Professor Catharine A. MacKinnon specializes in sex equality issues under international and constitutional law. She pioneered the legal claim for sexual harassment and, with the late Andrea Dworkin, created ordinances recognizing pornography as a civil rights violation. The Supreme Court of Canada has largely accepted her approaches to equality, pornography, and hate speech. Representing Bosnian women survivors of Serbian genocidal sexual atrocities, she won with co-counsel a damage award of $745 million in August 2000 in *Kadic v. Karadzic*, which first recognized rape as an act of genocide. She works with Equality Now, an NGO promoting international sex equality rights for women.

Professor Catharine A. MacKinnon’s goals of working for women’s and gender equality inexorably took her beyond borders into challenging the legal, social, cultural, psychological, and other barriers that keep most women unequal to men worldwide.

As Professor Daniel Halberstam noted in introducing her recently to a lecture audience, “she virtually created the field of sex equality law, both in constitutional law and, increasingly, in international law.” Indeed, MacKinnon’s vision of human rights as equal entitlements for women as well as men is without borders. Her work to ensure those rights for those who have been deprived of them, mostly women, gives her a global view and has made her a world personality.

MacKinnon conceived and litigated the groundbreaking *Kadic v. Karadzic*, in which Bosnian Muslim and Bosnian Croat women and child victims of Serbian sexual atrocities sued Bosnian Serb leader Radovan Karadzic for planning and ordering a campaign of murder, rape, forced impregnation, and forced prostitution to destroy their religious and ethnic groups. The case recognized rape as an act of genocide for the first time, a breakthrough that has influenced international tribunals. Suing for rape as torture and as war crimes as well, they successfully relied on the obscure 1789 Alien Tort Claims Act, which Second Circuit Chief Judge Jon O. Newman said “creates federal court jurisdiction for suits alleging torts committed anywhere in the world against aliens in violation of the law of nations.” With co-counsel Maria Vullo of Paul, Weiss, MacKinnon secured a damages award from a federal jury of $745 million in August 2000.

At Michigan, MacKinnon regularly teaches a seminar on Women’s Human Rights with Affiliated Overseas Faculty member Christine Chinkin. Some international materials are always
included in Sex Equality, her lecture class. Her most recent book, Are Women Human? And Other International Dialogues (Harvard University Press, 2006), is a collection of international and comparative writings and speeches. She recently spoke on a panel on women’s issues internationally at the American Society for International Law, the proceedings of which will be published in the American Journal of International Law, for which she is also writing a book review.

In the last year, her “Women’s September 11th,” analyzing the relation between the “war on terror” and the undeclared war on women, was published in the Harvard Journal of International Law; her analysis of the rights of Muslim women after divorce under equality doctrine in India was published in the International Constitutional Law Journal; and her argument that pornography is a form of international trafficking in women was published by the Michigan Journal of International Law. Efforts to collect the judgment in Kadic v. Karadzic are ongoing. She continues to work with Equality Now, an international activist organization for women’s rights around the world, as well as to lecture and consult and be involved in international and domestic issues of women’s rights, including sex trafficking.

MacKinnon’s thinking on sex discrimination centers upon, but is not limited to, the problem of discrimination against women by men. She has also been in the forefront of developing new thinking about the impact of gendered notions like aggressiveness and competitiveness on men, and in defending sexually violated men. In her brief on behalf of plaintiff Joseph Oncale in Oncale v. Sundowner Offshore Services, for example, MacKinnon was instrumental in convincing the U.S. Supreme Court in 1998 that sex discrimination consisting of same-sex harassment is actionable under the Civil Rights Act of 1964—the first such recognition by that Court. There the plaintiff had been sexually assaulted by other men while they all were working on an offshore oil rig in the Gulf of Mexico. She has also argued in an article published recently, and has contended in teaching since 1977, that discrimination against gay men and lesbian women is sex-based discrimination.

This ever-broadening vision held a central place in MacKinnon’s lecture “Women’s Status, Men’s States” for the International Law Workshop earlier this fall. “Women are in the midst of the process of becoming human, a process that is changing human rights itself,” she told her standing-room-only audience. States are “male institutions,” she said, dominated by men and embodying male gender characteristics like sovereignty.

Is international law a counterweight to these tendencies, she asked, or “is it a meta-male?” Even as international law limits states, it builds on, depends on, and supports the power of states as such, she asserted. “Gender itself is a largely overlooked transnational force that works to support the dominance of men over women and some men over other men.”