
In our Winter '10 edition, On The Issues Magazine contributors train their eyes on women who fight for freedom, even at their own peril.

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Justice for Aung San Suu Kyi: End Male Power Structures ***by Janet Benshoof***

Aung San Suu Kyi's unwavering commitment to a nonviolent path to democracy in Burma, and her decades-long detention have made her a global icon. But true justice for Aung San Suu Kyi requires dismantling the male power structures, as well as addressing her situation and that of the people in Burma. Women Nobel laureates are now organizing to find new strategies to challenge these obstacles.

[Aung San Suu Kyi](#) is a writer, scholar and the founder of the National League of Democracy (NLD), a political party that garnered 82 percent of the [popular vote in Burma's](#) short-lived 1990 national elections. She is also a prisoner of Senior General Than Shwe, the war criminal whose reign of terror over the people of Burma ranks alongside Hitler and Saddam Hussein.

Since her Nobel Peace Prize award in 1991, world leaders have rallied in support of her freedom and the UN annually passes resolutions calling for the release of Aung San Suu Kyi and other political prisoners in Burma. In the United States, Republicans and Democrats alike, routinely protest Aung San Suu Kyi's detention and have passed sanctions to no avail. All the while, the generals ruling Burma have escalated their power and, fueled by their apparent impunity, have [escalated the heinous crimes](#) inflicted on the people of Burma.

What's going on here? Without moving to hold Senior General Than Shwe and his thugs [criminally accountable](#), the call for the release of Aung San Suu Kyi and other political prisoners falls on deaf ears. The impunity given the criminal's rule in Burma is a green light for increasing crimes against the people of Burma, including not only Suu Kyi's imprisonment, but torture, murder, forced labor and gang rape by the military of ethnic women.

Most importantly, the global community's call for her release [falls short of states' legal obligations](#) to end impunity in Burma and render to Aung San Suu Kyi and others the justice to which they are entitled. Given that the judicial system is a key criminal tool for the generals, international law demands the last resort be resorted to -- the [International Criminal Court](#).

But, justice for Aung San Suu Kyi, Burma and the global community does not end with criminal accountability.

Root Cause in Gender Disparity

The Nobel Peace Prize stands for advancing changes in the root causes of conflict, and central to this is addressing the continuing gender disparity in power. Only by restructuring embedded male power structures can we maximize our chances for enduring peace.

Aung San Suu Kyi's rightful place as an elected official is [forever precluded under the 2008 sham constitution in Burma](#) (which will be validated in elections this spring).

Under the 2008 constitution, even if she is released before the planned 2010 elections in Burma, Aung San Suu Kyi would not be eligible for the top ruling position, Commander-in-Chief. She also could not run for president because she -- like all women -- lacks "military experience." In addition, she will be prevented from top leadership positions because of other deliberate obstacles inserted into the 2008 constitution -- for example, because she was married to a foreigner and has children who are not citizens.

These barriers to formal positions of power, while particularly overt in Burma, are the norm for some of the world's most important agents of peace, women Nobel laureates.

Aung San Suu Kyi is one of [12 women to receive the Nobel Peace Prize](#) since 1901, while the remaining recipients are 20 organizations and 85 men. Of course, this gender disparity is to be expected given the patriarchal grip on power, but even more revealing is the gender disparity in the *kinds of power* among the Nobel Peace Prize recipients.

While male Nobel winners are predominately heads of state or large international organizations, or come into these roles after receiving the prize, women recipients, with one exception (Ava Mrydahl), accept the prize as "outsiders" and remain frozen in these roles.

This is not to say that the men receiving the [Nobel Peace Prize](#) are undeserving; indeed, the contributions of Nelson Mandela, Mikhail Gorbachev and Oscar Sanchez have left an indelible impression on our world, and I believe President Obama will do the same. It does, however, call into question the gender roles reinforced by the most powerful agents of change.

Think of a world where these women Nobel laureates actually became heads of state. Think of the geopolitical turnaround if Shirin Ebadi were President of Iran and Aung San Suu Kyi became President of Burma. Of course, this can never happen under present day realities. The true rulers of Iran and Burma are the Grand Ayatollah and the Commander-in-Chief of the Armed Forces, respectively. Both roles are reserved for men only.

Women who fight for peace should not have to sacrifice justice and equality. The fearless advocates Betty Williams and Mairead Corrigan, who received the Nobel Peace Prize in 1976, were instrumental in forging the “Good Friday” peace agreement, now, in effect, Northern Ireland’s constitution. However, in order to have peace, women were forced into a Faustian bargain by forever [dividing power between two male dominated religious parties](#), putting the women of Northern Ireland in one of the weakest positions in the world insofar as legal guarantees to political power.

Justice is a Right

Even though the Nobel women have forever changed our view of women as powerless victims, these powerful women have hit a glass ceiling, “the power pedestal.” All women, starting with Aung San Suu Kyi, should be accorded access to justice and political power – not as a reward, but as a right.

How will this happen? Well, not surprisingly, the Nobel women are leading the way by forming the [Nobel Women’s Initiative](#) to promote the responsibility of “peace with justice and equality” that comes with the Nobel Peace Prize.

In March 2010 the Nobel Women’s Initiative, with the [Women’s League of Burma](#), will hold a [mock trial of the Generals in Burma](#), calling for the criminal accountability of Senior General Than Shwe and those who have imprisoned Aung San Suu Kyi and committed other crimes, including the ongoing use of rape as a weapon of war against ethnic women.

Powerful legal tools – like CEDAW; Security Council [Resolutions 1325](#) and [1820](#) which mandate criminal accountability for sexual violence in conflict and the essential role that women must play in peace and security; and the statute of the International Criminal Court -- all contain clear guarantees of women’s rights to equality in positions of power and their right to justice, both critical for enduring global peace and security.

The tools are there and we must join with the Nobel women laureates and insist on their use.

The way to honor Aung San Suu Kyi’s “struggle for democracy and human rights” is to focus on her rights: to criminal accountability of the generals and to hold a position of political power. For, without justice, there can be no peace.

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Also see "[Aung San Suu Kyi: Burma's Gandhi](#)" [An Interview by Alan Clements](#) in the Fall 1998 edition of On The Issues Magazine.

See [With the Understanding of Gandhi, Aminatou Put Her Life on the Line by Barbara Becker](#) in this edition of On The Issues Magazine.

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