

27 May 1990: From Zero to Victory and Back – A Roller Coaster Ride of the NLD

1 Introduction

On September 14, 1988, four days before the coup, the Burmese newspaper *People's Working Daily* reported about a meeting of U Ba Htay, chairman of the just established election commission, and representatives of the opposition to the BSPP, two former generals, Aung San Suu Kyi and representatives of various associations that had been formed or revived in course of the uprising.¹ According to the report, the chairman said:

though the Commission was formed by the Pyithu Hluttaw in accordance with the law, it was a non-partisan body and that the Commission would hold free and fair multi-party democracy general elections.

The report continued:

U Aung Gyi, Daw Aung San Su Kyi, Thura U Tin Oo, and others said that as the Commission was founded by a government in whom the people had no faith, it could not be accepted or trusted by the people. Elections in three months cannot be free and fair where the parties, which have yet to be formed, have not collected any funds to run against a party using State funds and organized for 26 years. [...] An interim government should be formed as quickly as possible.²

The Election Commission had been appointed three days before the meeting by parliament that had decided to hold elections “within three months”. Due to the extreme tense atmosphere and polarisation at that time, it had been very difficult to find any candidates for the body that had to supervise the holding of elections.³ Finally, five elderly men, all over 70 years old, had agreed to be nominated. Three retired civil servants, one retired army general and a former member of parliament accepted to master the difficult task. Only the former MP was in some way affiliated to the BSPP, the outgoing sole party under the constitution of 1974. Ba Htay, the oldest of the three, born 1906, was elected chairman.⁴ He had been a one of the first Burmese member of the Indian Civil Service in the colonial period, had retired in 1963 and was generally regarded as a politically neutral bureaucrat.

Three days after the coup, SLORC issued its first law on the "elections commission for holding democratic multi-party general elections".⁵ The already existing commission was confirmed, The law provided the option to add more members and shortly defined the tasks of the body. It was given the option to draft laws to be endorsed by the junta and to form elections sub-commissions.

The commission thus linked the BSPP government to the administration set up by SLORC. From the beginning, it was not trusted because it was - with obvious reasons - seen as the instrument under the control of governments the majority of people rejected. As a consequence, it was widely believed that the elections would either not be held or not conducted in a free and fair matter. Such

¹ The newspaper report names members of these organisations: League of Young Monks' Union (Yangon); League of All Myanmar Labour Union; Law Office Workers' Union (Rangoon); University Graduated Students' Association; Association of Students' Democratic Front.

² [www.burmalibrary.org > docs3 > BPS88-09](http://www.burmalibrary.org/docs3/BPS88-09) (accessed 27.5.2020).

³ For an account that contains a number of recollections of earlier attempts of the last BSPP government 1sie Maung Maung 1998:; 67-220.

⁴ The other members were: U Aye Maung (secretary), U Kyaw Nyunt, U San Maung, U Saw Kyar Doe, Saya Chel. On 24th November 1996, Sayar Chel passed away. On 12th January 1999, U Saw Kyar Doe passed away and U Aye Maung had to take both the role of secretary and member of the election commission according to the SPDC announcement (47/99). On 14th October 2000, U Ba Htay passed away and U San Maung, oldest member of commission, took the chairman position. On December 3rd 2003, U San Maung passed away.

⁵ For the text see <https://www.burmalibrary.org/en/law-on-the-elections-commission-for-holding-democratic-multi-party-general-elections-slorc-law-no-0>

scepticism continued until the elections were finally held in May 1990. One week before polling day, a report on the forthcoming event published by the London Observer was headed by the line “Colin Smith reports from Bangkok that the Rangoon junta has turned the election into a charade of the secret ballot.” The report was based on information provided by the All Burma Democratic Student Front (ABSDF) that had been founded by students who had fled the country after the coup.⁶

On May 29, 1990, two days after the polls, it had become evident that the National League of Democracy (NLD) founded shortly after the coup under the supervision of the mistrusted commission, was about to win a landslide victory. Kyi Maung who had led the NLD campaign instead of Aung San Suu Kyi who had been put under house arrest in July 1989 gave a laconic comment to the outcome: “The returns so far show that the NLD has obtained more than over 80% of the votes cast, so how could I say that the elections were not free and fair.”⁷

However, the parliament elected in which the NLD won 82% of the seats was never convened. In the view of almost all observers, the holding of free and fair elections in the end turned out to be indeed just a “charade”.

These notes on the beginning and the end of the 1990 elections indicate that from the beginning the polls were perceived with distrust both inside and outside Burma as a consequence of the confrontation characterising the popular uprising of 1988 and the events after the takeover of SLORC. The following parts will look at the electoral process from different perspectives. First comes an outline of how Ba Htay and his colleagues managed the task to revive the scheme of holding multi-party elections (2). It follows a narration of the controversy between the military and Aung San Suu Kyi and vice versa in the run-up to the elections (3). The election campaign and the results will be covered (4) followed by an overview of the post-poll controversies of how to deal with the election results (5). Finally, a short summary about the actions of the junta and its opponents to implement some form of democracy until the adoption of the constitution of 2008 will be given (6).

2 Revival of an Electoral Machinery for Multi-Party Elections

In many respects, the election commission had to start from zero. For thirty years, no multi-party elections had not been held in Burma. However, the legacies of all previous periods could be used in preparing for the new polls. The number and delineation of constituencies were taken over from the last elections of 1985. This number had been steadily increased from 451 to 495 during the BSPP period. In order to care for a just representation of the will of the people, Article 176 of the 1974 Constitution stated that constituencies should be defined on a township basis. In townships with a large population new constituencies could be established. Additional members of parliament could be added by law to States or Divisions having less than 10 townships and less than one million in population

Furthermore, the old members of the commission were acquainted with the multi-party election happening after 1945 as well as those held under colonial rule. That might be one reason why they chose the British first-past-the-post voting system. To be implemented again and not a different system. Time pressure might have been another reason.⁸ On the other hand, the regulation of the BSPP period to add more constituencies according to the provisions laid down in the 1974 Constitution (Article 176) was preserved. In the end, 499 seats had to be filled – in seven of them however elections were not held not due to security reasons. Consequently, 492 seats had to be filled.

⁶ *The Observer* (London) 20. May, 1990: 12.

⁷ *St. Petersburg Times* (St. Petersburg, FL) 29.5.1990: 12A.

⁸ US ambassador Levin was told at a visit to the commission in February 1989 that various election laws from various “democratic countries” had been studied. It is however not known how detailed such studies had been.

Like in 1958, the promise of holding elections in three months time could not be kept although quick steps were taken to set the election process in motion. On 27 September 1988 SLORC issued a short Party Registration Law defining the conditions for registration and the tasks of the election commission. Parties had to abide by the law, must be not connected to and financed by the State, religious organisations or foreign countries. The commission had wide ranging powers. Its decisions were final.

Three days after the publication of the law, the first two parties applied for registration. The first applicant was registered as “Democracy Party”,⁹ the second as “National League for Democracy”. (NLD) Many more registration should follow until the termination of the registration period end of February 1989. All details of the process including changes happening after some time were printed in the state newspapers.

Here is some information about the NLD and its – alleged – main rival, the National Unity Party (NUP), registered as number 17 on 17 October. The party was regarded as the proxy party of the BSPP and supported by the military.

According to the official publication, the NLD office was located at University Avenue 54, the residence of Aung San Suu Kyi. The party was headed by two former generals, Aung Gyi and Tin U, as Chairman and Vice-Chairman respectively and General Secretary Aung San Suu Kyi. Furthermore, the names of three more secretaries and four members of the Central Executive Commission were noted. The headquarters of the NUP were located in another private villa not far away from Aung San Suu Kyi’s home in Thanlwin Rd. in the Golden Valley. No prominent name was among the leaders of the party, the chairman; U Kyaw Tha, was a former member of the Council of State and one of the first members joining the BSPP. - **For the programmes published in the newspapers see below show p**

On October 14, the commission published Rule No. 1 informing among others about the prospect of presenting the policies of the parties through radio and TV broadcasts as well as the state newspapers to be organised in coordination with the SLORC.

Such presentation shall not contain words, expressions and usages slanderous to the Government, party, organization or individual or words, expressions and usages which tend to incite and cause disturbances.¹⁰

On the same day, a meeting was held with party representatives. Among other matters, the positioning of signboards was addressed. There were permitted to be placed at branch offices of the respective party, but not on public property or other buildings. The commission expected to finish its work until early 1989.

For days later, SLORC issued Declaration 8/88 clarifying its role in the elections and warning to trespass certain limits in view of the observations that parties

Have been organizing and agitating in such a way as to sow mistrust between the Tatmadaw and the people, to sow discord and disunity amidst the Tatmadaw and to weaken its organizing power. The Tatmadaw is not a party which would organize and take part in the forthcoming general elections and take over the reins of power of the country, but only a body which would see to it that free and fair general elections are held.

It was further stated that “effective action” would be taken against trespassers of the above mentioned actions to sow mistrust.¹¹

⁹ The party won one seat in the elections of 1990 in the constituency Bahan (1) that would have been contested by Aung San Suu Kyi if she had been permitted to do so.

¹⁰ Ibid.

¹¹ Ibid.

On March 22, 1989, the Election Commission's notification No. 245 informed that 234 political parties had been registered until February 28 from which three had to be deregistered. One more party entered the list later. Party registration changes continued and were meticulously reported in the state media. The schedule of the commission published in February was – almost – exactly adhered to.

On September 27, 1989 the Commission stated that all tasks of the agenda had been completed successfully. One month later, a test balloting took place. On November 7, it was announced that the elections would be held on May 27, 1990.



NLD Logo



NUP Logo assigned to the NUP.¹⁸

Meetings took place as well with the registered parties. A major task was to choose party symbols. Election commission's notification No. 330 dated 20 November 1989 informed about the choice of symbols for parties and individual candidates. Drawings of the symbols were published. After consultation with the parties, symbols were allotted to them.¹⁷ Three months later, the first results of the procedure were announced. For the NLD, symbol No. 22, a *khamauk* (rice hat) was allotted whereas a paddy ear was

In February 1990, the Elections Commission gave an overview about the registration process, the number of parties and candidates to contest the elections. From the 235 initially registered parties, 102 had withdrawn their registration on their own request, the commission had cancelled three registrations, 31 had not put up any candidates and were therefore dissolved and six had fielded only one or two candidates and therefore were not permitted to participate according to the Election Law. These numbers illustrate the immense diversity of the country's political and ethnic diversity that can hardly be meaningfully reproduced in election relists.

93 parties thus remained filing three and more candidates. Three of them put forward more than 300, six between 25 and 299, 34 parties named between 5 and 24 and 50 parties three or four candidates. It was further announced that no elections were held in seven constituencies in Shan and Kachin States because the "election sub-commissions concerned find it difficult to complete the election work on time". A total of 2,411 candidates had submitted nomination papers and 2,311 were finally running in 485 constituencies compete in 486 constituencies, 2,223 of whom representing parties and 88 being individual candidates. The commission further notices that 33 parties used the names of "ethnic races".¹⁹ The most common word used however was "democracy"

In April, the public was informed that the electorate totals about 20.7 million. And voting was Voting not compulsory. 18,90 polling booths and ballot papers would be used; there is a security thread in each ballot to prevent forgery. Voters must know their serial number on the voter roll, which will be "stuck in front of polling booths. Voters must bring their registration cards to identify themselves."²⁰

¹⁷ Burma Press Summary November 1989 (https://uzo.sakura.ne.jp/burma/nlm/nlm_data/bps_1987-1996/bps_1989/bps_11_1989.pdf; accessed 21.3.2024).

¹⁸ For a full list of the party logos see Khin Kyaw Han 2003: 256-258.

¹⁹ Burma Press Summary March 1990 (<https://www.burmalibrary.org/sites/burmalibrary.org/files/obl/docs3/BPS90-03.pdf>; accessed 31.5.2020).

3 The Conflict between Aung San Suu Kyi and the SLORC

The relatively smooth working of the electoral machinery under the supervision of the election commission was heavily overshadowed by the fight between the two main conflict partners that dominated both the whole way towards the elections, its outcome and what happened thereafter. Until today, the military and the civil forces led by Aung San Suu Kyi.

The elections commission was supervised by the military junta that proclaimed to act just as a referee to organise free and fair elections. It however had declared martial law thus limiting the freedom of association and other preconditions for a free and fair election. On top of the military was Saw Maung, an “unassuming Burmese officer” (New York Times) who had become head of the armed forces in 1985. He was a Ne Win loyalist with no political ambitions and talent. The coup of 18 September was very likely planned by Ne Win, Maung Maung and Khin Nyunt, the chief of military intelligence (Taylor 2012: 531-532). The latter was appointed Secretary 1 of SLORC and thus the counterpart of Aung San Suu Kyi, the General Secretary of the NLD

As the face and the voice of the opposition, she from the beginning of her entry into politics had expressed her mistrust in the political agencies that had announced to hold elections. On the other side, the party co-founded by her registered under the law enacted by a military government that was accused by her to violate fundamental human rights (Aung San Suu Kyi 1995: 208-211).²¹

The military junta and Aung San Suu Kyi as the emerging leader of the people were thus related to one another by way of an intricate entanglement. Both claimed to act in the interest of “the people” and follow in the footsteps of Aung San. Both sides viewed and respected him as the father of the army and the nation. The developing conflict can be seen as a fight about Aung San's legacy, the military stressing his role as a general – he was still commonly referred to as Bogyoke (General) Aung San, not U Aung San.

In her “maiden speech” at the Shwedagon Pagoda on August 26, 1988, Aung San Suu Kyi had emphasised her “strong attachment” to the Burmese army as well as to the legacy of her father, the founder of that army. She had been “cared for by soldiers” as a child, she said. Furthermore, she was well acquainted to a kind of Burmese politics through her family that her father had not liked and that she had decided to never take part in such “power politics”. (Aung San Suu Kyi 1995: 193-195) With regard to the army, she quoted a statement of her father:

The armed forces are meant for this nation and this people, and it should be such a force having the honour and respect of the people. If instead the armed forces should come to be hated by the people, then the aims with which this army has been built up would have been in vein. (Aung San Suu Kyi 1995: 195)²²

One month later, SLORC Chairman Saw Maung in an address to the people said:

We are Tatmadawmen. Our organization which is made up largely of Tatmadawmen, is absolutely loyal to the nation. We wish you to be fully convinced that we would not in any way and under any circumstances abrogate the oath of loyalty which has been sworn towards the nation and the people.

He had stressed before that the army had “no desire whatsoever to cling to power” and “that it was with misgivings that the Tatmadaw was forced to take this course of action and it is suffering much unhappiness.”²³

²⁰ Burma Press Summary, April 1990 (<https://www.burmalibrary.org/sites/burmalibrary.org/files/obl/docs3/BPS90-04.pdf>; accessed 22.3.2024).

²¹ A letter to the foreign ambassadors in Burma urging them to address the issue of human rights violations in the current session of the UN Assembly was written on September 26, 1988. One day later, the NLD was founded and on September 30 the party registered with the Election Commission.

²² As with other references to her father's speeches, the source of this quote could not be identified.

²³ Burma Press Summary September 1988 (<https://www.burmalibrary.org/en/burma-press-summary-volii-no-9-september-1988>; accessed 31.5.2020).

Both sides thus qualified “power” negatively and emphasised their unselfish motivation to serve the interests of the people. However, the statements were voiced from complete different positions. The SLORC had the burden to implement their aims as a kind of caretaker government. Aung San Suu Kyi on the other hand had taken the position of the challenger of the last BSPP government in order to fulfil the legacy of her father in the “second struggle for independence” as proclaimed in her maiden speech on 26 August 1988.

A public endorsement of her new role as a challenger of the military "interim" government happened on the occasion of her mother’s funeral on January 2, 1989. A crowd of estimated 100,000s of people lined the streets attended the procession from the house on University Avenue to the burial place near Shwedagon Pagoda.²⁴ According to newspaper reports, students distributed anti-government pamphlets and carried pro-democracy placards, but no major incidents were reported.²⁵

Already before her mother died, Aung San Suu Kyi started organising the new party she had co-founded. End of October 1988, she started her first travel to Upper Burma to visit branch offices of the party. Many people came to see her causing delays of the travelling schedule and she was treated like a celebrity. (Popham 2011: 93-95.) On such occasions, the restrictions on gatherings had to be violated. Under martial law, gatherings of more than five people were prohibited. The authorities however did not intervene by then.



Students leading the procession on January 2, 1989 (Source: Lukas Birk, Burmese Photographers)

After Aung San Suu Kyi’s next trip to Mon State shortly later, the authorities arrested 13 of her supporters. According to a newspaper report, the populace had been ordered by loudspeaker not to come into the street to see her and give her flowers. The warning was futile. After the tour, Aung San Suu Kyi was quoted to have said:

The authorities are still trying to deceive themselves. If they're able to face the truth, they must know that this is a great upsurge of popular feeling against an oppressive regime. [...] The utter lack of confidence in the authorities is very sad. But it is a reflection of how badly people have been treated. Once the waters of a revolution start flowing, you can't push them back forever.²⁶

She further shared and endorsed the popular belief that Ne Win was the mastermind of what was happening. In an interview with *Asiaweek* conducted in October 1988, she said:

We don't know where he is, what he is doing, how much contact he has with the present lot [in power]. Officially, he's nowhere in the picture [but] the general feeling is that if there's something sinister going on, he must be behind it.²⁷

Aung San Suu Kyi here adopted the general perception of the people that was taken over and shared by many foreign observers. She thus contributed to lay the foundations of a political controversy based on moral judgements. She contrasted the legacy of her virtuous father with the dire conditions under present military rule. In another speech she said:

²⁴ Saw Maung and Khin Nyunt paid a visit to University Avenue before and met Aung San Suu Kyi, but no SLORC official attended the funeral.

²⁵ *Citizens' Voice (Wilkes-Barre PA)* 3.1.1989_36.

²⁶ *New York Times*, 9.1.1989.

²⁷ <http://netipr.org/8888/interview-with-aung-san-suu-kyi-by-asiaweek> (accessed 31.5.2020).

U Ne Win has led the Tatmadaw [...] down the wrong path. He has misdirected the soldiers. Now the armed forces must realize that the father of the Tatmadaw was General Aung San. [...] Consider carefully. [...] Is it Aung San's army or Ne Win's?²⁸

She further personally attacked Saw Maung who had tried to explain to a western journalist that the respect of the leading members of the army towards Ne Win did not mean that they were act like puppets on his string:

The behaviour of the Chairman of SLORC is not that of a "*gaung saung*" (leader) but that of a "*pung shaun*" (evader of responsibility). To resolve problems... we must meet face to face. Why do you (Saw Maung) not have the courage? Why do you still hold the gun? We want to enter the battle at the table ... Should they (SLORC) not be willing to engage in dialogue, they are not fit to run a government, not fit to administer the nation. We are now experiencing problems in rice supplies and that is blamed on political parties. If they (SLORC) cannot accept the responsibility, then hand over the administration to a government which can do so... Solving enigmas by using lethal weapons on unarmed civilians is a fascist method ... Talk to us ... Surely, it will not detract from SLORC's dignity ... do they think that it is dishonourable to admit mistakes? Will they lose face? To admit mistakes is ... an act of courage. To please U Ne Win is not an act of courage. They (SLORC) must realise clearly that for 26 years U Ne Win has led them down the wrong path.²⁹

²⁸ *Burma Alert* 2, 10: 6. (<https://www.burmalibrary.org/en/burma-alert-vol-2-no-10-october-1991>; accessed 4.6.2020).

²⁹ *Ibid.*: 5.

Whereas Aung San Suu Kyi thus propagated "dialogue" as the main tool to end the political crisis, the government retaliated by crudely alleging that she – with or without purpose – cooperated with the "enemies of the people", communists, neo-colonialists and insurgents. The SLORC controlled Burmese media tried to counter the news sent from abroad by the VOA and the BBC. It was a futile attempt not just because the people had learned to distrust the local media. Furthermore, the accusations of the Burmese state media that she was not "Burmese" any more after her marriage with a foreigner and her long stay abroad, might even raised her reputation among the people. It confirmed the public opinion that the military – and particularly Saw Maung – was "stupid" in contrast to her who was well educated and knew "the world".

Dissident within seconds of being shot

BANGKOK, Friday: The Burmese Opposition leader, Aung San Suu Kyi, came within seconds of being shot in a confrontation with Burmese troops last week, according to Western diplomats in Rangoon who spoke to her after the incident.

The report comes amid mounting concern about the safety of the 43-year-old politician, who has emerged as the most potent critic of the military regime which took power in a coup last September.

Aung San Suu Kyi is currently on a tour up-country and could not be contacted.

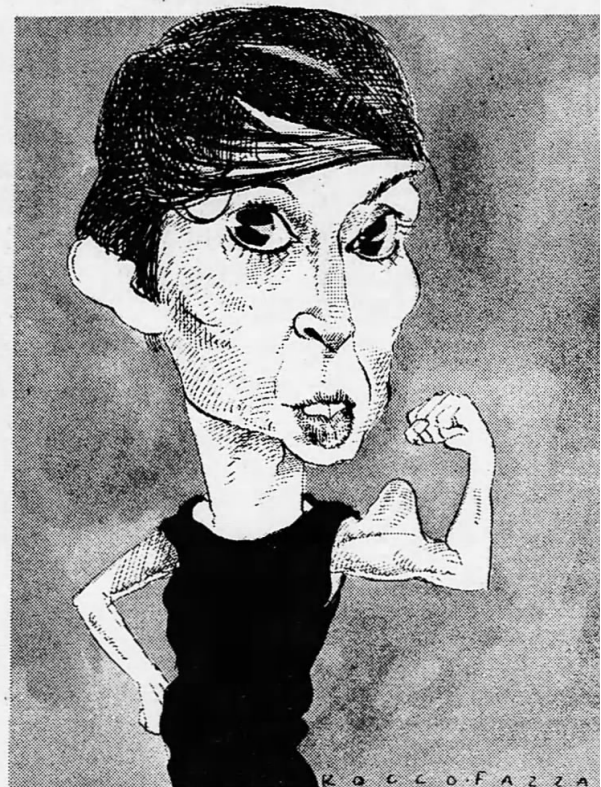
The incident occurred on April 5 in Danubyu, a town 80 kilometres north-west of Rangoon, where Aung San Suu Kyi was campaigning for her legally registered party, the National League for Democracy (NLD).

According to the diplomats, a squad of soldiers led by a captain appeared in the town and ordered her to get off the street.

The captain told his men to present arms and take aim and said they would shoot her at the count of three if she did not back off.

Aung San Suu Kyi continued to walk towards the soldiers who, she claimed, were shaking with fear of having to carry out the order.

Before the captain reached his count of three, however, a higher



ranking officer rushed out of a nearby tea shop and countermanded the order to shoot. The captain is said to have made a theatrical gesture of pretending to rip off his epaulets in frustration.

Aung San Suu Kyi, who has a British husband and two sons living in Oxford, has become an irritant to the military junta with her repeated demands for democratic freedoms.

However, observers say that despite her growing popularity,

senior military officers would want to see her assassinated for fear of sparking a violent public backlash.

"But there is always the possibility of some hothead thinking would do his superiors a good turn by knocking her off," said a diplomat, who added that some Aung San Suu Kyi's advisers were concerned for her life.

The military has promised to hold free elections next year.

The Independent

With regard to the elections, Aung San Suu Kyi's travels had the character of election campaigns conducted long before election day had even been announced. It was a campaign that challenged a "party" that did not stand for elections but was organising it.

What happened between the foundation of the NLD in September 1988 and July 20, 1989, when Aung San Suu Kyi was put under house arrest was a rather bizarre indirect and asymmetric fight about political legitimacy carried out via the media. Aung San Suu Kyi's travels were carefully watched by foreign embassies. Events of confrontation between Aung San Suu Kyi and her followers and state agencies were reported in the western news. A dramatic event happening on April 4, 1989, in Danubyu was widely reported. The town located at the Ayeyarwadi has a special significance because Maha Bandoola, the Burmese general who fought the British in the First Anglo-Burmese War, was killed there. Now, it was reported, Aung San Suu Kyi only narrowly escaped of being shot by a captain of the army.

The Burmese newspapers did not comment on this episode that was dramatised in the news. But other reports of foreign newspaper and radio stations broadcasting in Burmese were quoted and corrected. An example is news published by the *Bangkok Post* about a fire that had broken out in Mergui (Myeik). The paper had reported, the *Working People's Daily* stated, that the army had set

the fire"because Daw Aung San Suu Kyi had received a bigger welcome than the daughter of Chairman U Ne Win."³⁰

Furthermore, actions of followers of Aung San Suu Kyi were enumerated and her personal integrity was questioned particularly because she had married a British national. Her father in contrast had "hated" the British and the British had provided weapons for his assassins. The "letter of a veteran" published in June ended with the words: "Now look! Bogyoke Aung San's son-in-law is an Englishman. I feel like thinking that Bogyoke was very unfortunate."³¹

The number of such reports increased together with confrontational rhetoric and culminated shortly before Martyrs' Day 1989. The NLD had planned a separate celebration on that day but cancelled it at short notice. Aung San Suu Kyi explained the reasons for the cancellation in an interview with the VOA on July 19::

[Aung San Suu Kyi] Well, we decided that it was best to boycott the whole arrangement since they had prepared a killing field for the people. They have said that the people could gather in a football field in order to go up and pay their respects, but that football field was filled with armed troops and armed vehicles.

[Q] You called it the killing field. So, you have really felt that it was very dangerous to go out then?

[Aung San Suu Kyi] Oh, yes. They are all prepared to kill. It is very much the mentality of SLORC; if you can't win them over, kill them. [...]

General Aung San gave his life so that the people could enjoy their freedom and rights. Hence, we will never do anything which might cause loss of life. The lives of the people are too precious. We are not like the SLORC which places no value on human life. The military government's declaration of martial law clearly shows that our country is now subject to fascism. Our people, therefore, will have to struggle even under fascism. To achieve democracy, the struggle against fascism must be continued with courage.³²

The next day, Aung San Suu Kyi was put under house arrest. On July 21, at SLORC's 50th press conference, the spokesman summarised the reasons of the decision:

(I)f the people come to regard the Tatmadaw as fascists, they would come to abhor the Tatmadaw; they would also go against the Tatmadaw and if that happens, you can imagine the fate of the country; if the Tatmadaw disintegrates, so will the country and if that is so, the country will face the gravest danger; the Tatmadaw has fine tradition – the tradition of safeguarding the country from all sorts of danger for many times; such allegations such as calling the Tatmadaw fascist cannot be regarded as anything but deliberate efforts to sow discord between the – Tatmadaw and the people; it is accusation with malice; the allegation aims at endangering the country..³³

From that day on, the NLD had to carry on without Aung San Suu Kyi and party leader Tin Oo who had been placed under house arrest as well. Aung San Suu Kyi was silenced. The conflict continued.

4 Campaigning

For a number of reasons, the term "campaign" had a very special meaning concerning what happened before the elections of 27 May 1990. First of all, no "party system" existed. The NUP could be regarded as a successor of the BSPP. A party co-founded by Nu, named League for Democracy and Peace, commonly known as "Nu's party", filed 309 candidates. Two parties adopted the name "Anti-Fascist People's Freedom League", one adding the word "original". It was headed

³⁰ Burma Press Summary, February 1989 (<https://www.burmalibrary.org/en/burma-press-summary-vol-iii-no-2-february-1989>; accessed 22.12.2020).

³¹ Burma Press Summary, June 1989 (<https://www.burmalibrary.org/en/burma-press-summary-vol-iii-no-6-june-1989>; accessed 22.12.2020).

³² <https://www.voanews.com/east-asia/excerpts-interview-articles-1989-aung-san-suu-kyi-house-arrest> (accessed 31.5.2020).

³³ Burma Press Summary, February 1989 (<https://www.burmalibrary.org/en/burma-press-summary-vol-iii-no-7-july-1989>; accessed 22.12.2020).

by a daughter of Ba Swe, one of the Stable AFPFL heads. Many parties included the word “democracy”, often together with a word denoting an ethnic group. The list of registered parties impressively illustrates the country’s manifold diversity as well as its fragmentation highlighted by the few groups that filed candidates in all parts of the country. This factor made any campaigning a lopsided competition between very unequal parties.

A further component affecting campaigning was the highly ambiguous role of the military junta as the agency that supervised the work of the election commission. As the actual government it could not but interfere in the elections. On February 23, SLORC prescribed campaigning rules containing many restrictions. Speeches could be given only on prescribed places with the permission of the local authorities. They could take place between 6 a.m. and 6 p.m. for a maximum of three hours. A summary of the contents had to be submitted to the local election commissions. If loudspeakers were used, they must not be heard by people in the vicinity. For pamphlets to be distributed, a previous permission had to be obtained. A list of prohibited content of speeches and pamphlet was provided dealing with denigrating the dignity of SLORC, the Tatmadaw and the police. Trespassers could be fined 5.000 Kyats³⁴ and/or be sentenced to three year imprisonment.³⁵

The main countrywide way of campaigning was the option to give speeches broadcasted by radio and TV, at a maximum length of 15 and 10 minutes respectively. The texts had to be handed in seven days before. From March 12 on, each day two speeches were broadcast. From April 26 onward, they were repeated. The texts were published in the state newspapers.

On this backdrop, it could not be expected that a campaign could emerge in which different party programmes competed. The editor of the Burma Press Summary, a staff member of the US embassy in Yangon, summarised the programmes submitted with the party registration as “largely general, lengthy, repetitive, and non-controversial”.³⁶

The NLD submitted seven programmatic points all of them aiming at “to bring about a true and genuine democratic government which is in accordance with the aspirations of entire people“. The last point describing the future programmes worded the intention “to create situations in which free and fair general elections could be held to form a true democratic government according to the wishes of the entire people.”³⁷

The name of the party thus unfolded just one programmatic point indicated by the name of the party namely to implement a “true democracy” in Burma.

The programme of the NUP mentioned “democratic principles” as well but stressed to “strive for further consolidation of the national unity which is the absolute necessity for the perpetuation of the state and for providing the people of all national races of the Union a peaceful and developed society.” To achieve such goal, a better use of the country’s economic resources was named. The NUP further emphasised the need for national unity as well as the importance of making better use of the country’s economic potentials.

Martial law was lifted in some areas from November 1989 on.³⁸ The curfew between 10 p.m. and 4 a.m. however remained in force all the time until election day. On December 22, NLD chairman Tin Oo was given a three year sentence for sedition. On the same day, Aung San Suu Kyi filed an application to become a candidate in Yangon’s Bahan township where she lived. The application was objected by the candidate of the NUP in the constituency. The local election commission

³⁴ Almost 1.000 US \$ according to the official exchange rate.

³⁵ Burma Press Summary, March 1990 (<https://www.burmalibrary.org/sites/burmalibrary.org/files/obl/docs3/BPS90-03.pdf>; accessed 23.3.2024).

³⁶ Burma Press Summary, October 1988 (http://uzo.sakura.ne.jp/burma/nlm/nlm_data/bps_1987-1996/bps_1988/bps_10_1988.pdf; accessed 23.3.2024).

³⁷ Burma Press Summary October 1990 (http://uzo.sakura.ne.jp/burma/nlm/nlm_data/bps_1987-1996/bps_1988/bps_10_1988.pdf; accessed 30.5.2020).

³⁸ For details on the “instrument” of the use of martial law until 1992 when Than Shwe became junta chairman see Zöllner 2012: 131-134.

dismissed the protest on January 11, 1989.³⁹ One week later, however, this ruling was reversed by the commission of the district after the rival candidate had appealed the decision.⁴⁰ As a consequence of the judgment, the NLD therefore fielded no candidate in Bahan.



election posters (D

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In a press conference in April, the SLORC spokesmen defended the "little bit scrutinisation" of the campaign speeches. This was made to ensure the "correct use of words and expressions. This was done to avoid the words and expressions which will cause misunderstanding between the people and the Tatmadaw and between the Government and political parties." It was mentioned further that martial law had been revoked in 72 of 161 townships.⁴¹

The NLD speaker was Kyi Maung, member of the party's Central Executive Committee, who had been in charge of the election campaign. In his speech, he claimed that his party had some two million members. He said: "The National League for Democracy believes that a democratic system is indeed needed to mobilize and utilize the ability of the entire people and that success will be achieved through the cooperation of the people of the country." He promised that the NLD would cooperate with all other democratic parties. The speaker of the NUP stressed that the voters had to options. One could "lead the country to have relationship with nations of the world on equal basis and for establishment of a genuine democratic state based on internal strength." The other option could lead to the country being "influenced by another nation, extinction of one's race and religion and turning the country again into a state of servitude."⁴²

The speaker for the Shan Nationalities League for Democracy, the most successful of all ethnic parties, said that the league included members of many ethnic groups living in the state. The league sought democracy and the Shan State "would be entitled to self-determination and autonomy" under a new constitution guaranteeing equal rights for all nationalities." Farmers should own their land and be free to sell produce; prices should be stabilized and loans provided.

³⁹ *The Spokesman-Review* (Spokane WA) 11.1. 1990: 30.

⁴⁰ *The Sydney Morning Herald* Jan 18. 1. 1990: 9; *New York Times* 18.1.1990. According to the report the candidate argued that she "was not eligible to run, maintaining that she is not a resident of Burma, that she had ties to rebel student organizations and that she is entitled only to the privileges of a foreigner."

⁴¹ Burma Press Summary April 1990 (<https://www.burmalibrary.org/sites/burmalibrary.org/files/obl/docs3/BPS90-04.pdf>; accessed 23.3.2024).

⁴² All quotations from Burma Press Summary April 1990 (<https://www.burmalibrary.org/en/burma-press-summary-vol-iv-no-4-April-1990>; accessed 23.12.2020).

The NLD had developed a special uniform for its members – an orange jacket or blouse and a dark longyi. Buttons showing a portrait of Aung San were often attached to the jackets. Students wore an armband showing the fighting peacock. The *khamauk* was often seen as well



Ba Htay casting his vote in 1990 (Source: Irrawaddy)

The strict rules and regulations were widely criticised inside and outside Myanmar. However, no evidence exists about actions of SLORC to assist the NUP. Aung Gyi, the first chairman of the NLD who had been expelled in December 1988 and then founded another party stated: “The election campaign under the military administration

cannot be free, but I believe actual voting and elections will be free and fair.”⁴³ The Australian ambassador commented that the polling had "got off much better than many people had anticipated" but they had been "flawed" all in all because of the detentions and other past events.⁴⁴

5 Results

On election day, the polling took place between 8 a.m. and 4 p.m. The counting was witnessed by representatives of the contesting parties. No incidents were reported and the counting process was “surprisingly transparent” as a western diplomat was quoted.⁴⁵

As had announced before, the state media published the elections results immediately after the counting had been finished and the results had been transferred to the elections commission. Already on election day, the first four victories of NLD candidates were reported. Further results were published almost daily until end of June. It became clear very soon that the NLD had won a landslide victory. Early July, the election commission provides statistical material on the overall outcome.⁴⁶

The basic data published were; From 20,818,313 eligible voters, in 485 constituencies – in seven of them no polling took place - 15,112,524 – that is 72.6% had cast their votes, a turnout never reached before. 13,253,595 votes – 87,5 % - were valid. Voter turnout of more than 72% was higher than in any election before.

Party	Number of Votes	% of valid votes	Seats contested	Seats won	% of 485 seats
National League for Democracy (NLD)	7,934,622	59,9	447	392	80,8
National Unity Party (NUP)	2,805.559	21,2	415	10	2,1
Peasant Unity Organisation (<i>allied with NUP</i>)	300,906	2,3	39	0	0
League for Democracy and Peace	243,023	1,8	309	0	0

⁴³ *The Times* (Shreveport LA) 22.3.1990: 4A.

⁴⁴ *Pittsburgh Post-Gazette* 29.5.1990: 2.

⁴⁵ New York Times 28.5.1990.

⁴⁶ Burma Press summary June 1990 (<https://www.burmalibrary.org/sites/burmalibrary.org/files/obl/docs3/BPS90-06.pdf>; accessed 23.3.2024).

("Nu's Party")					
Shan National League for Democracy*	222,821	1,7	58	23	4,7
Union Nationals Democracy Party	182,752	1,5	247	1	0,2
Arrakan League for Democracy*	160,783	1,2	25	11	2,3
Workers Unity Organisation (<i>allied with NUP</i>)	153,854	1,2	20	0	0
Mon National Democratic Front*	135,847	1,0	19	5	1,0
National Democratic Party for Human Rights*	128,129	1,0	8	4	0,8
Party for National Democracy (<i>allied with NLD</i>) ⁴⁷	72,672	0,5	3	3	0,6
Youth Unity Organisation (<i>allied with NUP</i>)	71,517	0,5			
Democracy Party	62,815	0,4	105	1	0,2
Chin National League for Democracy *	51,187	0,4	3	3	0,6
* Regional parties; The Nation Democratic Party for Human Rights was a Muslim party filing candidates in Rakhine State.					

The above chart shows that the NLD won by a landslide in terms of winning 392 of the 485 contested seats. The following chart however shows that the results point to a number of inequalities many of them caused by the first-past-the-post electoral system. Most severely affected was the NUP the candidates of which received by far most votes after the NLD but took only place four in terms of seats won after two ethnic parties concentrating on Rakhine (Arakan) and Shan State.⁴⁸ Compared to the elections before 1962, one can identify a similar pattern regarding the distribution of votes as well as the representation of parties in parliament. A dominant party headed by a charismatic personality won over a political rival by a big margin with regards to the seats, but the difference in terms of votes was much smaller. In 1960, Nu's Clean AFPFL renamed Union Party won 57, 2 of the votes against 30,2 of its "stable" rival. If the votes for parties allied with the NUP is added, this "bloc" reached 25,7% of the total valid votes. The ration in parliament however was approximately 4:1 (196) and 40:1 (1990) in favour of the winning side.

The big proportional difference might be tentatively explained by the great role played by personal "face" in Myanmar society indicating a person's reputation, dignity and honour. Different from the times of the AFPFL when the local dignitaries had the position as "local kings", the BSPP had tried to "flatten" individual prominence. Differently from the Stable AFPFL, the party succeeding the BSPP could not have popular leaders neither at the top or on the grass root level. The few information about the party indicates that it tried to uphold a modified socialist programme. It needs

⁴⁷ The party regarded as the NLD's "sister party (Khin Kyaw Han 2003: 34) was headed by Aung San Suu Kyi's cousin Sein Win. He contested the seat which Aung San Suu Kyi would have contested if she had not been put under house arrest. Together with other elected MPs, he left Myanmar in late 1990 and became head of the National Unity Coalition Government of Burma (NCGUB).

⁴⁸ The Shan National League for Democracy filed candidates in other States and Divisions as well, but did not win any seats outside Shan State.

further research to identify reasons why the party despite its big handicap as being regarded close to the military -like the Stable AFPFL in 1960 – received such a great number of votes.

In any case, Aung San Suu Kyi's as a virtuous politician following the footsteps of her father by sacrificing her personal well-being to serve the peoples can be regarded as being unbeatable. This is shown by the crashing defeat of the parties headed by Nu and Aung Gyi. The latter had become popular due to his open letters written to Ne Win in July 1989, but his party filing many candidates, one just one seat. One might speculate that his move to leave the NLD shortly after its foundation and his becoming its chairman.

From the 21 parties winning three seats or less, 17 represented small ethnic groups filing up to 15 candidates. Compared to the ethnic groups affiliated with the AFPFL, the elections of 1990 show a tendency of increasing fragmentation with regard to the representation of ethnic political interests. Looking at the seven States prescribed by the 1974 constitutionalities, the NLD won more than 50% of the votes in three States (Kachin, Kayin and Mon). The numbers given for Chin, Rakhine and Shan States indicate a tendency towards a greater autonomy from a centralised Union of Myanmar dominated by Burmese politicians.

1990 State/ Division	NLD	NUP	National Parties	Regional Parties	Independents	Total ^a
Kachin	52.7	20.1	10.1	15.2 ^b	1.8	1.7
Kayah	41.8	25.5	3.6	28.3	0.8	0.3
Kayin	55.8	19.6	5.0	19.5	–	1.3
Chin	28.4	21.5	3.1	38.6	8.5	1.1
Sagaing	66.2	24.0	4.6	2.7	2.5	12.4
Tanintharyi	84.8	12.7	2.2	0.4	–	1.7
Bago	60.6	27.8	5.6	5.0	0.9	11.1
Magway	69.8	25.2	3.9	0.5	0.5	10.2
Mandalay	65.6	27.18	5.8	0.7	0.9	15.4
Mon	58.9	17.5	2.8	20.9	0.0	4.5
Rakhine	29.3	13.9	1.3	54.8	0.5	5.8
Yangon ^b	66.6	24.2	6.9	1.1	0.3	14.1
Shan	33.5	17.1	32.6	16.5	0.4	5.2
Ayeyarwady	58.8	34.6	3.3	1.4	2.0	15.1
Nation-wide	59.9	21.2	—	—	1.1	100.0

^a Percentages of valid votes cast nation-wide.

Voting in the Regions and States (Frasch 2001: 613); "National Parties" designate parties filing candidates in at least five States/Divisions.

With regard to portion of females candidates, just 84 of 2,295 were female. 15 of them were elected, all of them as NLD candidates (Khin Kyaw Hand 2002: 17-18). One of the parties contesting the election was named Union for the Improvement of Burmese Women (Central Headquarters). It contested three seats and won 2,495 votes,.

6 Developments Leading to the Nullification of the Election Result and its Aftermaths

On 1 July 1, the Myanmar state newspapers published the final results of the elections. Already some time before, a debate had started about the issue how to proceed after the election had been held. In the beginning, the junta's attitude had not been quite clear. It was however never obvious that SLORC intended to an immediate transfer of power to the winner or winners of the elections. Since people in and outside Myanmar doubted that the election, if taking place, after all would be more than a charade On the other hand, the NLD was weakened because its two top leaders Aung San Suu Kyi and Tin Oo, an ex-general, had been detained

Some days after the elections,, the correspondent of the *New York Times* analysed the complex situation thus:

No one is really very sure what the National League for Democracy stands for; political survival was always the issue for its members, not policy. Burmese [...] innocence about the workings of democracy, diplomats warn, may prompt the Burmese to expect excessively wonderful and rapid results from a new government. [...] Transitions to democracy are not so rapid in Asia, where the military's role has always been quasi-political. Thais and Indonesians have learned that true democracy comes only gradually, with the active cooperation of the military, and not in active confrontation with it. The Burmese might do well to learn from their examples.

The experienced journalist further stated that according to western diplomats

in a country where personalities have always mattered more than policy, this was a vote against General Ne Win and his acolyte, Gen. Khin Nyunt, the head of military intelligence.⁴⁹

Derek Tonkin (2017), a former British ambassador to Thailand, has argued that a “failure of communication might have been a main reason being the situation after the results had been jubilantly welcomed in Burma and abroad and their “recognition though not the implications” by SLORC (Tonkin 2017: 49). In the beginning, Saw Maung had given the impression that the armed forces would “return to the barracks” after the elections had been held (Tonkin 2017: 38). Later, Khin Nyunt and other SLORC spokespersons had made clear that the first duty of the elected parliament would be to draw up a constitution, a task even regarded as logical by Aung San Suu Kyi before her detention (Tonkin: 39-43). The same opinion was worded by election commission’s chairman Ba Htay in a very optimistic way in early July 1990, six weeks after election say:

It is believed that the SLORC and the elected Pyitthu Hluttaw [*parliament*] representatives from parties will hold thorough discussions and go on step by step for coming into being of a constitution which will bring about multi-party democracy and comply with the current situation of the country.⁵⁰

End of July, however, it became clear that no dialogue between the two competitors for power was possible. On July 27, SLORC issued Declaration 1/90. Point 19 of the long text stated:

As the [SLORC] is a military government, it exercises Martial Law. As such it exercises the following three aspects of State Power in governing Myanmar Naing-Ngan: (a) Legislative power: Only the [SLORC] has the right to exercise it. (b) Executive power: The [SLORC] has the right to exercise it. However, it has delegated this power to the Government [...] (c) Judicial power.⁵¹

Two days later, the elected NLD parliamentarians-to-be met with the permission of the government at the Gandhi Hall⁵² in downtown Yangon and at the end of the meeting on adopted a declaration.⁵³ Point 8 stated:

We are glad to learn that the National League for Democracy has already drafted a constitution in connection with power prescribed by the law or transfer of power prescribed by the law. We also support the proposal of the National League for Democracy to hold consultations with other parties on “the 1990 Provisional Constitution (Draft)“. It is our conscious opinion that this provisional constitution will bring about the transfer of power in accordance with the law.⁵⁴

The “provisional constitution” took up elements of the 1947 constitution. These two positions were insurmountable which was unacceptable to the military.

⁴⁹ *New York Times* 3.6.1990.

⁵⁰ Burma Press Summary July 1990 (<https://www.burmalibrary.org/sites/burmalibrary.org/files/obl/docs3/BPS90-07.pdf>; accessed 25.3.2024).

⁵¹ For the whole text see <https://www.burmalibrary.org/en/slorc-declaration-no-190-of-july-27-1990> (accessed 22.12.2020).

⁵² The building located at the junction of Merchant and Bo Aung Gyaw Streets hosted the Mahatma Gandhi Memorial Trust from 1951 on after it had been taken over by the Burmese government as a means to strengthen the country’s relations with India.

⁵³ For the text see <https://www.burmalibrary.org/en/gandhi-hall-declaration> (accessed 3.6.2020).

⁵⁴ https://www.burmalibrary.org/sites/burmalibrary.org/files/obl/docs/Gandhi_Hall_Declaration.htm (Accessed 3.6.2020).

A “process flawed and doomed from the start” had come to an end and a new stage of confrontation begun both inside and outside Myanmar marked by the linguistic difference between “Burma” and “Myanmar” after SLORC’s “Adaptation of Expression Law” of July 1989 according to which the former term was to be used for the largest ethnic group and the latter for the whole country. English speaking followers of Aung San Suu Kyi used the former term, some until today, the United Nations and most countries adopted the latter.⁵⁵

Two events in December 1990 and twelve months later sealed the national and international divide. A number of elected members of the NLD and the its sister party headed by Aung San Suu Kyi’s cousin left Myanmar and established a National Coalition Government of the Union of Burma (NCGUB) in Manerplaw, the headquarter of the KNU and a number of other organisations fighting the government.

On December 10, 1991, Michael Aris, Aung San Suu Kyi's husband, and her two sons accepted the Nobel Peace Prize in Oslo on her behalf.

Sein Win’s party was soon deregistered after the foundation of the NCGUB as were many others for a variety of reasons.⁵⁶ The election commission continued its work, Ba Htay served as its head until his death in 2000 and then was replaced by the then most senior member, Han Maung.

In April 1992, SLORC restarted the process of keeping its pledge to hold multi-party elections under the terms of Declaration 1/90. Together with the change of the SLORC leadership from Saw Maung to his former deputy Than Shwe, the convoking of a Nation Convention was announced that “in order to lay down the basic principles for the drafting of a firm and stable Constitution.” Before the first meeting took place in January 1993, six “objectives” had been predefined as the backbone of the new constitution in October 1992. No. 6 of them stated: “[P]articipation of the Tatmadaw in the leading role of national politics of the State in future.”⁵⁷

The composition of the convention aimed at including representatives of all societal groups among them members of political parties. From the 702 delegates, 104 were NLD members - 89 elected in 1990 and 15 nominated. In December 1995, the members walked out on the first day of the fourth meeting and were expelled one day later. Aung San Suu Kyi had been released from house arrest in July of that year. She criticised the Convention as “undemocratic”. Shortly afterwards, the convention was adjourned and was resumed only in 2004. After the walkout, the NLD initiated the formation of a Committee Representing People’s Parliament (CRPP). The first meeting of the body composed of members of the NLD and different ethnic parties held its first meeting two days before the 10th anniversary of the coup of 1988.

At its first meeting, the Committee stated: “All laws, rules, procedural laws, orders, and notifications made on and after the 18 September 1988 without confirmation of the People's Parliament have no legal authority.”⁵⁸ The next day, Aung San Suu Kyi in a message broadcast by radio stations from abroad called on “all



⁵⁵ For details see <https://www.usip.org/blog/2018/06/whats-r>

⁵⁶ For an overview on the fate of elected people and parties see *All Burma Student Democratic Front, 1998 To Stand and Be Counted. The Suppression of Burma's Members of Parliament.* (Photo: Pu Chin Sian Thang) (https://www.burmalibrary.org/docs21/To_Stand_and_be_Counted-red.pdf; accessed 3.6.2020).

⁵⁷ For the full text see <https://www.burmalibrary.org/en/burma-press-summary-volume-vi-no-10-october-1992> (accessed 4.6.2020).

⁵⁸ <https://www.burmalibrary.org/sites/burmalibrary.org/files/obl/docs/crpp1998.01.htm> (accessed 4.6.2020).

democratically elected parliaments in the world to give due recognition to our Committee and support the work we are undertaking.”⁵⁹

6 Summary and Developments until the Adoption of the 2008 Constitution

James F. Guyot, an American political scientist with a focus on the role of the Burmese army in the country's politics, stated in an article on the year 1990 in Myanmar: “NLD clearly won and SLORC lost”. (Guyot 1991: 209) This conclusion represents a mainstream assessment of the elections in the public perception until today.

In contrast, Derek Tomkin some years later drew a more sober and almost prophetic conclusion:

As in several other countries in Southeast Asia, the crucial issue remains the nature of the power-sharing which needs to be worked out between the military and the politicians. The difficulties in the case of Myanmar (Burma) are particularly problematic because of the much higher and all-pervasive profile of the Tatmadaw in national affairs, indeed their dominance in the country's administration at all levels ever since independence in 1948. A resolution of the issue of power-sharing is likely to require considerable compromise on all sides. Reconciliation will not be easy to achieve, given the traditionally authoritarian nature of Burmese politics. (Tonkin

Aung San Suu Kyi drew another conclusion that might be applicable to what happened later as well.. In a speech given over the gate of her house after her release in July 1995, she said: looking back to the 1990 elections:

One-party system cannot be democratic because just one party will always be in power whether the people like it or not. If there is more than one party, people can remove the party they don't like in an election. [...] The NLD won more than 400 seats. This means that other parties are extremely weak. It's not good that only the NLD is strong. We need to empower the opposition. We need to encourage opposition parties. If the NLD is growing too strong, we have to take time and efforts to encourage other parties. (applause) If the NLD is too strong, the NLD members can get complacent and less diligent. In a democracy all political parties have to be strong. Now we have relations with other parties. We would like to be on good terms with them, as we want them to have popular support too. (Zöllner 2014: 50-51)

Aung San Suu Kyi's solution to the lack of votes for a strong opposition in the 1990 elections was to “empower” other parties. In terms of western theory and practice of democratic elections, this is an absurd idea. It points to the difficulty of the “hybridity” of holding elections in Burma since 1922.

In any case, the elections of 1990 resulted in an impasse. It lasted until August 2003 when Khin Nyunt in his new position of Prime Minister announced the 7-step Roadmap.⁶⁰ It started with the resumption of the work of a National Convention in 2004 as step one. Step four was the holding of a referendum to adopt the new constitution. This happened in May 2008. The following elections were held under the provisions of this law.

⁵⁹ For some more details see Zöllner 2012: 248-251.

⁶⁰ For a detailed account plus analysis see Zöllner 2012: 229-448.