

On March 29, Aung San Suu Kyi's National League for Democracy (NLD) colleagues will deliberate and decide on whether they will participate in the generals' "election." Their decision will most likely influence the course of Burma's history.

"The Lady," as the iconic Burmese dissident is often referred to by her supporters, has spoken unequivocally about where she stands with the junta's bogus democratization under way. Her lawyer said she told him she would not "even think of registering the party" under the regime's "unjust" election laws.

However one interprets the regime's "election," it is clear that every aspect of it is meant as a rope with which the junta wants the NLD to hang Aung San Suu Kyi and hence the party itself.

Pragmatism is rooted in the desire for self-preservation. Embracing the Nargis Constitution and the bogus election isn't pragmatic by any stretch of the imagination. It is political and organizational suicide.

The political process "on offer" by Burma's ruling military junta is deeply one-sided, harmful to the country's interests, as measured in terms of human security, economic development, political stability, ethnic harmony and national security. So much so that anyone who cares about the country's future should stiffen the spine and take a realistic and principled stance against the "election."

The regime's friends and foes alike are dismayed by the repressive way it is proceeding with their electoral process. Washington characterizes Burma's election efforts, including the recently announced election laws, a "mockery of democratic process."

Even Association of South East Asian Nations (Asean) members such as the Philippines broke the organization's principle of non-interference in members' domestic affairs by officially urging the generals to rescind the election laws.

And now the generally acquiescent United Nations Secretary-General Ban Ki-moon has expressed his frustration over the lack of progress on any front—political, economic or humanitarian—in military-ruled Burma.

Ban voiced his frustration in remarks he made after a March 25 meeting in New York with the "Friends of Myanmar" [Burma], a group of all important external players with geo-economic stakes in, or human rights concerns for, Burma. Among the 14-member group are the US, Britain, France, China, India, Singapore, Thailand, the Philippines and Indonesia.

Ban stressed "the need for elections to be inclusive, participatory and transparent in order to advance the prospects of stability, democracy and development for all the people" and pointedly observed that "the published electoral laws and the overall electoral environment so far do not fully measure up to what is needed for an inclusive political process."

The most striking thing about junta leader Snr-Gen Than Shwe's "election laws" is that they are neither law as we know it nor about the electoral process, by any standard or definition. They

can only be understood as the junta's battle plan or military operational manual.

Than Shwe's "election laws" were designed to go for Suu Kyi's jugular, as well as that of the opposition movement as a whole.

For the NLD leadership to opt to register and play the regime's election game would be equivalent to Burma's last king, Thibaw, accepting in 1885 the British offer of a pension and exile in exchange for avoiding bloodshed and peace.

Neither peace nor stability has ever ensued from such an ignoble act of capitulation, our history should remind us. Not only did the imperial victors strip the cowardly monarch of his regal dignity but decimated the kingdom beyond repair. And the rest is history.

Needless to say, what is legal or constitutional is not always moral, dignified or strategic. Slavery springs to mind.

The fight for the party's legal survival under the categorically illegitimate and illegal regime is a bogus fight.

Such a "fight" will neither serve the NLD's organizational interests nor advance its stated objective of democratization, reconciliation and ethnic equality.

But given that Than Shwe and a small group of his deputies are only interested in the zero-sum politics where the winner takes all, it is unfruitful to engage with his regime, especially with the top rungs of the leadership. We cannot hope to contribute to the process of change while staying within the regime's "legal" framework.

As a fiercely independent dissident I have since 2003 publicly leveled criticism at the NLD leadership for what I considered nonstrategic choices it had made, for instance, tourism boycott, taking Western solidarity a little too seriously or not trying to build closer ties and greater understanding with Asian powers, most specifically China.

Because Burma is approaching a crucial watershed, I am prepared to junk that "independent" label and throw in my lot with the NLD so long as the party decides to reject this unmistakably anti-democratic election which the regime is forcing on the entire multi-ethnic country, including ceasefire organizations and their communities. At some point one has to draw the line.

Under the prevailing circumstances, those foreigners and Burmese alike who now counsel the NLD, privately and publicly, to be "pragmatic" or "realistic" are the ideological heirs of the late British Prime Minister Neville Chamberlain, who mistakenly believed appeasement with Nazi Germany's Adolf Hitler would bring peace and stability to Europe.

Here I offer my list of clever-sounding buzz-words which Than Shwe's proxy-spin-doctors have put into circulation: "generals' election as a new beginning or a sliver of progress," "no election is perfect," and, my absolutely favorite, "elections as the only game in town." You get the drift.

If "the genius of democracy is that it allows social conflicts to find open expression, moderates the intensity of those conflicts, and provides procedures by which to legitimize their public resolution," as the American political theorist William Connolly observes, then Than Shwe's Constitution and the "election laws" are irredeemably stupid, and harmful to the common good.

Suu Kyi is said to have been "surprised", and perhaps even outraged, by the lengths to which Than Shwe was prepared to go in order to destroy her politically through his "election laws." She has urged her supporters and colleagues to come up with a "united response" to these "unjust laws."

For her part, she has demonstrated her decisive leadership by rejecting unequivocally Than Shwe Inc's election charade at this most crucial moment in the party's history since its birth 21 years ago.

It is absolutely crucial that the NLD rank and file, as well as her supporters around the world, stand united behind the Lady.

It is wise, pragmatic and strategic to revive the party as a political movement, be it "legal" or outlawed, rather than merely survive as the SPDC-certified flagship opposition. Such resolute defiance by the NLD in the face of bogus electoral process will also deprive the thuggish generals of any semblance of respectability, which they are trying desperately to obtain with the "road map for democracy."

In his sharp response to the fashionable idea that in any push towards moving away from authoritarianism it is "moderates within pre-existing power structures" who bring about controlled transition, not dangerous democracy activists agitating for mass politics, Thomas Carothers, one of the world's most astute students of democracy and director of the Democracy and Rule of Law Project at the Washington-based Carnegie Endowment for International Peace, wrote ("Misunderstanding Gradualism", *Journal of Democracy*, July 2007: v. 18, no. 3, p. 20.) :

"The record of democratic change since the (Samuel Huntington's) 'third wave' began in 1974 reveals few successful cases of 'controlled reforms' leading to democracy. A majority of the ... cases ... actually point the other way. In these countries, vigorous democrats with no fear of 'mass politics' pushed for open political competition including free and fair elections. It was Poland's Solidarity, the Chilean opposition to Pinochet, the African National Congress, the Taiwanese pro-democratic opposition, and South Korean student activists that drove the processes of change in their respective countries—not benevolent forces in or around the preexisting."

Despite years of incarceration, persecution, and intellectual isolation, the NLD leadership, namely Suu Kyi and Win Tin, apparently take the historically-grounded view towards social change when they both categorically reject Than Shwe's version of "democracy." Indeed, they are absolutely right in intensifying their defiance against the regime, as opposed to letting the junta off democracy's hook, at this crucial historical juncture.

They, more than any Burmese, know only too well that "no power concedes without a fight, it never does and it never will."

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