. Victims can demand justice in the form of punishment for, or reparations and apologies from those who made them suffer.

There are many reasons why those who have suffered might become attached to their identity as victims. There are material reasons, as we suggested above. Additionally, members of a category can become attached to it as a matter of identity. Victim identity is rarely viewed as positive, and is often associated with self-destructive behaviour that creates a self-fulfilling prophecy of a world out to harm them.[124] For instance, some argue that Israeli Jews have a chronic sense of vulnerability and a 'Masada Complex' that persists even when structural conditions change in their favour.[125] If Israel is a permanent victim, then peace with the Palestinians becomes impossible.[126] Victims can become attached to a belief in their lack of agency, which includes the inability to see oneself as a source of another's suffering. For instance, two soldiers convicted of using an eleven-year-old Palestinian boy as a human shield during Operation Cast Lead in Gaza wore shirts that proclaimed, 'We are Goldstone's Victims.'[127]

Lastly, in a world in which suffering can become a status category, the more incentive groups will have to portray themselves as victims. Whether all are 'deserving' is a matter of controversy. Perpetrators now often portray themselves as victims. Former US President Donald Trump played the victim from the very moment he entered politics. American soldiers returning from Vietnam, Iraq, and Afghanistan have been treated as victims not because of the suffering they endured but because of the atrocities they inflicted on others.[128] Compassion fatigue can set in with more individuals demanding attention to their suffering, which can in turn lead to further

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[123]Bird, 'Constructing vulnerability'; Anne-Kathrin Kreft and Philipp Schulz, 'Political agency, victimhood, and gender in contexts of armed conflict: Moving beyond dichotomies', *International Studies Quarterly*, 66:2 (2022), p. sqac022.

[124]Dean, *Aversion and Erasure*, p. 32; Lerner, 'Uses and abuses'.

[125]Yael Zerubavel, *Recovered Roots: Collective Memory and the Making of Israeli National Tradition* (Chicago, IL: University of Chicago Press, 1995), pp. 192–200.

[126]Navon, 'Embracing victimhood', p. 74.

[127]Soldiers were referring to Richard Goldstone, the former ICC prosecutor who chaired an investigation into Israeli use of force in Gaza. 'The IDF can't play victim on its actions on Gaza', *Haaretz* (10 April 2010).

[128]Didier Fassin and Richard Rechtman, *The Empire of Trauma: An Inquiry into the Condition of Victimhood* (Princeton, NJ: Princeton University Press, 2009).

resentment and backlash.[129] These developments only further problematise the category of complex political victims. Being labelled a victim might not always be a source of status, and the more victim status becomes overused the less potency it will have. Perhaps there should be more attention to vulnerability and less to victims.

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[129]An early example is Robert Hughes, *Culture of Complaint: The Fraying of America* (New York, NY: Oxford University Press, 1993).