

If the Burmese military believes that it deserves the privilege to govern, then it should be brave enough to compete with politicians and political parties within an open and fair parliamentary framework.

Burma's election this year is now widely regarded domestically and internationally as a means to institutionalize the military's grip on power under the 2008 Constitution, rather than establishing a democratic system in the country.

It is a widespread belief among the democratic opposition, including the National League for Democracy (NLD), which for 20 years has been attempting to shift the military away from politics and to concentrate on its primary responsibility of "national defense and security."

The unequivocal denial of Snr-Gen Than Shwe to review the Constitution before the election, as demanded by the NLD, has finally ended the NLD's long quest to achieve a political dialogue between the junta leader and Aung San Suu Kyi, the leader of the party which won a landslide victory in the 1990 election but the results of which were never recognized by the junta.

Moreover, a number of incidents in Burmese politics have suggested lately that the military will hold power through the upcoming election and will contain, marginalize and even repress the democratic oppositions in the future.

Politically, the junta has controlled the country with a well-equipped army of 450,000 soldiers, which they believe is the single force capable of stabilizing the nation by containing the ethnic insurgencies and by grouping the diverse ethnic nationalities into a union state.

All the generals, both hawks or doves, support this view of the military's role in the country's politics.

Administratively, they are assured that they have produced enough military officers capable of governing the country, who they believe they are better fitted than politicians due to the regime's

long experience in civil administration in the absence of any semblance of democratic political institutions since 1962.

Economically, the generals are proud of surviving in spite of Western economic sanctions, and the government believes it is now on the right track in persuading the United States and the EU to change their minds about the use of sanctions.

The generals, no doubt, now believe that there is no reason to hand power over to other groups that would benefit from what they have created: billions of dollars worth of natural gas revenue; a 20-year investment in the country's infrastructure development, including mega hydro-power projects and dams; and expanding foreign trade, mainly with neighboring countries.

However, the military, for 20 years, has faced the fact that it is considered illegitimate both domestically and internationally. Also, despite being effectively marginalized, the armed ethnic groups have generally given little ground to the junta's demands. The generals have failed to solve the half-century old armed ethnic conflicts, the extreme poverty of the majority population, the threats of illegal drugs and the threat of endemic diseases such as HIV/AIDS, malaria and tuberculosis.

The junta's financial governance and management is still fragile with no significant development in the banking sector, and the country's major income has excessively relied on selling off natural resources.

Without a huge package of financial assistance from international financial institutions such as the World Bank, International Monetary Fund and Asia Development Bank, the country can not restore its national image and remove its name from the list of "Least Developed Countries."

All these factors are indicators that the military alone can't solve the country's long-standing problems and a political compromise involving national reconciliation must occur if further progress is to take place.

The above factors have brought the country to the point where the election is "the only game in

town,” but in order for it to be recognized by all the players they must see some light at the end of the tunnel.

A more level playing field must be created, ideally before the election.

The sticking point, of course, is that the Constitution gives the military 25 percent of parliamentary seats in the to-be-created parliament, allowing it to more easily defeat bills it opposes. It is this article in the Constitution that opposition groups should now focus on how to amend.

But how to do that, since the Constitution must be in effect before it can be amended? One idealistic solution would be for representatives of the international community, such as the United Nations, to broker a political dialogue between the military and the democratic opposition to gain a binding agreement to amend a single article of the Constitution after the election, setting aside other Constitutional problems for now.

Article 436 of Chapter 12 is titled “*Amendment of the Constitution.*” It reads: The Constitution “shall be amended with the prior approval of more than seventy-five percent of all the representatives of the Pyidaungsu Hluttaw [Union Parliament].”

Because of the military's control of 25 percent of parliament, Article 436 gives the military veto power to reject all amendment bills it opposes.

Once the parliament is in session, however, the democratic opposition can be expected to work to amend this section, perhaps by suggesting that the approval of the bicameral parliament by more than two-thirds, or 66.66 percent, of all representatives be required to approve amendments. With such a change, the amendment procedure would favor neither civilian nor military politicians and would represent a more democratic consensus.

For the military, if it wishes to block any legislation, it would require their representatives to win the support of another 15 percent of the parliament's representatives. They could attain this proportion either through winning seats in the election through proxy parties or persuading

elected members to support their proposals.

If such a Constitutional change were made, the rules of the game would be fair and the country's politics could become meaningful and inclusive, because the NLD-led opposition could see a way forward to democratic governance.

If the military believes that it deserves the privilege to govern, then its generals and soldiers should be brave enough to compete with politicians and political parties within an open and fair parliamentary framework.