

“CRUCIAL AS BREAD”: REMEMBERING RHONDA COPELON’S PIONEERING WORK

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It has been two years since the passing of Rhonda Copelon, a women’s human rights advocate and lawyer. While we feel her absence, women worldwide also feel the presence of her vital work. She changed the face of international law, molding it into a tool that could better protect women. Her work was critical in winning recognition of rape as a war crime and a crime against humanity.

In my work at MADRE, an international women’s human rights organization, I had the opportunity to work with Rhonda. I met her in my late twenties in 1997, when I came from Jerusalem to New York to work with the organization. I was invited to dinner at the home of our longtime Executive Director Vivian Stromberg. This was a home that Vivian shared for many years in Brooklyn with Rhonda, so Rhonda joined us for dinner, and Rhonda very kindly asked me about myself. She wanted to know what I had been doing in Jerusalem. I told her that I had been part of a joint Israeli-Palestinian human rights organization and that I had been running a project for Palestinian political prisoners.

Rhonda reached across the table, patted my hand and said, with warmth and not a bit of condescension, “Oh, sweetie, that is so great!” And I felt honored.

I knew who Rhonda was, not because I was a lawyer, but because I was an activist. This speaks volumes about the impact of Rhonda’s work in the world. What Rhonda did for those of us who are human rights activists was to create a treasure trove of strategies for how we could change conditions on the ground using international law.

This is a model that MADRE has pursued in our human rights advocacy for decades, and it is a model that was pioneered in many ways by Rhonda herself. This model is all about making international law relevant, accountable, and *useful* to women in the communities where violations are actually happening.

Of all of Rhonda’s cases, the ones that touch most closely on

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the work we do at MADRE are the cases in which Rhonda argued that rape committed during armed conflict is not incidental violence.¹ Rather, when committed by state actors, rape is an act of torture, and under certain circumstances, an act of genocide.² She won rulings that created new norms in international law.

I have worked over the years with the women these laws aim to protect; women from the former Yugoslavia, Rwanda, Haiti, and from other countries as well, who suffered those politically motivated rapes that Rhonda fought to prosecute. I know from these women how critical those rulings have been to their ability to recover from what happened to them, to face what happened with self-respect, to command respect from others, to overcome tremendous and life-threatening stigma. These rulings allowed them to not just heal and rebuild their own lives, but to participate more effectively in rebuilding their communities and their countries.

I once spoke with a woman from Bosnia who said that Rhonda's work was "as crucial as bread" to her and her daughters in being able to overcome what they experienced in the war. "As crucial as *bread*;" that is Rhonda's work.

The last time that I ever spoke with Rhonda was in the spring of 2010. She called me incensed about something that she had seen on television, something that many of us saw: images of women in Port-au-Prince, Haiti after the earthquake standing in line to receive food aid, and those women being shoved out of the way by men, being yelled at to get to the back of the line, having their food parcels torn out of their hands.

Rhonda said to me, "We've got to do something. It is so unjust." I was struck by the weight of that truth, because that in fact was the whole problem—that it was so unjust—and Rhonda said it plainly. It made me think about how we tend in our work to traffic

¹ While Director of the International Women's Human Rights Clinic at CUNY Law, Rhonda Copelon authored amicus briefs influencing several landmark international criminal cases. *See, e.g.*, Prosecutor v. Duško Tadić, Case No. IT-94-I-I, Indictment (Amended), ¶ 4.3 (Int'l Crim. Trib. for the Former Yugoslavia Dec. 14, 1995); Kelly D. Askin, *Developments in International Criminal Law: Sexual Violence in Decisions and Indictments of the Yugoslav and Rwandan Tribunals: Current Status*, 93 AM. J. INT'L L. 97, 101 (1999) (noting the independent rape charge in the Tadić case was withdrawn at trial because the witness was afraid to testify); Prosecutor v. Jean-Paul Akayesu, Case No. ICTR-96-4-T, Judgment, ¶ 731-734 (Int'l Crim. Trib. for Rwanda Sept. 2, 1998) (finding Akayesu guilty of genocide and sexual violence at the Taba commune).

² Comm. Against Torture, General Comment 2, Implementation of Article 2 by States Parties, ¶ 22, U.N. Doc. CAT/C/GC/2 (Jan. 24, 2008) (emphasizing gender as a "key factor" in the implementation of the Convention Against Torture).

in complexities. Politics is complicated, and legal strategy can be complicated. But much of the time, *justice* is simple. Rhonda never lost sight of that.