

Challenging Global Norms of ‘Victimhood’ and ‘Innocence’

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Abstract

Transitional justice, human rights and international law scholarship and practice often presume a need for individuals to at least tacitly accept the label “victim” (or sometimes “survivor”) in order to participate and be beneficiaries of justice mechanisms. However, the term “victim” comes from Western, Judaeo-Christian traditions and carries connotations of passivity, innocence, and non-involvement in a given conflict, a tendency well-documented in socio-legal literature. Some authors have pointed out how these connotations are linked to inequalities in the global order, including by linking concepts of the ideal, innocent victim and the delegitimization of some forms of resistance against oppression. At the same time, many people from Myanmar have called for justice for categories of individuals including political prisoners, members of the Civil Disobedience Movement, and those killed resisting oppression, without necessarily calling those people victims/survivors. In the rhetoric around justice, ideas of agency, duty and sacrifice are inextricably intertwined in ways that challenge global norms of victimhood, justice and human rights.

This presentation uses a critical victimological approach to examine the background and connotations of the term “victim” in the context of Myanmar’s past and current movements resisting oppression. Using data from the first phase of my PhD research with people who have experienced political persecution in Myanmar, I will discuss initial findings on how these individuals engage with the term “victim” and the alternatives that they use, relating those findings to the critiques that others have made about how victimhood is constructed in international law and transitional justice. At the same time, I will show how these individuals engage with and at times resist norms from Myanmar’s political and social culture around activism and dissent.