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Women and War: A Bibliography of Recent Works

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Women and War: A Bibliography of Recent Works

ANNETTE DEMERS*

Since the end of the Cold War, a number of regional conflicts worldwide have devastated innocent populations. The conflicts in Rwanda and in the Balkans come to mind as prominent examples. With these developments the literature about women and war has proliferated.

In particular, there is a growing emphasis on the impact of war on women. The literature emphasizes a number of concerns. In most countries, women form the center of the family and bear the economic and social burden of keeping their families together throughout times of conflict and upheaval. Women's essential role in childbearing and procreation makes them targets of genocide and rape. Unarmed women with children suffer by the very vulnerability of their situations.

Protecting women victims of war can only be done by formulating research, law and policy which recognizes the vulnerable position of women in war torn areas. In order to assist researchers, the author has compiled a bibliography of books and articles written in the last 10 years, with an emphasis on legal literature.

Of particular and increasing significance, are articles written about post-conflict justice in domestic and international law. With the new International Criminal Court and the essential role that has been provided to women and war victims in determining its process and functioning, post-conflict justice has entered the forefront of legal literature in this area. Many authors have discussed the importance of including war crimes against women in interpreting humanitarian laws. Other authors have examined the International Criminal Court, the International Criminal Tribunal for the Former Yugoslavia, and the International Criminal Tribunal for Rwanda and their usefulness in seeking justice for women victims of war. Several authors argue that rape should be included in definitions of war crimes.

The literature in this area reveals that violence against women during wartime occurs with shocking frequency and is pervasive throughout the

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world. The issues are also complex and multifaceted, and the literature reflects this complexity. One finds material covering:

- case studies of attacks on particular communities and groups;
- domestic legal analysis;
- international legal analysis;
- feminist analysis;
- sociological analysis;
- moral analysis;
- political analysis.

Peace-building, female soldiers, sexual violence, abuse by peacekeepers, and post-war reconstruction are all examples of works in this area.

Accordingly, one can find a wide array of literature, touching on a number of countries and issues. To try to categorize such works to make them accessible is an arduous task. The most difficult aspect was deciding whether or not to include works with little or no legal component. In the past few years there have been several comparative, multi-author books published which focus on feminist analysis and case studies of women and war. For a good critical analysis, authors in this field must have evidence of the situation of the women in regions they are concerned about. Providing such background helps enlighten the reader, increase awareness, and it provides the necessary backdrop to further analysis. Researchers working in this area require descriptive and analytical works that may not necessarily contain any significant legal component. To truly make these works accessible to the legal researcher, and to ensure these voices are heard, most individual chapters of interdisciplinary works have been noted and placed under the appropriate heading.

The materials in this bibliography are ordered by topic. The heading "Comparative Works" was one of the original topics, since many of the monographs listed are compilations of regional case studies, written by different authors. This heading was too broad, however, to convey the value of the contents of such works. The topics "Female Soldiers" and "Feminist Analyses" were previously removed, but then included again as such literature may be useful for legal researchers. The "Justice and Legal Analyses" section was originally one long section entitled "Post Conflict Justice", however discussions of domestic law, international law, international tribunals and truth commissions required further breakdown of this topic to ensure efficient access.

This bibliography was compiled in part by using the Harvard Library catalog, an excellent source for identifying monographs on a given topic. This library catalog does, from time to time, include tables of contents, which I found very helpful for this project. Amazon.com and Google Book Search also provide Tables of Contents for a significant portion of the books listed

here, including page numbers, for chapters. For researching legal journal articles, Hein Online as well as Lexis Nexis and Westlaw were all useful. Where the subject matter of the article or work was not apparent from its title, the book or article itself was scrutinized to ensure accuracy in classifying it, and from time to time, book reviews were also used.

*Denotes symposium issue.

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Bibliographies

A number of bibliographies on the subject of women and war have already been published. Most have a very specific focus. For example, the International Center for Human Rights and Democratic Development has

compiled a bibliography of works which discuss the Tokyo "comfort women" tribunal. Elenor Richter-Lyonette's bibliography focuses on the Balkan Wars and Zawati's and Mahmoud's work is a reference for those interested also in the conflict in Rwanda. The other, more general works listed here all have contents ending about the year 2000.

Dubois, Rose Marie & Ferroudja Nazef. *Women's Rights in Conflict Situations. Droits des Femmes en situations de conflit. 1997-1999 update*. Intl. Ctr. for Human Rights and Democratic Dev. 1999.
<http://www.ichrdd.ca/english/commdoc/publications/women/biblioFemmes2.html>

Grenier, Stéphanie. *Women's Human Rights in Conflict Situations. Bibliography*. Intl. Ctr. for Human Rights and Democratic Dev. May 1999.
<http://www.dd-rd.ca/english/commdoc/publications/women/biblioWomen.html>

Loganathan, Bhawani. *Gendering Humanitarianism: An Annotated Bibliography on Gender and Capacity Building in Armed Conflict* (Intl. Ctr. for Ethnic Studies 2000).

Richter-Lyonette, Elenor. *Bibliography Gender, War & Justice: With Special Reference to the Balkan Wars 1991-1999* (The Coordination of Women's Advocacy 2002).

Tokyo Tribunal and Comfort Women. Le Tribunal de Tokyo et les femmes de réconfort. Bibliography. Intl. Ctr. for Human Rights and Democratic Dev., December 2001.
<http://www.dd-rd.ca/english/commdoc/publications/women/comfortWomenBib.html>

Zawati, Hilmi & Ibtisam M. Mahmoud. *A Selected Socio-Legal Bibliography on Ethnic Cleansing, Wartime Rape, and Genocide in the Former Yugoslavia and Rwanda* (Edwin Mellen 2005).

Command Responsibility

One issue that has been touched on by a small group of authors is whether or not the international law principle of command responsibility could be applied to wartime gendered crimes. Under international law, a person in authority may be held criminally responsible for the acts of subordinates in wartime, and the authors below argue that this is one clear doctrine upon which military leaders could be held accountable for war crimes against women. Jennifer Murray extends the argument further, asking whether the doctrine could give rise to accountability among the leaders of the

U.N. peacekeeping mission to Bosnia who failed to arrest a human trafficking ring within their ranks.

Barrett, Richard P. & Laura E. Little. *Lessons of Yugoslav Rape Trials: A Role for Conspiracy Law in International Tribunals*, 88 Minn. L. Rev. 30 (2003).

Laviolette, Nicole. *Commanding Rape: Sexual Violence, Command Responsibility, and the Prosecution of Superiors by the International Criminal Tribunals for the Former Yugoslavia and Rwanda*, 36 Canadian Y.B. Intl. L. 93 (1998).

Murray, Jennifer. *Who Will Police the Peace-Builders? The Failure to Establish Accountability for the Participation of United Nations Civilian Police in the Trafficking of Women in Post-Conflict Bosnia and Herzegovina*, 34 Colum. Hum. Rights L. Rev. 475 (2003).

Russell-Brown, Sherri L. *The Last Line of Defense: The Doctrine of Command Responsibility and Gender Crimes in Armed Conflict*, 22 Wis. Intl. L. J. 125 (2004).

Female Soldiers

One issue that has arisen in the literature is women's involvement in wartime as soldiers, guerrillas or freedom fighters. Feminist analyses and case studies which tell the story of how women become involved in military action and the struggles they face, both within the ranks and at home. Angela Veale's article discusses the fate of female soldiers who fought in Ethiopia and their struggles to reintegrate into society.

Alison, Miranda. *Women as Agents of Political Violence: Gendering Security*, 35 Sec. Dialog 447 (2004).

Browne, Kingsley R. *Women at War: An Evolutionary Perspective*, 49 Buff. L. Rev. 51 (2001).

Dalton, Colleen. Student Author. *The Sexual Assault Crisis in the United States Air Force Academy*, 11 Cardozo Women's L.J. 177 (2004).

D'Amico, Francine. *Feminist Perspectives on Women Warriors*, in *The Women and War Reader* 119, (Lois Ann Lorentzen & Jennifer Turpin, eds., N.Y.U. Press 1998).

Fox, Mary-Jane. *Girl Soldiers: Human Security and Gendered Insecurity*, 35 Sec. Dialog 465 (2004).

Ibáñez, Ana Cristina. *El Salvador: War and Untold Stories - Women Guerrillas*, in *Victims, Perpetrators or Actors? Gender, Armed Conflict, and Political Violence* 117, (Caroline O.N. Moser & Fiona Clark eds., Zed Books 2001).

Kostelny, Kathleen. *What About the Girls?* 37 *Cornell Intl. L.J.* 505 (2004).

Leibig, Abigail. Student Author. *Girl Child Soldiers in Northern Uganda: Do Current Legal Frameworks Offer Sufficient Protection?* 3 *Nw. U. J. Intl. Hum. Rights* 6 (2005).

Leszkay, Blythe. *Feminism on the Front Lines*, 14 *Hastings Women's L.J.* 133 (2003).

Manchanda, Rita. *Women in Nepal's People's War: From Invisibility to Visible Protagonist?* in *The Aftermath: Women in Post-Conflict Transformation* 116, (Sheila Meintjes, Meredith Turshen & Anu Pillay eds., Zed Books 2002).

Shahri, Sorayya. *Women in Command: A Successful Experience in the National Liberation Army of Iran*, in *Frontline Feminisms: Women, War and Resistance* 185, (Marguerite R. Waller & Jennifer Rycenga eds., Routledge Press 2001).

Veale, Angela. *From Child Soldier to Ex-Fighter: Female Fighters, Demobilisation and Reintegration in Ethiopia* (Inst. for Sec. Stud. 2003).

Feminist Analyses

Outside the legal realm are many articles and other works which analyze war and peace using feminist theory. Such works may be of interest in advancing our understanding of how war and conflict are human constructs which reflect the social values of particular groups and structures. Such analyses may be useful for making policy arguments as well as for advocating for institutional, procedural or structural change. Diplomats, lawmakers, judges, prosecutors, victims advocates and all players in the legal system can also benefit from having an increased awareness of the feminist perspective on war.

Afshar, Haleh. *Women and Wars: Some Trajectories Towards a Feminist Peace*, in *Development, Women, and War: Feminist Perspectives* 43, (Haleh Afshar & Deborah Eade eds., Oxfam 2004).

Carter, April. *Should Women be Soldiers or Pacifists?*, in *The Women and War Reader* 33, (Lois Ann Lorentzen & Jennifer Turpin, eds., N.Y.U. Press 1998).

Cockburn, Cynthia. *The Continuum of Violence: A Gender Perspective on War and Peace*, in *Sites of Violence: Gender and Conflict Zones* 24, (Wenona Giles & Jennifer Hyndman eds., U. of Cal. Press 2004).

---. *The Gendered Dynamics of Armed Conflict and Political Violence*, in *Victims, Perpetrators or Actors? Gender, Armed Conflict, and Political Violence* 13, (Caroline O.N. Moser & Fiona Clark eds., Zed Books 2001).

---. *The Space Between Us: Negotiating Gender and National Identities in Conflict* (Zed Books 1998).

El-Bushra, Judy. *Fused in Combat: Gender Relations and Armed Conflict*, in *Development, Women, and War: Feminist Perspectives* 152, (Haleh Afshar & Deborah Eade eds., Oxfam 2004).

---. *Transforming Conflict: Some Thoughts on a Gendered Understanding of Conflict Processes*, in *States of Conflict: Gender, Violence and Resistance* 66, (Susie M. Jacobs, Ruth Jacobson & Jennifer Marchbank, eds., Zed Books 2000).

Dahlerup, Drude. *Women in Political Decision-Making: From Critical Mass to Critical Acts in Scandinavia*, in *Gender, Peace and Conflict* 104, (Inger Skjelsboek & Dan Smith eds., Sage 2001).

Enloe, Cynthia. *All the Men Are in the Militias, All the Women Are Victims: The Politics of Masculinity and Femininity in Nationalist Wars*, in *The Women and War Reader* 50, (Lois Ann Lorentzen & Jennifer Turpin, eds., N.Y.U. Press 1998).

---. *Maneuvers: The International Politics of Militarizing Women's Lives*. (U. of Cal. Press 2000).

Gender & Catastrophe. (Rohit Lentin, ed., Zed Books 1997).

Gierycz, Dorota. *Women, Peace and the United Nations Beyond Beijing*, in *Gender, Peace and Conflict* 14, (Inger Skjelsboek & Dan Smith eds., Sage 2001).

Giles, Wenona, & Jennifer Hyndman, *Introduction: Gender and Conflict in a Global Context*, in *Sites of Violence: Gender and Conflict Zones 3*, (Wenona Giles & Jennifer Hyndman eds., U. of Cal. Press 2004).

Goldstein, Joshua S. *War and Gender: How Gender Shapes the War System and Vice Versa* (Cambridge U. Press, 2001).

Hyndman, Jennifer. *Refugee Camps as Conflict Zones: The Politics of Gender*, in *Sites of Violence: Gender and Conflict Zones 193*, (Wenona Giles & Jennifer Hyndman eds., U. of Cal. Press 2004).

Miller, Errol. *Gender, Power and Politics An Alternative Perspective*, in *Gender, Peace and Conflict 80*, (Inger Skjelsboek & Dan Smith eds., Sage 2001).

Moser, Caroline O.N. *The Gendered Continuum of Violence and Conflict: An Operational Framework*, in *Victims, Perpetrators or Actors? Gender, Armed Conflict, and Political Violence 30*, (Caroline O.N. Moser & Fiona Clark eds., Zed Books 2001).

Feinman, Ilene Rose. *Women Warriors/Women Peacemakers: Will the Real Feminists Please Stand Up!* in *The Women and War Reader 132*, (Lois Ann Lorentzen & Jennifer Turpin, eds., N.Y.U. Press 1998).

Salla, Michael. *Women and War, Men and Pacifism*, in *Gender, Peace and Conflict 68*, (Inger Skjelsboek & Dan Smith eds., Sage 2001).

Skjelsboek, Inger. *Is Femininity Inherently Peaceful? The Construction of Femininity in War*, in *Gender, Peace and Conflict 47*, (Inger Skjelsboek & Dan Smith eds., Sage 2001).

Spike, Peterson, V. *Gendered Nationalism: Reproducing Us versus Them*, in *The Women and War Reader 41*, (Lois Ann Lorentzen & Jennifer Turpin, eds., N.Y.U. Press 1998).

Yuval-Davis, Nim. *Gender, the Nationalist Imagination, War, and Peace*, in *Sites of Violence: Gender and Conflict Zones 170*, (Wenona Giles & Jennifer Hyndman eds., U. of Cal. Press 2004).

Impact on Women

Accounts of the impact of war on women appear in both legal and social sciences literature.

Non-governmental organizations (NGOs) such as Amnesty International, the International Committee of the Red Cross and the Asian

Center for Women's Human Rights are well known for their vivid, personal accounts of the impact of war on local populations. Broad-based works such as Cynthia Enloe's book *Maneuvers* (above) and Madelaine Gagnon's work provide a series of case-based analyses of particular war torn regions and groups. They are valuable for the depth and breadth of the background and detail they provide, and they give a comparative overview to illustrate how widespread this problem is. Lisa Avery's article provides a broad overview of the many consequences of war for women worldwide as she argues the benefits of a new law introduced in the United States to call attention to this tragic phenomenon.

Afshar, Haleh. *Women and Wars: Some Trajectories Towards a Feminist Peace*, in *Development, Women, and War: Feminist Perspectives* 43, (Haleh Afshar & Deborah Eade eds., Oxfam 2004).

Avery, Lisa. *The Women and Children in Conflict Protection Act: An Urgent Call for Leadership and the Prevention of International Victimization of Women and Children in War*, 51 *Loy. L. Rev.* 103 (2005).

Bennoune, Karima. *The Impact of Armed Conflict on Women*, 24 *Women's Rights L. Rptr.* 173 (Fall 2003).

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El-Bushra, Judy. *Fused in Combat: Gender Relations and Armed Conflict*, in *Development, Women, and War: Feminist Perspectives* 152, (Haleh Afshar & Deborah Eade eds., Oxfam 2004).

Gagnon, Madelaine. *Les Femmes et la Guerre* (Montréal : VLB éditeur, 2000).

Gardam, Judith & Michelle Jarvis. *Women and Armed Conflict: The International Response to the Beijing Platform for Action*, 32 *Colum. Hum. Rights L. Rev.* 1 (2000).

Lindsey, Charlotte. *The Impact of Armed Conflict on Women*, in *Listening to the Silences: Women and War* 21, (Helen Durham & Tracey Gurd eds., Martinus Nijhoff 2005).

---. *Women and War: An Overview*, 839 *Intl. Rev. Red Cross* 561 (2000).

---. *Women and War: The Detention of Women in Wartime*, 842 *Intl. Rev. Red Cross* 505 (2001).

---. *Women Facing War : ICRC Study on the Impact of Armed Conflict on Women* (I.C.R.C. 2001).

Lives Blown Apart: Crimes Against Women in Times of Conflict: Stop Violence Against Women (Amnesty Intl. Publications 2004).

Mackinnon, Catharine A. *Crimes of War Crimes of Peace in In the Aftermath of Rape: Women's Rights, War Crimes, and Genocide* 13, (Elenor Richter-Lyonette ed., 2d ed., Coordination of Women's Advocacy 1997).

McKay, Susan. *The Effects of Armed Conflict on Girls and Women*, 4 *Peace & Conflict: J. of Peace Psychology* 381 (1998).

Rehn, Elisabeth & Ellen Johnson Sirleaf. *Women, War, and Peace: The Independent Experts' Assessment on the Impact of Armed Conflict on Women and Women's Role in Peace-Building* (UNIFEM 2002).

The Women and War Reader 80, (Lois Ann Lorentzen & Jennifer Turpin, eds., N.Y.U. Press 1998).

Issues in Peacekeeping

The role that the United Nations Civilian Police played in trafficking women in Bosnia and Herzegovina brought to light the potential for abuse by unchecked and untrained peacekeepers. Jennifer Murray and Paul Higate document these aspects of peacekeeping that have arisen both in the Balkans and in Africa. Also referenced is the new United Nations Department of Peacekeeping Operations *Gender Resource Package for Peacekeeping Operations*. It helps teach peacekeepers about gender issues they will encounter as a result of their operations. Janet Beilstein discusses the expanding role of women in UN peacekeeping operations.

Beilstein, Janet. *The Expanding Role of Women in United Nations Peacekeeping*, in *The Women and War Reader* 140, (Lois Ann Lorentzen & Jennifer Turpin, eds., N.Y.U. Press 1998).

Gender, Conflict and Peacekeeping, (Dyan Mazurana, Angela Raven-Roberts, & Jane Parpart eds., Rowman & Littlefield 2005).

Higate, Paul. *Gender and Peacekeeping: Case Studies; The Democratic Republic of the Congo and Sierra Leone* (Institute for Security Studies 2004).

Higate, Paul & Marsha Henry. *Engendering (In)security in Peace Support Operations*, 35 *Sec. Dialog* 481 (2004).

Murray, Jennifer. *Who Will Police the Peace-Builders? The Failure to Establish Accountability for the Participation of United Nations Civilian Police in the Trafficking of Women in Post-Conflict Bosnia and Herzegovina*, 34 Colum. Hum. Rights L. Rev. 475 (2003).

Mackay, Angela. *Training the Uniforms: Gender and Peacekeeping Operations*, in *Development, Women, and War: Feminist Perspectives* 100, (Haleh Afshar & Deborah Eade eds., Oxfam 2004).

Peacekeeping Best Practices Unit. *Gender Resource Package for Peacekeeping Operations*.
United Nations Department of Peacekeeping Operations. August 2004.
<http://pbpu.unlb.org/pbpu/genderpack.aspx>.

The Postwar Moment: Militaries, Masculinities, and International Peacekeeping (Cynthia Cockburn ed., Lawrence and Wishart Ltd. 2002).

Ward, Jeanne. *Gender-Based Violence Among Conflict-affected Populations: Humanitarian Program Responses*, in *Listening to the Silences: Women and War* 67, (Helen Durham & Tracey Gurd eds., Martinus Nijhoff 2005).

Whitworth, Sandra. *Men, Militarism and UN Peacekeeping: A Gendered Analysis*
(Lynne Rienner 2004).

Justice and Legal Analyses

When the Statute of Rome which created the International Criminal Court was first negotiated, stakeholders from around the world worked tirelessly to ensure the inclusion of provisions to ensure the participation of women and victims in its processes. Other international criminal tribunals, ad hoc tribunals and truth-commissions have been set up around the world to try to vindicate war victims. There is a plethora of legal literature surrounding the impact of such tribunals, as well as discussions of their jurisdiction, procedures, investigative process, political entanglements, evidentiary issues and more. The emphasis in the following articles is the extent to which such mechanisms might be used to obtain retribution for women war victims. Articles which flesh out the international law protections for women civilians under the Geneva Conventions, customary international law, and the torture conventions are also included here. One group of authors explores whether women war victims may advance their cause using domestic avenues in the United States. There is also a burgeoning body of literature calling for rape to be included in definitions of war crimes. This group of literature is included under a separate heading at the end of this bibliography entitled Sexual Violence.

Overviews and Historical Perspectives

*Arbour, The Honourable Madam Justice Louise. *Stefan A. Riesenfeld Award Lecture: Crimes Against Women Under International Law*, 21 Berkeley J. Intl. L. 196 (2003).

Askin, Kelly D. *Discussion. The Quest for Post-Conflict Gender Justice*, 41 Colum. J. Transnatl. L. 509 (2003).

Barstow, Anne Llewellyn. *The United Nations' Role in Defining War Crimes Against Women*, in *War's Dirty Secret: Rape, Prostitution, and Other Crimes Against Women* 234, (Anne Llewellyn Barstow, ed., Pilgrim Press 2000).

Bunch, Charlotte. *Women's Rights as Human Rights in War and Conflict*, in *In the Aftermath of Rape: Women's Rights, War Crimes, and Genocide* 3, (Elenor Richter-Lyonette ed., 2d ed., Coordination of Women's Advocacy 1997).

Campanaro, Jocelyn. Student Author. *Women, War, and International Law: The Historical Treatment of Gender-Based War Crimes*, 89 Geo. L. J. 2557 (2001).

Philips, Ruth B. *Too Close to Home? International Criminal Law, War Crimes and Family Violence*, 24 Thomas Jefferson L. Rev. 229 (2002).

Domestic Law

Avery, Lisa. *The Women and Children in Conflict Protection Act: An Urgent Call for Leadership and the Prevention of Intentional Victimization of Women and Children in War*, 51 Loy. L. Rev. 103 (2005).

Higgins, Angela M. Student Author. *"Else We Are Condemned to Go from Darkness to Darkness": Victims of Gender-Based War Crimes and the Need for Civil Redress in U.S. Courts*, 70 U. M. K. C. L. Rev. 677 (2002).

Isenberg, Beth Ann. *Genocide, Rape and Crimes Against Humanity: An Affirmation of Individual Accountability in the Former Yugoslavia in the Karadžić Actions*, 60 Alb. L. Rev. 1051 (1997).

Meade, Christopher P. Student Author. *From Shanghai to Globocourt: An Analysis of the "Comfort Women's" Defeat in Hwang v. Japan*, 35 Vand. J. Transnatl. L. 211 (2002).

Nessel, Lori A. *"Willful Blindness" to Gender-Based Violence Abroad: United States' Implementation of Article Three of the United Nations Convention Against Torture*, 89 Minn. L. Rev. 71 (2004).

Nishigai, Makoto. Student Author. *The Comfort Women Case in the United States: A Note on Questions Resolved and Unresolved in Hwang v. Japan, the First Lawsuit Brought by Asian Women Against Japan for War Crimes*, 20 Wis. Intl. L.J. 371 (2002).

Vanderweert, Susan Jenkins. Student Author. *Seeking Justice for "Comfort" Women: Without an International Criminal Court, Suits Brought by World War II Sex Slaves of the Japanese Army May Find Their Best Hope of Success in U.S. Federal Courts*, 27 N.C. J. Intl. L. & Com. Reg. 141 (2001).

Humanitarian Law

Campbell, Kirsten. *Legal Memories: Sexual Assault, Memory, and International Humanitarian Law*, 28 Signs: J. Women Culture & Socy. 149 (Autumn 2002).

Durham, Helen. *International Humanitarian Law and the Protection of Women*, in *Listening to the Silences: Women and War* 95, (Helen Durham & Tracey Gurd eds., Martinus Nijhoff 2005).

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Gardam, Judith & Michelle Jarvis. *Women, Armed Conflict, and International Law* (Kluwer Law Intl. 2001).

Lippman, Matthew. *Humanitarian Law: War on Women*, 9 M.S.U.-D.C.L. J. Intl. L. 33 (2000).

Mitchell, David S. *The Prohibition of Rape in International Humanitarian Law as a Norm of Jus Cogens: Clarifying the Doctrine*, 15 Duke J. Comp. & Intl. L. 219 (2005).

Mutschler, Monika. *New Developments in International Law*, in *In the Aftermath of Rape: Women's Rights, War Crimes, and Genocide* 113, (Elenor Richter-Lyonette ed., 2d ed., Coordination of Women's Advocacy 1997).

*Noone, Michael F. *Whacking Unarmed Women: Gaps in the Law of Armed Conflict*, 9 Duke J. Gender L. & Policy 271 (2002).

International Tribunals

Askin, Kelly D. *The Jurisprudence of International War Crimes Tribunals: Securing Gender Justice for Some Survivors*, in *Listening to the Silences: Women and War* 125, (Helen Durham & Tracey Gurd eds., Martinus Nijhoff 2005).

*---. *Prosecuting Wartime Rape and Other Gender-Related Crimes Under International Law: Extraordinary Advances, Enduring Obstacles*, 21 Berkeley J. Intl. L. 288 (2003).

---. *War Crimes Against Women: Prosecution in International War Crimes Tribunals* (Martinus Nijhoff 1997).

---. *Women's Issues in International Criminal Law: Recent Developments and the Potential Contribution of the ICC*, in *International Crimes, Peace, and Human Rights: The Role of the International Criminal Court* 47, (Dinah Shelton ed., Transnational Publishers 2000).

Barrett, Richard P. & Laura E. Little. *Lessons of Yugoslav Rape Trials: A Role for Conspiracy Law in International Tribunals*, 88 Minn. L. Rev. 30 (2003).

Boon, Kristen. *Rape and Forced Pregnancy Under the ICC Statute: Human Dignity, Autonomy and Consent*, 32 Colum. Hum. Rights L. Rev. 625 (2000).

Cassese, Antonio. *Dayton Six Months On*, in *In the Aftermath of Rape: Women's Rights, War Crimes, and Genocide* 71, (Elenor Richter-Lyonette ed., 2d ed., Coordination of Women's Advocacy 1997).

Coan, Christin B. Student Author. *Rethinking the Spoils of War: Prosecuting Rape as a War Crime in the International Criminal Tribunal for the Former Yugoslavia*, 26 N.C. J. Intl. L. & Com. Reg. 183 (2000).

Copelon, Rhonda. *Gender Crimes as War Crimes: Integrating Crimes Against Women into International Criminal Law*, 46 McGill L. J. 217 (2000).

De Brouwer, A.M. *Supranational Criminal Prosecution of Sexual Violence: The ICC and the Practice of the ICTY and the ICTR*. (Intersentia 2005).

Haffajee, Rebecca L. *Prosecuting Crimes of Rape and Sexual Violence at the ICTR: The Application of Joint Criminal Enterprise Theory*. 29 Harv. J.L. & Gender 201 (2006).

Goldstone, Richard. *Prosecuting War Criminals*, in *In the Aftermath of Rape: Women's Rights, War Crimes, and Genocide* 55, (Elenor Richter-Lyonette ed., 2d ed., Coordination of Women's Advocacy 1997).

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In the social sciences literature, one group of articles addresses the fundamental role that women have played in rebuilding their war-torn communities. Handrahan and Onyejekwe's works are examples of this body of literature. Another group of literature takes a hard look at the situation of women before and after conflict arguing that patriarchal socio-political structures usually remain in place both during and after war-time upheaval. For example, both Mertus' and Meintjes' works provide critical analyses of the socio-political role of women in war time. The authors argue that the situation of women often deteriorates further once the fighting has died down. Julie Mertus' article also examines various approaches to securing women's equality, and the structural barriers which exist.

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Regional Discussions

With the large number of conflicts that occurred in the twentieth century throughout the world, writings have emerged which focus on gender issues in specific conflict zones. Below is a list of 53 regions where literature has been written about the impact of war on women in that particular conflict zone.¹⁷⁰

The list of countries and regions is worldwide, from Afghanistan to Vietnam. The list in particular includes such widely examined regions as the Balkans and Rwanda. Women's situations in earlier conflicts that have been brought to light recently and which have also been the subject of extensive scholarship include the quest for justice by the "comfort women" of Japan during World War II, the conflicts in Ireland, and the suffering of Jewish women during the holocaust. Such works are included where new research has been published in recent years. The experiences of women in the Middle East and Southeast Asia are also included in this section. Many African countries also appear individually as the many regional conflicts on that continent continue to impact the lives of women there. I have also included works on Latin American and Caribbean countries such as Guatemala, Nicaragua, Columbia and Haiti.

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Sexual Violence

One of the most extensively researched areas in this body of literature are the accounts of sexual violence against women during wartime. In wartime, women's bodies are used to placate armies, as in Japan, or forced into prostitution for profit. In many cases, forced impregnation is used as a weapon of genocide, and rape is used as a tool of humiliation against cultures and religions. In other regions, women are treated as war prizes or used by warring factions. The following lengthy list ties together the literature which focuses on this horrendous offshoot of war and women's efforts to have rape included in the definition and prosecution of war crimes under international law.¹⁷¹

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Conclusion

Reviewing this group of literature is sobering and thought-provoking. In this bibliography, I have tracked documentation of 53 wartorn regions and the impact of these wars on the women who live there. How many million women's lives have been affected by war? Frighteningly, most of these wars have taken place in just the past fifty years. The modern age – the age when the western world is enjoying a high standard of living, low poverty and high life expectancy. We in the western world prefer to think of ourselves as enlightened, yet the literature of women and war compels us to ask ourselves what social forces are at work in today's world to make women the targets of this degree of violence? Where were we, as a people, when these atrocities were carried out? How should we respond?

Look closely and we may find that the luxuries we enjoy today come at an extraordinary cost. Colonialism's legacy of abuse and destabilization, the military industrial complex, rampant consumerism, and the lust for oil: one must understand that all of these actions have an impact on human beings elsewhere on the planet. Although history may not find us personally responsible for perpetrating crimes against our fellow human beings, history will judge us for our complicity if we fail to take the initiative to stop atrocities.