Burma's National League for Democracy should consider the facts and the long term perspective when deciding whether to contest this year's election.
Whether or not Burma's opposition National League for Democracy (NLD) will contest this year's general election is a pressing question.

Long before the election laws that the party labeled unjust were promulgated last week this question was being repeatedly asked at home and abroad. The party responded that it would make a decision once the election laws were announced.

The much-awaited election laws are finally in force. Now the NLD has to answer once and for all where it stands in regard to a controversial election that has been called a sham and unjust.

The NLD has said it will reach its decision at an extraordinary congress of about 130 members of a newly expanded central committee on March 29-30, shortly after Armed Forces Day on March 27.

It's not yet known whether the party will be allowed to organize such a big event.

It will be a test for both the ruling State Peace and Development Council (SPDC) and the NLD. For the junta, it will be a test of political tolerance, while for the party it will be a test of whether it is truly democratic, united and forward-looking.

It will also be interesting to see how the vote of Aung San Suu Kyi will be counted. Her input will be crucial in making the decision.

How she will vote in a secret ballot is yet unknown. But if her preference is made known to the central committee members before the voting, it may sway them towards the direction she chooses. Undoubtedly, this issue will have to be resolved if a secret vote is to be used for a key decision.

Opinions abound as to whether the NLD should participate in the election or boycott it. Unsurprisingly, however, there has been more opposition to the NLD’s participation in the election than support for contest.

Here are some of the arguments against participation which I have gathered in the past two months from various sources.

Contesting the election under the present conditions would be a loss of face for the NLD, and seen as a retreat from its own principles.

If it contests the election without getting anything in return in response to the Shwegondine Declaration—which called for a review of the constitution and made a host of other demands put forward by the NLD in April 2009—the party would lose the dignity and integrity that it has acquired over the past 20 years.

The election laws are too restrictive for any opposition party. They are far short of any international democratic standard.

They are also biased towards the parties that will be affiliated with the ruling SPDC, such as the ones the junta's political wing, the Union Solidarity and Development Association, is expected to form. The election will not be free and fair and therefore the results will not be legitimate.

The junta has refused to recognize the results of the 1990 election. Participating in the election would mean giving up everything the party has stood for. It would also mean turning its back on the people who voted overwhelmingly for the party in the 1990 elections.

Political prisoners remain incarcerated. Unlike in 1990, there are more restrictions as well as opponents. For instance, the NLD had only political parties of democrats and the National Unity Party (NUP) to compete with in the 1990 election. Now it would have to compete with many political parties closely associated with the junta, not to mention the constitutional prerogatives for the armed forces, which include 25 percent of the seats reserved for unelected army officers.

The constitution is not consistent with democracy. Under this constitution, no reform can be initiated within the parliament, so participation in the election would just be an act of support for future military rule.

Most importantly, the NLD would have to disown Suu Kyi and all other party members and officials who are in prison.

There are many other arguments against the NLD contesting the election, such as the likelihood of a rigged vote, harassment and violence against NLD candidates by the SPDC's thuggish groups, such as Swan Err Shin. The list is endless.

Meanwhile, those who want to see the NLD contest the election argue that the 2008 constitution has already been approved and that because the election will take place before the end of the year the reconciliation process that the NLD has demanded is over. The demand for reviewing the already approved constitution is too late, they say.

One proponent of the argument in favor of participation even suggested: "Aung San Suu Kyi may not realize that her own political status in Myanmar [Burma] totally depends on the results of the 2010 election and if she wants to remain as an important influential political figure she needs her party to contest the election and stay in the political show."

Some others argue that while everyone is well aware of the injustice and other dirty tricks that can be expected before, during and after the election the formation of a political party means working for the people. It is important to get elected to parliament.

Personally, I am in favor of the NLD participating in the election. Staying away from the polls means the party will not only lose all relevance within the legal and constitutional framework but also face its inevitable abolition.

Failure to contest the election would also leave the NLD with no other choice but to operate outside the constitutional framework. In turn, this would bring more confrontation and repression against the party, eventually affecting possible reconciliation and prolonging the conflict.

Moreover, if the NLD opts out of the election, it will create a vacuum in the opposition movement. Participation also means that voters will get a better and greater choice than available now.

Most importantly, participation in the election would allow the party to engage in issues that it has not been able to tackle for the past 20 years. Because of the on-going conflict with the junta and the prolonged pressure it has endured, the party's politics have been focused only on survival.

It has to end and focus on critically important issues such as health, education, economy and reconciliation with the armed forces – to name but a few.
Suu Kyi once defined "Nai Gan Yei" (politics) as "Nai Gan Ah Yei" (affairs of the state). The election allows the party the chance—limited though it may be—to look beyond the current conflict and truly engage in affairs of state after the election.

Critics of the NLD say the politics of the party are narrow and accuse it of failing to present its policies adequately to the people. Participation in the election would perhaps allow the party to make good this deficit.

Participating in the election perhaps will allow the party to broaden its areas of interest, and take stands on many issues now confronting the country.

All in all, the NLD can be expected to make a decision bearing in mind the best interests of the nation. The party should also reach a decision based on facts and a long term perspective.