The Grip of Sexual Violence in Conflict: From Human Rights to Criminal Law

In 1993, discussion of sexual violence in conflict made its way onto the contemporary world scene, not coincidentally at the same time that the “human rights of women,” or “women’s human rights,” gained traction within mainstream human rights discourse and institutions. Through a genealogical account of feminist engagement with international law over the past twenty-five years, my paper will consider how the two issues often became enmeshed and even conflated over time to produce a problematic common sense about the harm of sexual violence in conflict (the worst crime you can imagine) and the proper response to it (criminal law). It will trace the development of this common sense to the success of a certain strand of feminism, on one hand, and a particular approach to human rights and humanitarian law, on the other. It is critical of each, and of the ways they have interacted.