

THE ADMINISTRATION OF BRITISH BURMA

1852 - 1885

by

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ABSTRACT

In this thesis is outlined the development of British administration in its Burmese provinces between 1852 and the war of 1885. In 1852 the British government of India acquired its third Burmese province when Pegu was annexed, as Tenasserim and Arakan had been annexed earlier in 1826. The difficulties of establishing British administration in Pegu are discussed, as well as the later amalgamation of the three British Burmese provinces into that of British Burma and the subsequent development of administration there.

This development was influenced by the indigenous system of government; by practices established between 1826 and 1852 in Tenasserim and Arakan; and by British administrative practices that were standard in all of British India. British administrative objectives were basically the maintenance of peace and order but as it was necessary for the revenue of provinces to pay for the costs of administration, economic development was also important. Accordingly the most important functions of the British administration in Burma were those of police, justice, and revenue.

Social stability and a laissez-faire economy gave impetus to economic growth within the province. This forced the administration to expand its existing framework; to establish departmental government; and to allow the indigenous people more responsibility in it. The way in which this occurred was, however, largely determined by developments within India, to whose government the province of British Burma was subordinate.

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INTRODUCTION

The annexation of Pegu and its addition to the British Indian territories in 1852 completed the process of British absorption of lower Burma. This had begun in 1826, when the former Burmese provinces of Arakan and Tenasserim were formally ceded to the British by the treaty of Yan-dabo.¹ By this were ended the three decades or so of Anglo-Burmese frontier friction which had first been fostered by dissident Arakanese refugees in British Bengal and finally aggravated by Burmese aggression towards Assam, Manipur, and other neighbours.² The reasons for the annexation in 1852 seem less clear. Richard Cobden claimed that annexation occurred through 'our insatiable love of territorial aggrandisement'.³ Whether this was so or whether annexation was largely

¹ The spelling of Burmese proper names and words throughout the thesis is the modern one favoured by the Burmese Department at the School of Oriental and African Studies, London, except where the modern spelling makes the word completely unfamiliar to those accustomed to the old and frequently varying spelling. Thus Mandalay has been spelt Man-dalei, but Moulmein has not been spelt as Maw-lamyang. Where the Anglicised names have now lapsed in modern Burma, the old names and spelling have been used, thus Akyab rather than Sit-twei and Mergui rather than Beik have been retained. The modern spelling has also been used for the names of well-known people, but for those less well-known the spelling is as found in the records. In the case of any confusion a list of old and modern spelling is to be found on page 292.

² D.G.E.Hall, A History of South-East Asia, (London, 1958) pp.505-17, and Maung Htin Aung, The Stricken Peacock, (The Hague, 1965), pp.11, 29-31.

³ Richard Cobden, How Wars are got up in India: The Origin of the Burmese War, 4th ed., (London, 1853), p.56. Cobden's view was supported by Dorothy Woodman, The Making of Burma, (London, 1962), pp.122-147 and by Maung Htin Aung, op.cit., pp.41-51. They

an accident stemming from an attempt at gunboat diplomacy, there were for the British several attractive aspects to the acquisition of Pegu.⁴

A troublesome neighbour was effectively hamstrung by being deprived of its maritime provinces and confined as a landlocked state to a greatly reduced sphere of influence. Furthermore, the British acquired a province of promising economic potential. The province had suffered during the recent war and had been racked by centuries of violence caused by the internecine strife between Burmese and Mons, whose traditional homeland Pegu was. Yet despite this, the rich delta and riverine land of Pegu had long been an important supplementary granary for the dry Burmese

believed the war and the subsequent annexation was unprovoked by the Burmese and entirely due to British imperialist arrogance and aggression. The attitude of the governor-general of India, the Marquess of Dalhousie, though not entirely consistent, seemed to have been that the war and annexation were necessary to preserve British prestige in the East. J.G.A. Baird (ed.), Private Letters of the Marquess of Dalhousie, (London and Edinburgh, 1910) pp.192-215. D.G.E. Hall believed the events of 1852 were due to the 'traditionalism, pride and ignorance of the Court of Ava', Op.cit., pp.518, 526-7.

⁴ Dalhousie had despatched Commodore Lambert with several ships to Rangoon to back the demands of two British traders for reparations from the Burmese. It was largely due to his exceeding his instructions that hostilities began.

⁵ The irrigated area around Kyauk-hse was the main granary of the north, but traditionally there was heavy reliance on rice imports from the south. Michael Symes, An Account of the Burmese Empire and the Kingdom of Assam, (Calcutta, 1939), p.10 and John F. Cady, A History of Modern Burma, (New York, 1958), pp.44-45. Throughout the thesis those referred to as Burmese are mostly those for whom the Burmese language is their mother tongue. However, due to the facts that Arakanese is only a dialect of Burmese, that many Mons no longer spoke Mon as their mother tongue during the period under review, and that many British officials considered it unnecessary

heartland of the north.⁵ Even in the straitened circumstances of this ravaged region in the reign of King Bō-daw-hpayā (1782-1819), rice was frequently produced in such abundance that 'the combined efforts of men and cattle could not consume it'.⁶ Once the British lifted the ban on rice exports, imposed by the Burmese largely for fear of famine, the province promised to develop into a greater granary than either of the two Burmese provinces annexed earlier. Moreover, there was also the lure of Pegu becoming a springboard for British trade to the fabled markets of western China.

Arakan and Tenasserim had been similarly disrupted before their annexation. The former had been torn by a century of civil war before being forcibly incorporated within the Burmese empire. Tenasserim had long been the battle ground for Burmese-Siamese contentions. Both had been further depopulated by mass executions, by mass deportations to other areas, and by mass requisitioning of men for war and pagoda building.⁷ In terms of increases in population and in area cultivated, both had responded to two and a half decades of British rule and Arakan had become a great rice

to make such distinctions in their records among people so alike, the word 'Burmese' has sometimes been used to refer to people belonging to the Mon-Burmese-Arakanese groups, as opposed to the hill peoples or to Indians or Chinese. The word 'Burman' refers, in general, to indigenous inhabitants of Burma.

⁶ G.E. Harvey, History of Burma, (London, 1925), p. 357. Rice was grown for internal consumption only, although Arakan had had a considerable export trade in rice in the 17th century. D.G.E. Hall, op.cit., p. 534.

⁷ Ibid., p. 168; D.G.E. Hall, op.cit., pp. 299 and 396; Michael Symes,

exporting province. There was every reason to expect Pegu to prosper similarly.

British policy objectives The basic objectives of British administrative policy were the establishment of peace and order, of an adequate governmental organisation to achieve this, and of a revenue yield sufficient to maintain it. For much of the period administrative policy was coloured by a comparatively negative attitude to government, perhaps best defined by Palmerston when he declared "the business of government" is to leave things alone.⁸ Yet early nineteenth century liberal concern for equality before the law and freedom from oppression and corruption and the belief by Bentinck and the radicals in the panacea of western culture for the ills of India, also influenced administrative policy.⁹ After the outbreak of the Mutiny in 1857, however, all interference with traditional social customs and religious matters was eschewed.¹⁰ The promotion of British trade and the creation of markets for British goods was of great national interest in this period, but in 1833 the trading activities of the government of India, then the East

op.cit., pp.18-19, and Maung Htin Aung, A History of Burma, (N.Y. and London, 1967), pp.168 and 197-9. Many also fled from Burma either into British India or into Siam. Tenasserim was also a traditional Mon area.

⁸ Quoted in L.H.Jenks, The Migration of British Capital, (U.S., 1927), p.231.

⁹ The word 'western' has been used here and later in the same sense as Percival Spear used it in A History of India, Vol.II, Penguin ed., (Middlesex, 1965), p.151. To some extent, British retention of Tenasserim was also based on concern for Burmese oppression of the Mons should Tenasserim be returned to the Burmese.

¹⁰ It was thought that the Mutiny was largely due to the culmination of resentment at the too rapid and indiscriminate introduction of alien and western ideas and institutions and too cavalier an attitude to traditional practices.

India Company, had been abolished, and it pursued a laissez-faire economic policy thereafter.¹¹

In the latter part of the century, however, the negative element in government philosophy was somewhat reduced, as the government assumed greater responsibility for the material welfare of its subjects and continued the work, begun by Dalhousie, of transforming India materially - by public works, improved communications, and education. Nonetheless, care was still taken to balance government expenditure on such projects with government revenue and this development brought no change to the government's basic administrative priorities.^{11a}

The connexion with India The incorporation of the British Burmese provinces into the Indian empire made them subordinate legislatively and fiscally to the government of India, which was itself subordinate to the authorities in London. These, in turn, were responsible to parliament. Yet parliament did not intervene in matters of routine administration, leaving these largely to the experienced officers at the Indian and provincial levels. As Joseph Dautremere commented, in comparing Indian with French provincial administration in Indo-China, this ensured a large element of continuity in administration which was lacking in Indo-China, subject as it was to conflicting political pressures emanating from Paris.¹²

¹¹ J.S.Furnivall, Progress and Welfare in Southeast Asia, (New York, 1941), p.16. The administrative reports for British Burma reveal, however, British concern for the growth of trade and consumption of British goods.

^{11a} J.S.Furnivall, op.cit., p.24 and Ravinder Kumar, 'Liberalism and Reform in India', Jnl.of World History, Vol.VII, No.4, 1963, pp.890-910.

The connexion with the government of India brought the imposition not only of its policies on provincial government but also, to a large extent, the mould in which the administrative system was cast. Moreover, as administration between 1852 and 1885 was organised more and more for the achievement of efficiency, increasing conformity was established in administrative procedure throughout all British India.¹³

In most instances the local and customary institutions of newly annexed territories were taken as the basis of British administrative institutions, but the British administrative structure imposed upon it was much the same throughout all British India.¹⁴ Despite the differences between the peoples of India and those of Burma in custom and society, legislation was gradually introduced to reduce the differences in administrative procedure that inevitably existed. By the introduction of the Civil Procedure Code of 1859, of the Penal Code of 1860, and of the Criminal Procedure Code of 1861, the process was well underway of bringing basic uniformity into these spheres of administration to all provinces under the government of India.¹⁵ Complete uniformity in administrative procedure was never obtained but by 1885 many of the traditional in-

¹² Burma under British Rule, (London, 1913), pp. 180-81. See also Virginia Thompson, French Indo-China, (N.Y., 1937), pp. 74-75, and D.G.E. Hall, op.cit., p. 643.

¹³ See D.G.E. Hall, op.cit., p. 534 and J.S. Furnivall, Colonial Policy and Practice - A Comparative Study of Burma and Netherlands India, (Cambridge, 1948), p. 40.

¹⁴ John Strachey, India: its administration and progress, (London, 1911), p. 7. See also Chapter II.

¹⁵ See Francis Du Pré Oldfield, 'Law Reform', C.H.I., (Cambridge, 1932), Vol. VI, Chpt. xxi, p. 384.

stitutions of government in Burma had been modified to suit the requirements of conformity imposed by the government of India.

Moreover the fiscal subordination of British Burma to the government of India ensured that the amount of revenue retained for expenditure within the province was decided by the Indian government. Although basic costs were considerably higher in British Burma than in other provinces, comparatively little allowance was made for this and the government of India expected administration to be maintained there at the same standard as in the rest of British India.¹⁶ A fundamental tenet of the government of India was that the objectives of administration should be achieved not only with efficiency but also with economy. As the revenue of British Burma more than trebled between 1861 and 1885 and as the rate of taxation was considerably higher in British Burma than elsewhere in British India, members of the provincial administration were frequently to protest at the stringent interpretation of this by the government of India, particularly when it seemed that the degree of economisation in administration was prejudicial to its efficiency.¹⁷ Moreover, because of the volume of British Burmese revenues, there was some resentment that the government of India still maintained its basic administrative priorities and had less sympathy for projects concerned with more than these. For this reason it was sometimes

Details needed || ¹⁶ Although higher rates of wages were generally granted for the lower ranks of government employees, such as police constables, salaries for higher ranks of the administration were frequently not as high as in the rest of India.

¹⁷ Gross revenue increased from 76.68 to 258.97 lacs of rupees between 1861-62 and 1885-86. See also pp.123-24.

said that the province was little more than a 'milch cow' for India, and that it would be better off with the connexion to India severed and the colony administered directly from London as were the Straits Settlements.¹⁸

Part of the revenue from all the British Indian provinces was used to maintain the central administrative organisations not only of the government in India but also of the India Office in London. There were also other expenses entailed in maintaining such a vast administrative system so far from Great Britain.¹⁹ In addition to meeting these expenses, however, the government of India had to face a chronic financial crisis throughout the entire period under review.

The financial liabilities of the East India Company had partly prompted the takeover by the Crown in 1858 and under the new administrative arrangement the financial organisation of the government of India was greatly improved. Its persistent financial difficulties thereafter were, however, due to the initial enormity of the Indian debt and to the need of paying off the deficits caused by the loans raised in England on the guarantee system to finance the great railway expansion which occurred in India between 1859 and 1869. The coincidence of a general rise in prices and wages and an ever increasing demand from the provin-

¹⁸ John Nisbet, Burma under British Rule and Before, (Westminster, 1901), Vol. I, p. 260 and Alleyne Ireland, The Far Eastern Tropics, (Westminster, 1905), p. 94. See also page 127, footnote 33.

¹⁹ India bore the cost of the telegraph line from England and some expenses of the Mediterranean fleet. See also page 116. Until 1858 Indian affairs in London were administered by the Board of Control but thereafter by the Secretary of State for India.

cial governments for more money for administration, did nothing to alleviate the situation.²⁰ To these embarrassments of the 1860's were added those of the next two decades when the value of silver on which the Indian currency was based continued to fall in response to the demonetisation of silver in Europe. As charges in England had to be met in gold, the lower the gold rate of silver became, the more rupees had to be sent from India and the fewer there were available for expenditure within the various Indian provinces.²¹ The continually rising prices and severe famines only added to the difficulties of the Indian government as did the various wars that were charged to the Indian account.²² This, to some extent, explained the extreme parsimony of the government of India in this period.

It was largely due to the financial difficulties of the government of India and to the general reorganisation of administration following the takeover by the Crown in 1858 that Tenasserim, Arakan, and Pegu were united into the province of British Burma under a chief commissioner. This was expected to be a more efficient and more economic administrative arrangement than having three separate provincial commissioners corresponding separately with the government of India on matters that

²⁰ Vera Anstey, The Economic Development of India, 2nd ed., (London, 1931), pp.13 and 131-2.

²¹ Yaman Govind Kale, Introduction to the Study of Indian Economics, (Poon, 1917), p.238.

²² Leland Hamilton Jenks, op.cit., p.221. They included the 1859 war with China and the Afghan war of 1879.

were frequently much the same. Moreover, the cultural and religious affinities of the three main ethnic groups in the three provinces favoured such a union.²³ All were of predominantly Pācān stock with only superficial differences in skin tone and all were Buddhists.²⁴ Linguistically too they had much in common, Arakanese being a dialect of Burmese, and the Mons having long been required by the Burmese to forsake their own language for that of the Burmese.²⁵ As well as this, they had many administrative institutions in common and many of these had been largely preserved under British rule.²⁶

Administrative system in Burma The system of administration under the Burmese had been characterised by a strong and stable system of local rule and by a relatively weak system of central government. It rested on custom and authority rather than on strictly defined codes of law, with the Buddhist religious order acting as guardian of traditional moral and social values. While the latter stood mostly apart from the process of government, it was the duty of the king to protect and support its role in society. There was no separation

²³ B.P.P., 1862, Feb. No.21.

²⁴ Charles A. Fisher, South-East Asia, a Social, Economic and Political Geography, (London and New York, 1964), pp.412-432 and E.H.G. Dobby, Southeast Asia, 5th ed., (London, 1956), pp.184-89. The various hill peoples were basically animists, with the exception of the Buddhist Shans, and had less in common linguistically.

²⁵ The British in Tenasserim had continued to use Burmese as the official vernacular rather than Mon.

²⁶ See Chapter II.

of judicial and executive powers and the same official who collected revenue also tried civil and criminal cases. His jurisdiction was mostly personal but partly territorial.²⁷

Under the British a strong system of central government was established, resting on law, impartially administered. Initially jurisdiction was territorial but later with the setting up of specialised departments it became partly functional as well.

'In matters of chief concern to the maintenance of order and the promotion of commerce', the law was based on English law, but the government allowed Burmese customary law to apply in social matters such as marriage and inheritance when the contestants were Burmese.²⁸ Because it was British policy to avoid interference in traditional religious and social institutions, no longer was government support and protection given to the role of the Buddhist religious order in the indigenous community.

As in India the country was divided into districts, which until 1862 were grouped into provinces under commissioners subordinate to the authorities in India. Thereafter the provinces became divisions, grouped into a province with the commissioners subordinate to the provincial chief commissioner, who was responsible to the government of India. At district level administration was similar to that under the Burmese regime in that the district

²⁷ Donald Eugene Smith, Religion and Politics in Burma, (Princeton, 1965), pp.17-32 and J.S.Furnivall, The Governance of Modern Burma, (New York, 1966), p.5. See also below, pages 32-33.

²⁸ J.S.Furnivall, Progress and Welfare in Southeast Asia, p.12, and P.A.R., 1855-56, p.21.

officers, known as deputy commissioners, were revenue officers, judges, and magistrates.²⁹ They were also responsible at district level for all other functions of government, such as those performed by departmental officials.

The lowest administrative units in the hierarchic order in which authority was arranged were those in the charge of indigenous officials, the nature of whose functions initially were left largely unchanged from the Burmese regime. Their jurisdiction, however, became in theory if not always at first in fact, completely territorial. Later both the units and the functions of the officials were modified in accordance with the administrative requirements of the government of India.³⁰

Because of the administrative priorities of the government of India, the most important administrative functions were executive, judicial, revenue, and police. From the time of the Marquess of Dalhousie's governor-generalship (1848-1856), public works had been regarded as important adjuncts to administration because of the improved efficiency in administration that better communication would cause. In British Burma, however, despite a promising start made by Dalhousie, they were mainly of importance when works of military and strategic importance were required. As in the rest of India, the social service departments of education and public health were the 'Cinderella' services which suffered first

²⁹J.S.Furnivall, The Governance of Modern Burma, p.7.

³⁰See below, pages 242 and 253. ~

in any financial crisis.³¹

Administrative staff numbers were kept low and increased only when the standard of administrative efficiency was threatened, the government of India, as J. Chailley-Bert described it, being 'eager to obtain a maximum of work from a minimum of personnel'.³² The system of government was firmly dominated by Europeans and only in the last years of the period was any attempt made to open the more responsible positions, previously reserved for Europeans, to indigenous people. Even then the number of such openings was small. At about the same time, however, effort was being made to promote the principles of self-government in the various institutions of local government that had been introduced under British rule and by making use of traditional institutions not previously incorporated into the administrative structure. The two Municipal Acts of 1874 and 1884 progressively liberated the municipal governing bodies in the seven or so largest towns of the province by endowing them with larger responsibilities and by restricting the powers of the executive government to interfere.³³ Lesser powers were

³¹ Salaries were always lower in these departments than in the main departments of the administration.

³² The Colonisation of Indo-China, (London, 1894), p.285.

³³ See Hugh Tinker, The Foundations of Local Self-Government in India, Pakistan, and Burma, (London, 1954), pp.37 and 47. Although some members of municipal committees in some provinces of India had been elected since 1874, only in the 1880's were any members elected in British Burma, and then only if a majority of the householders of the towns were in favour. B.H.P., 1884, Jan. Index No.26 and L.B.M.A.R., 1885-86.

granted in the smaller towns.³⁴

In the larger towns the tradition of respected members of the community acting as arbiters in disputes was incorporated into the scheme, then being introduced throughout all British India, of employing honorary magistrates 'to take a share in the judicial administration of the country'.³⁵ They were required to dispense summarily with the lesser cases that tended to clutter up the courts.³⁶ In the country it was intended to make the village elders, (li-gyī), the backbone of the rural self-government system in the rural boards that were to be set up throughout the province.³⁷

Although the introduction of such measures was not expected to increase the efficiency of administration, it was expected to increase the economy of administration by placing the burden of local self-government on the people, both administratively and financially.³⁸ Moreover, none of the main functions of government

³⁴ B.B.M.A.R., 1882-83 and 1883-84. By the end of 1885 there were thirteen municipalities, of which eight had committees with an elected majority, and nineteen town committees. L.B.A.R., 1885-86, pp.18 and 22.

³⁵ B.H.P., 1881, June Index No.2.

³⁶ B.B.C.J.R., 1885, Resolution. By 1884 benches of honorary magistrates were disposing of much of the minor judicial work in the towns.

³⁷ Note of the principal measures of administration under consideration in the Home Department of the Government of India during the viceroyalty of the Marquess of Ripon, (1884), (B.M.I.S.290/13) p.246 and B.H.P., 1882, Aug.Index No.28 and 1883, Sept.Index No.24.

³⁸ Note on the principal measures of the Marquess of Ripon, p.248 and B.H.P., 1880, Nov. Index No.25.

were entrusted to the local government bodies.³⁹ Similarly the decision to give more administrative responsibility to indigenous people was based not only on democratic principles and the desire to placate the growing political consciousness and resentment of the people of India against British rule; It was also based on the same principles of economy as the attempt to develop local self-government. Although Burmans were not as politically organised and articulate as many Indians, the same economic necessity applied.⁴⁰

Development of the province

The expansion of administration in British Burma was largely dependent on the increase in revenue and therefore on the development of the province. Yet while the establishment of greater social security and stability and the encouragement of 'an export economy' virtually ensured the development of the province, more positive steps were taken by the administration, especially in the latter part of

³⁹ After 1880 municipal committees were responsible for the administration of all matters for which revenue was collected. For instance, until then the municipal police administration had been paid for out of municipal funds, but from then on was paid for by the provincial administration which remained in control of all police administration in the province.

⁴⁰ Although the British at this time believed the Burmese to be rather politically immature, they were aware that they were more acquiescent than enthusiastic about British rule. B.B.A.R., 1880-81, p.10. For this reason the British remained suspicious about the effect of the various attempts of the Burmese king to maintain contact with lower Burma. Moreover, in the early 1870's there was at least one ^{minor} conspiracy and one attempt at rebellion,

the period under review, to accelerate such development and to ensure that such economic growth was well established. These comprised mainly the encouragement of both immigration and cultivation by taxation concessions, land policy, and various other measures.

Migration policy From the first year of British administration in Burma it had been realised that the relative under-population of the area would be an impediment to economic growth and the development of the province. Labour was in short supply and was thus expensive to employ and difficult to secure. Consequently the maintenance of a strong and steady stream of immigrants became a constant desideratum in British administrative considerations. Only after the annexation of Pegu, however, did immigration occur on any large scale and it was in this period that greatest effort was made by government to encourage this. Until the decision to launch official schemes to aid Indian migrants to Burma, the main policy of the administration to encourage immigration and land settlement was the granting of taxation concessions in the first years after newcomers' arrival. They were exempted from the general capitation tax and for a limited period, varying according to circumstances, from paying land revenue. Land was also made readily available to them.

but there was nothing in Burma at this time to equal the vocality of various educated Indians on political issues. B.H.P., 1875, Nov. Index Nos. 14 and 17 and Naresh Chandra Roy, Indian Civil Service, (Calcutta, 1935), p. 65.

In the first years of British administration in Pegu and British Burma, the neighbouring countries of Upper Burma and Siam, the various hill countries, China, and India - in approximately that order - were looked to as a source for repopulating the land. It was believed, partly on the basis of the physical decline of Indian troops in the province, particularly on the frontier, that Indians were physically not suited to the country and did not 'amalgamate' well with the people.⁴¹ Their value as labourers in the main seaport towns had, however, long been recognised.

The maintenance of a steady stream of migrants from Upper Burma and Siam was, however, not to be achieved, as both countries were also thinly populated and both forbade the emigration of their people. Although the Anglo-Burmese commercial treaty of 1862 facilitated the movement of traders between Upper and British Burma and men were permitted to migrate seasonally in search of work, women and children were forbidden to join the movement. Many whole families and villages did migrate to the south, however, but they did so only by eluding the Burmese guards posted at the frontier.⁴² The numbers of immigrants tended to fluctuate according to the political and economic conditions in Upper Burma, so that in

⁴¹ I.L.P., 1871, Nov. No.20, Encl.Com.of Arakan to Ch.Com., June 29, 1870.

⁴² I.F.P.(Pol.), 1871, July No.292. In 1871 it was reported that the Burmese guards placed at six mile intervals along the frontier, ostensibly to protect traders and deter thieves and gang robbers (usually referred to as dacoits), were actually employed in preventing would-be migrants from crossing the border.

years of peace and plenty there were fewer migrants.⁴³

There was no similar movement of Siamese. Furthermore nothing came of early British hopes that the Siamese government would relax its ban on migration to the extent of allowing the return of the Mon refugees and their descendants, who had fled from Tenasserim under the Burmese.⁴⁴

The Burmese were also reluctant to allow the migration of Shans to British Burma, as a number of Shan sawbwas (chieftains) owed allegiance to the Burmese throne. The British, however, were more active in promoting Shan migration than either Burmese or Siamese. From 1863 on small pensions were given to sawbwas, who had led groups of their people to British Burma, both to support and to encourage them to attract more Shans to the country, as they were regarded as good settlers and agriculturists.⁴⁵ After a British political agent was stationed near the Burmese northern boundary, Shans were employed as recruiting agents and

⁴³ Heavy taxes also contributed to the causes for the exodus from Upper Burma and in 1864 it was reported that the king, Mīn-dōn (1853-1878), had ordered that no further taxes were to be collected in the frontier districts in order to stem the tide of emigration. I.F.P., 1865, May, No.145. The British, in fact, regarded any increase in Burmese taxation as ensuring a new exodus of migrants for the south. See also I.F.P.(Pol.),1873, Ap. No.146.

⁴⁴ Ibid., 1864, Nov. No.181.

⁴⁵ I.F.P.(Fin.),1863, Dec.No.4. and I.L.P.,1871, Nov.No.20. The unsettled conditions of the Shan countries and their contention with their Burmese overlords contributed to their migration. On occasion as many as two to three thousand Shans were reported entering Pegu merely in anticipation of receiving grants of wastelands.

steamers carried groups of Shans down the Irrawaddy into British Burma.⁴⁶

Although the Manchu prohibition on Chinese emigration was lifted in 1860, no official British policy of actively encouraging Chinese immigration followed. The provincial administration favoured providing assisted passages for Chinese emigrants from Amoy but the government of India rejected the proposal on the grounds that recruited migrants would be of little use in the province, as it believed that Chinese migration was most beneficial when it was spontaneous.⁴⁷ Partly because of this and because spontaneous immigration was largely checked by the fact that Singapore was closer than British Burma to Canton, Chinese immigration did not occur on any considerable scale. The outbreak of the Panthay rebellion in Yunnan, while disrupting the flourishing caravan trade established in the first half of the nineteenth century, also must have checked any flow of migrants from that direction which may have developed. Once the Panthay stronghold of Tali fell in 1873, however, many Panthays sought refuge in British Burma.⁴⁸

⁴⁶ I.F.P.(Pol.), 1873, July No.435; Oct. No.29; 1874, Mch. No.187; and 1878, Aug., No.156. Groups of several hundreds were reported awaiting transportation on two occasions, despite Burmese efforts to deter them.

⁴⁷ I.F.P.(Pol.), 1862, Dec.No.304 and I.F.P.(Gen.), 1862, June Nos. 58-61. The government of India, however, urged the promotion of Chinese migration through Upper Burma which had been mentioned by Chinese traders in Man-dalei when Phayre, the first commissioner of Pegu and later chief commissioner of British Burma, was there in 1862.

⁴⁸ They were transported by steamer with the Shans. I.F.P.(Gen.), 1873, Mch. No.187.

As these sources of migrants had by no means satisfied the labour needs of the province, several official schemes for promoting Indian immigration were developed in the 1870's and after.⁴⁹ The famine in Bengal of 1874 prompted the first scheme of state immigration and the government of India ordered the commencement of earthworks for the first railway in Burma as relief work. By 1876 seven and a half thousand migrants had entered the province under the scheme, but it was abandoned in 1876-77, as many of them died or returned to Bengal without repaying the loans for their passage and few became agriculturists.⁵⁰ This, in fact, was one of the difficulties with Indian immigration that although many Indians entered the country comparatively few stayed once they had made some money.

Another scheme was introduced, however, in 1876 by the British Burma Labour Bill, by which immigrants, including women and children, were recruited from Kakinada. Over 750 were recruited but because they were highly protected by the Act, Indians brought into the province by private contractors were more in demand, and the former did not settle. Recruiting ceased soon after.⁵¹

⁴⁹ This had been anticipated by Phayre as early as 1856. P.A.R., 1855-56, p.39.

⁵⁰ B.B.A.R., 1874-75, Intro., p.24 and 1875-76, Intro., p.21. The scheme cost 195,000 rupees of which 100,000 rupees had been recovered by March 1877.

⁵¹ J.S.Furnivall, An Introduction to the Political Economy of Burma, 2nd ed., (Rangoon, 1938), p.163 and B.B.A.R., 1877-78, p.77.

A further scheme was launched in the 1880's with the specific objective of securing labourers rather than settlers. The number of Indians entering Pegu had doubled in 1880 when the monopoly of the British India Steam Navigation Company had been broken by the establishment of the Asiatic Steam Navigation Company. Although fares had been reduced by 50 per cent, the demand for labour remained so high that the government decided to subsidise fares for immigrants from Bengal and Madras.⁵² The financial difficulties of the province in 1883 and after and the subsequent reduction in the public works establishment and agenda caused the subsidy to be withdrawn early in 1884. By this time there had been a considerable improvement in the labour supply as well as an increase in the number of Indians who stayed in the province rather than return to India.⁵³

Land policy When British administration was first established in Pegu not only was the land sparsely populated but there was also little fixity in land tenure. It seemed that arable land was so abundant that it was virtually valueless and though hereditary rights to land were recognised, only in the northern part of Pegu apparently had some lands been held by families for gener-

⁵²B.B.A.R., 1881-82, p.52.

⁵³Ibid., 1883-84, p.86 and J.S.Furnivall, An Introduction to the Political Economy of Burma, p.86. See also below page 288.

ations. Mostly a man's right to land depended only on his cultivating it so long as no previous occupant objected.⁵⁴

It became an object of British policy to encourage people to remain in occupation of the land they had initially cultivated. The old Burmese custom of taking up unoccupied land was codified in that so long as no one disputed a cultivator's occupation of land in twelve years, the government would treat it as his private property. Areas of land, usually from 15 to 20 acres in extent, were also granted to applicants, who satisfied the local officials that they were genuine cultivators. Such grants confirmed the cultivator's right to the land, so long as revenue was paid and the land developed.⁵⁵ There was also the lease or settlement system of revenue assessment which encouraged the expansion of cultivation. Under this system cultivators who agreed to a settlement of land revenue for a period of years were allowed to extend their cultivation indefinitely without having to pay additional taxation within that period.⁵⁶ Moreover, people were discouraged from the

⁵⁴ I.F.P.P., 1859, 14th Oct., No.246 and P.A.R., 1855-56, p.25. In the Syriam District Gazetteer it is noted that the old folk spoke of their holdings in the early days when 'land had not yet become a "thing"', i.e., subject of property. J.S.Furnivall and W.S.Morrison, loc.cit., Vol.A, (1914), p.68.

⁵⁵ See J.S.Furnivall, An Introduction to the Political Economy of Burma, pp.58-60. Large grants of land ranging from 500 to several thousands of acres were also made to capitalists who were expected to develop them. Few did little more than indulge in speculation and in 1871 the granting of lands under the 1861 Rules for the Grant of Waste Land was suspended. B.B.R.A.R., 1870-71, p.x. See also Chapter III, page 138.

⁵⁶ Land revenue settlements were also known as 'leases'.

annual 'abandonment' of lands, that was reported so frequently in the early days of British administration, by the imposition of a moderate assessment on land left fallow.⁵⁷

Effort was also made to promote the development of the province by reclamation works to increase the area of cultivable land. And throughout the entire period the administration endeavoured to encourage the use of new and improved implements and to foster the growth of commercial crops, other than rice. While the latter attempts were marked by little success, the overall objective of the government to secure the development of the province was achieved. This development, however, unlike that of Dutch Java, was achieved without compulsion.⁵⁸ Nor, apart from its control of the forestry industry, did the government attempt to become involved in the process of actual production. It was to confine its administrative activities to creating the conditions of stability in which this development was to take place.

⁵⁷ People had been unwilling to pay full revenue rates on land not cultivated but lying fallow and their 'abandonment' of lands was largely due to this, although Furnivall and Morrison claimed that the proportion of land actually abandoned was not always nearly so high as reported. Op.cit., p.125.

⁵⁸ See D.G.E.Hall, op.cit., pp.271-2, 278, and 468-70 and J.S.Furnivall, Netherlands India. A study of plural economy, (Cambridge, 1944), pp.119-122.

Chapter I

BURMESE ADMINISTRATIVE SYSTEM AND STRUCTURE

PRIOR TO BRITISH ANNEXATION.*

At the time of the outbreak of the first Anglo-Burmese war in 1824 the territory of the Burmese empire stretched from the Chinese frontier in the north to the western limits of Assam on the north west and to the border of British Chittagong on the south west. In the east, its territory adjoined that of Siam and in the north east there were Karenni and the various Shan principalities which were dependencies of Burma and Siam. At this time the Burmese empire included not only the traditional homeland of the Burmese in the relatively dry inland area around Pagan and Ava but also the former kingdom of Arakan and the old Mon kingdoms of Pegu and Tenasserim in the south.¹ It also included, because of the success of the relatively recent military enterprises of Bō-daw-hpayā (1782-1819), the kingdom of Assam and the principality of Manipur.²

*Although most of the material used in this chapter has been taken from secondary sources, it seemed there was need of providing some outline of society and government in Burma prior to British annexation.

¹Although there were at various times Mon kingdoms other than Pegu and Tenasserim, such as Tavoy and Martaban, Pegu and Tenasserim came to stand, especially during the British regime, for the traditional Mon areas.

²The Burmese invaded Manipur in 1812-13 and Assam in 1816 and placed their own nominees on both thrones. See G.E. Harvey, History of Burma, (London, 1925), p. 283. Under the terms of the 1826 Treaty of Yan-dabo Burma forfeited all claims to both Assam and Manipur.

The Burmese empire had not always been so extensive nor, indeed, had it always warranted the title 'empire'. After the foundation of the first Burmese empire in the eleventh century, the empire was frequently to disintegrate into no more than a series of petty principalities each striving for pre-eminence. Only under strong kings was Burma to be unified.³

The heterogeneous nature of the population of Burma was also a drawback to the establishment of a strong and lasting empire.⁴ Until the nineteenth century the separatism of the Mons had been one of the greatest causes of disintegration of Burmese empire. After the fearful toll taken of them by Alāung-hpayā, the Mons no longer had the spirit nor the strength to be of much trouble to the Burmese and in the nineteenth century it was the Arakanese who posed the greatest danger to the integrity of the Burmese empire.⁵ They had been incorporated within the Burmese realm only as recently as 1785. Prior to this internal dissension had so weakened the once proud and wealthy Arakanese that the prospect of a strong and stable government under the Burmese had made the latter welcome to many Arakanese. It was not long, however, before the Burmese outwore their welcome with their harsh administrative methods and their

³ Frank n. Trager, Burma from Kingdom to Republic - A Historical and Political Analysis, (London, 1967), p.19. Alaung-hpayā (1752-60) was such a king.

⁴ See G. Coedès, The Making of South East Asia, (London, 1966), p.181.

⁵ G.E. Harvey, op.cit., p.235.

forced removal of large parts of the population to the Burmese heartland.⁶ Large scale rebellion and emigration to British Bengal followed and resulted eventually in the Anglo-Burmese war of 1824-26, after which the extent of the Burmese empire was considerably reduced.

Society Traditional society under the Burmese regime was a peculiarly classless one, especially when compared with the societies with which the future British administrators were familiar - their own and those of caste-bound India.⁷ According to U Kaung, there were nominally at least seven classes in Burmese society - those of royal blood, public officers, the monks, merchants and rich men, cultivators and labourers, and outcastes. Only members of the royal family, slaves, and outcastes could not inter-marry and mix generally.⁸ Slaves and outcastes inherited

⁶ Ibid., p.267 and Arthur P. Phayre, History of Burma, including Burma Proper, Pegu, Taungu, Tenasserim, and Arakan, (London, 1853), p.220.

⁷ British administrative records are full of references to the 'dead level' of Burmese society and the want of 'social disparity and excitement'. See B.H.P., 1872, Aug. Index No.37 and 1882, April Index No.14. But see also page 175, footnote 53.

⁸ 'A Survey of the History of Education in Burma before the British Conquest and After', J.B.R.S., Dec., 1963, Vol.XLVI, Pt.ii, p.23. There were two broad categories of slaves in old Burma - those who sold themselves to pay their debts and those, mostly prisoners of war, who were assigned as pagoda slaves. Although there was an elaborate code relating to the release of people in debt bondage, release was possible. It was otherwise with pagoda slaves; not only were they condemned to life servitude but also their descendants. These were the outcastes of Burmese society. Record of their names was kept by stone inscriptions. So little was life as a pagoda

their position in society but it was always possible for those in debt bondage to buy their freedom back, provided they had the means to do so. Even the royal blood of some kings was sometimes very thin indeed.⁹

The considerable power and prestige attached to public office were the appurtenances of the office rather than of the man. There was no mandarinat as in Annam nor was there an hereditary noble class similar to that in Siam.¹⁰ Such hereditary officials as there were were mostly local ones in the provinces.¹¹ In the higher echelons of administration there was sometimes very little

slave relished that during the British regime it was discovered that many of these records had been carefully chiselled out, so that there was no record of former pagoda slaves. Taw Sein Ko, Notes on an Archaeological Tour through Ramannadesa, (Bombay, 1893), p.7.

⁹ See G.E. Harvey, op.cit., pp.219 and 342, and also below, page 37.

¹⁰ This is discussed further on pages 41-42.

¹¹ According to D.G.E. Hall, the permanent officials of the treasury at the capital were hereditary. Burma, (London, 1956), 2nd ed., p.133. By the nineteenth century it seems that only in Upper Burma and in northern Pegu did local administrative officials necessarily inherit their positions, although it seems that all appointments needed confirmation from the capital and that their tenure of office depended on the good will of the community. Ibid., p.135 and Ma Mya Sein, Administration of Burma, (Rangoon, 1938), p.70. In the 1850's Phayre found that hereditary succession to office had generally lapsed in the south of Pegu, as during the Burmese regime mostly Burmese had been appointed. P.A.R., 1855-56, p.23. There were still, however, some old Mon official families and it would seem that claim to office still tended to remain in the same families whether it was Mon or Burmese. See also pages 47-48.

to distinguish the incumbent of office from his fellow villagers before and after elevation to public office.¹² And while some officials sometimes remained in office after a change in the monarch, it was not uncommon for the inauguration of a new monarch to herald the appointment of new officials as well.¹³

In a Buddhist country such as Burma, Buddhist monks (hpōn-gyī) were numerous, there being at least one hpōn-gyī to every village. By the precepts and examples of their daily life in the community they set the standard to which the Buddhist majority aspired. As D. G. E. Hall has said, 'Burmese life centred round the religious shrines and the monasteries; and during the many times of disorder, when the civil government broke down, it was the Buddhist organization, loose though it was, which held society together.'¹⁴ The monks were also responsible for the system of education that made Burma one of the most literate countries in the world. All boys spent at least two or three years as ^{novices} novitiates in the monasteries (kyāung), where they learnt not only the beliefs and moral precepts of Buddhism but also, through study of the texts, to read and write. This practice also helped maintain the egalitarianism of Burmese society, as no distinction was made between the sons of peasants and princes during the terms of their novitiates.¹⁵

¹²H. Fielding Hall, The Soul of a People, (London, 1904), p. 79.

¹³See below page 42.

¹⁴Op.cit., p. 137. See also pages 52-53.

¹⁵John F. Cady, A History of Modern Burma, (New York, 1958), p. 61.

There were comparatively few rich men in such a Buddhist society. There was no social sanction to the pursuit of economic gain as an end in itself. As E. Sarkisyanz has noted, 'if something was laid by in pre-colonial Burma, it was to be applied to "some work of public benefit, such as a convent ... a pagoda, a hall, ..., a bridge or a well".'¹⁶ In the agrarian society that was pre-colonial Burma, there were few traders and these were rarely Burmese. Such Burmans as were traders were mostly officials of the king, as his virtually unlimited powers allowed him to impose monopolies at will.¹⁷

Burmese society was largely organised into occupational guilds, each under its own headman, and divided into two main categories, the ahmy-dān and the athi. The distinction between the two lay in the fact that the former owed some sort of service to the king while the latter owed mostly taxes and service only in times of emergency. If a member of a service regiment (asu) or of an athi community were to leave his village, he would still owe

¹⁶ Buddhist Backgrounds of the Burmese Revolution, (The Hague, 1965), pp.141-42. According to the inscriptions at Pagan many of the pagodas were donated by 'rich men'. Maung Htin Aung, A History of Burma, (New York and London, 1967), p.57.

¹⁷ The extensive list of royal prohibitions on goods for export, which prevailed in nineteenth century Burma, did not facilitate trade either. Only rarely, it seems, was overseas trade promoted by a Burmese king. See G.E. Harvey, op.cit., pp.174-5 and 357-8 and James Low, 'A History of Tenasserim,' Chpt.iv, Jnl. of the Asiatic Society, Vol.III, 1836, p.289.

obligation to his old headman.¹⁸ While social divisions were thus arranged at a personal rather than a territorial level, the ahmy-dān communities were found mainly round the capital and 'home provinces' and, in particular, in the Kyauk-hse area. Members of athi communities also tended to be found in one area, so that there would be a whole village of silver-smiths, another of shield makers, and another of salt boilers.¹⁹

Although the whole nation owed military service in time of war and although each asu and craft community had its specified military duties, such as providing a war boat and its crew or a unit of archers or shield-men, the athi were only conscripts.²⁰ The

¹⁸ Isolated instances of the continuation of this practice were reported by British officials many years after British occupation. See also G.E.Harvey, op.cit., p.348. Harvey considered this system of social organisation a development from the early tribal organisation of Burmese society when people were bound by ties of kinship or service to a leader. Op.cit., pp.351-2. Membership of a community was not as permanent as membership of a caste in India, as the king could change a family or township from one service to another and service could be changed through intermarriage or by applying to the relevant official at court with suitable presents.

¹⁹ Athi communities tended to be found in the traditional non-Burmese areas, such as those traditionally occupied by the Mons. According to Professor Cady, the only ahmy-dān in the British Burmese territories after 1852 were chance migrants, as there were no royal lands there. Op.cit., p.27. Shwe-daung was a royal province devoted entirely to supporting thirteen war boats and considerable numbers of ahmy-dān were in the province of Prome. Phayre, however, believed some land supporting war boats had been only comparatively recently and 'arbitrarily' constituted as such. P.A.R., 1855-56, p.25 and E.S.L.I., 1853, Encl.6 to Letter 59 of 19th August.

²⁰ Father Vincentius Sangermano, A Description of the Burmese Empire, (Rome, 1833), p. 76 and G.E.Harvey, op.cit., pp.205 and 349. Many military units were made up of former prisoners of war and their descendants, e.g. the foot guards from the Kyauk-hse canal area were originally from Vientiane. It was possible for military service to

ahmy-dān provided the professional standing army as well as the menials, musicians, and purveyors of food who served at court. Royal lands were allocated to them, so that those belonging to these groups but not actually serving at the capital were able to support those that were.²¹ Excluded from both the athi and ahmy-dān were the hill peoples, such as the Karens and Chins, who were required to pay annual family taxes and were requisitioned from time to time for heavy labour.²²

The monarchy The main source of political power lay in the monarchy and theoretically the administrative structure revolved round the person and will of the king. Because of the difficulties of communication areas beyond the immediate environs of the capital were frequently left largely to themselves. Although the king appointed and dismissed the provincial governors and received a large share of the revenue collected, he was often a remote figure to the majority of his subjects. Yet though there was a strong and continuing tradition

be avoided by generous payment to the recruiting headmen. When the loyalty of conscripts was in doubt, their families were often held as hostages to be executed in the event of treachery or desertion. J.F.Cady, op.cit., pp.34-35.

²¹ My Mya Sein, op.cit., p.65.

²² J.F.Cady, op.cit., pp.42-43 and H.E.Harvey, op.cit., p.352. Karens were sometimes brought in in emergency to suppress rebellion but many tried to escape such obligations by retreating to the hills and to the delta region to the south.

of local government, the welfare and prosperity of the kingdom was dependent on the character and ability of the monarch, particularly because of the lack of an official class. No king, however, seemed capable of developing a strong system of central government that would withstand the centrifugal forces always striving to keep Burma divided and weak. These forces were considerably aided by the prevailing concept of kingship.

There was no concept of the state continuing as a political entity from reign to reign and it was always possible and highly likely that the laws and system of government one king had promulgated would be overridden by his successor.²³ Moreover, the mystical sanctions buttressing kingship contributed little to the stability of the institution. Although Burma was a stronghold of Theravada Buddhism, its cosmology stemmed largely from Hindu origins. According to these the mythical Mount Meru was the centre of the universe and in Burma, as in other states founded on similar concepts, the basis of empire organisation was the achievement of harmony with the cosmos. Accordingly, the state was conceived as a microcosm, as an image of the universe. The capital of the empire, or more specifically its palace, with its soaring spire representing the mystic mountain, was conceived as

²³Maung Maung, Burma in the Family of Nations, (Amsterdam, 1957), p.20 and J. F. Cady, op.cit., p.19.

the symbolic centre of the universe. Thus the king's personal power came to be associated with his possession of the palace.

As Robert Heine-Geldern pointed out, such a theory

worked as a constant temptation for would-be usurpers, be it from the ranks of the royal family or outsiders, as the occupation of the palace might be achieved by a coup-de-main with relatively small forces and usually meant the conquest of the whole empire.²⁴

Moreover, once seizure of the palace was achieved its continued occupation was sanctioned by the doctrine of Karma, taught by both Hinduism and Buddhism. By this, the king's power and position were recognised as coming to him as his due - as a reward for merit.²⁵

Further instability of the monarchy stemmed from the fact that there were no well-defined rules of succession to the throne, though various kings had tried to overcome this lack by nominating their successors before their death.²⁶ Such efforts frequently

²⁴ 'Conceptions of State and Kingship in Southeast Asia', The Far Eastern Quarterly, Vol. XI, Nov. 1942, p. 24. Fear of this caused Thi-baw, king from 1878 to 1885, to become a virtual prisoner in his palace even to the extent of foregoing the ritual circumambulation of the capital at his coronation. Bō-daw-hpayā, however, was not much influenced by such considerations, as Symes reported that he did not at one period enter his capital for three years, as he had removed the whole court, with the exception of a caretaker prince and minister, to the area where he was building a pagoda. D.G.E. Hall (ed.), Michael Symes: Journal of his Second Embassy to the Court of Ava in 1802, (London, 1955), pp. 140 and 152-3.

²⁵ Donald Eugene Smith, Religion and Politics in Burma, (Princeton, N.J., 1965), p. 22.

²⁶ Alāung-hpayā had intimated that the succession was to go in turn to each of his sons by the chief queen. Bō-daw-hpayā had stipul-

only augmented the uncertainty surrounding the succession. Mīn-dōn's heir apparent was assassinated and he refused to nominate another for fear of a repetition of events. As hereditary links with the throne were important buttresses to any aspirant's claim, the reign of a king insecure of his position was frequently inaugurated by 'the massacre of the kinsmen'. By this effort was made to eliminate all possible rivals with blood links to the throne, as any survivor could turn claimant.

The cosmological significance attached to possession of the palace and the other factors sustaining kingly authority, such as control of the army and patron and protector of the Buddhist faith meant that the powers of the king were immense. There was no institution of restraint in the Burmese administrative structure. The klut-taw, (the supreme council), acted only in an advisory and executive capacity with the king's word as final in matters of great moment.²⁷ Nor did the fact that the king was patron and protector of Buddhism in the realm necessarily act as a restraining influence. It was the duty of the king to maintain order and discipline in the country, as it was the duty of the people to obey his instructions.²⁸ In this way there was public compliance at many acts of ruthlessness,

ated that the succession was to go first to his eldest son and then to his son's eldest son. Michael Symes: Journal, pp.194-5.

²⁷ Father Vincentius Sangermano, op.cit., p.64 and J.F.Cady, op.cit., p.16.

²⁸ Maung Htin Aung, Burmese Law Tales - the legal element in Burmese Folk-lore, (London, 1962), p.7.

committed in the name of preserving order in the realm. And many kings frequently managed to reconcile such acts with those of great piety, so that neither the exigencies of power politics nor the aspirations, cherished by most Burmese kings, of the attainment of future Buddhahood seemed greatly prejudiced.²⁹

The effective assertion of the king's authority was dependent on the strength and mobility of his army, the loyalty of the central and provincial governors, and the reliability of his espionage system.³⁰ Frequently the retention of the throne, even by a strong king, was achieved only by maintaining a precarious balance of power between rival groups. In this he was aided by his espionage system by which, as in other Indianised states, the king had agents, known in Burma as nā-gan-daw or 'the king's ears', scattered not only through the central administration and court but also throughout the provinces.³¹ Their work was aided by local rivalries and factional jealousies, such as the one Symes

²⁹ Donald Eugene Smith, op.cit., pp.23-25 and E. Sarkisyanz, op.cit., p.58.

³⁰ J.F.Cady, op.cit., p.9 and John Nisbet, Burma under British Rule and Before, (Westminster, 1901), Vol.I, pp.153-4.

³¹ Ma Mya Sein, op.cit., p.40 and D.G.E.Hall, op.cit., p.132. John Crawford, the envoy of the government of India to the Burmese court in 1826-27, described the nā-gan-daw as 'authorised spies'. See also H.G.Quatrich Wales, Ancient Siamese Government and Administration, (London, 1931), p.73.

described between the myo-wun of Rangoon and his deputy governor.³² With the poor communication between the capital and the outlying provinces not even the most reliable system could prevent the abuse of power nor remove the possibility of the outbreak of rebellion in the provinces.

The central administration Administration at the capital and its immediate environs was probably the most regular and efficient in the whole country.³³ It centred round the hlut-taw, the supreme council of the realm, and the various special administrative institutions for the palace and the capital. The hlut-taw was usually composed of four, but sometimes six, wun-gyi, ('bearers of the great burden'). They controlled all departments of government but there was no distribution of departments to individual wun-gyi, as in Siam. The hlut-taw, literally 'place of release', was responsible for the registering of all royal edicts and the issuing of royal letters according to the prescribed etiquette.³⁴ It was also the chief court of law, hearing appeals from the two courts, criminal and civil, at the capital and also acting as supreme arbiter in civil and criminal

³²Michael Symes: Journal, p.218. The machinations of the deputy governor with his intimations of the intimacy of the governor with the English led to the governor's recall from Rangoon for a time and his being confined to the limits of the Court.

³³J.F.Cady, op.cit., pp.19-20.

³⁴D.G.E.Hall, op.cit., p.132.

appeals from provincial courts. It also heard in the first instance cases of great importance, such as those of treason.³⁵ In theory the king presided over its meetings and a throne stood in the council chambers. In his absence obeisance was made to the empty throne and either the heir apparent or the senior wun-gyi presided.³⁶ Except when the king was unusually energetic, the hlut-taw managed the routine business of administration with the king intervening only in matters of great importance.³⁷

The wun-gyi were assisted by a number of wun-dauk, ('props'), usually younger men of ability and promise who acted not only in a secretarial capacity but also participated in the discussions of the hlut-taw though not in its formal decisions.³⁸ There were also a number of officials, whom Hall considered best described as 'privy councillors', two of whom were always in attendance on the king, so that their influence on him could be greater, despite their lower rank, than that of the wun-gyi.³⁹

³⁵ Ibid., p.133 and J.F.Cady, op.cit., p.17.

³⁶ Michael Symes: Journal, p.153.

³⁷ Rather than revoke the orders of the hlut-taw, the king normally removed members who consistently made decisions which displeased him. G.E.Harvey noted that to the end of the monarchy 'the Hluttaw was liable without a moment's notice to be flung into jail for a night or two, while its office remained closed, merely because the king was displeased for some trivial reason.' Op.cit., p.329.

³⁸ D.G.E.Hall, op.cit., p.132.

³⁹ Ibid.

Other important offices of the central administration were those of the athi-wun (official in charge of athi affairs), of commanders of the various military divisions, such as the myin-wun, (cavalry commander), of the paymaster-general, and the master of the ordinance. The treasury was not only the 'gold house' but also the depository of the evidence of the periodic revenue inquests on which taxation and the appointments of headmen were based.⁴⁰

Closely allied with the central system of government for the whole country were the special administrative institutions for the palace and capital. Four myo-wun had the responsibility for the general administration of the capital and presided over the proceedings of the criminal court there. Civil cases were heard in the other special court by two lesser officials.⁴¹

The wun-gyi were all appointees of the king and as, with most other important government officials, were usually selected for their sagacity, their administrative experience, their political and blood connexions, or their loyalty and friendship to the king.⁴²

⁴⁰J.F.Cady, op.cit., pp.19-20.

⁴¹Father Vincentius Sangermano, op.cit., p.64 and D.G.E.Hall, op.cit., p.133. Cases concerning inmates of the palace were heard by the privy councillors.

⁴²Sangermano reported that so great was the reverence with which

While the frequent appointment of new officials at the beginning of a new reign was an attempt to remove conflicting loyalties near the throne, it was also the cause of the lack of administrative continuity that tended to occur from reign to reign.⁴³ Yet though there was no formal system of examination to govern entry to the administration, higher education was available in the form of intensive study of the Pali and Burmese classics in the larger monasteries, which were the main centres of learning and culture in Burma. Such study provided the secretarial and literary skills needed by those attaining high office and some monasteries offered courses of instruction in court protocol, engineering, and manufacturing techniques.⁴⁴

Until the reign of Mīn-dōn no fixed salaries were paid to officials. The higher officials, such as royal princes and wun-gyī, were remunerated by the grant of the revenue of districts, of which they became the myo-sā ('eater'). They were then known by the name of these districts, thus Mīn-dōn had been the myo-sā of the Seven Hills District of Mīn-dōn before he ascended the throne and Tha-ya-wadi (1837-46) had been the myo-sā of the Tha-ya-wadi district.

the white elephant was held, that anyone catching one could be promoted to the rank and status of an official. Op.cit., p.59.

⁴³G.E.Harvey, op.cit., pp.338-39.

⁴⁴J.F.Cady, op.cit., p.60. It was noted in British Burma in the early 1870's that the Burmese king maintained standards in the kyāung by occasionally having the hpōn-gyī examined in grammar, metaphysics, and Buddhist doctrine. B.B.R.P.I., 1872-73, p.16.

Lesser officials were granted assignments of land on the royal domain.⁴⁵

Provincial administration In the early nineteenth century the Burmese empire was divided into a series of provinces, each under a governor appointed by and responsible to the king, and each taking its name from the major town and administrative centre.⁴⁶ Except when they were of royal blood, provincial governors had no claim to local allegiance, apart from holding the royal warrant of authority.⁴⁷ Once this was removed they frequently returned to the comparative obscurity of their villages.⁴⁸ While they held office, however, their powers and the

⁴⁵D.G.E.Hall, op.cit., p.134.

⁴⁶Some provinces were grouped into one major administrative unit or super-province, as were the provinces of Arakan, where all the provincial governors were subordinate to the governor at Mro-haung. B.S.P.P., 1826, 9th June, No.10. Similarly the governors of provinces such as Martaban and Bassein were subordinate to the governor at Rangoon. Dorothy Woodman, The Making of Burma, (London, 1962), p.137 and P.A.R., 1855-56, p.7.

⁴⁷Many of these, such as Taung-ngu and Martaban, were former kingdoms, so that in earlier centuries, at least, when their governors were of royal blood they frequently had the status of nominal or vassal kings. According to H.L.Shorto, 'It seems that there was no means known to Pegu or Ava of extinguishing an extant kingdom: annexation meant placing a nominee on the throne, ... , so that the progressive unification of the country merely increased the possibility of rebellion as soon as central control slackened.' 'A Mon Genealogy of Kings', Historians of South East Asia, (D.G.E. Hall, ed., London, 1963), p.69. See also G.E.Harvey, op.cit., p.182 and Maung Htin Aung, A History of Burma, pp.148-9/

⁴⁸B.S.P.P., 1826, 25th April, No.25, Encls. 5 and 6.

opportunities for the abuse of them were considerable. As John Nisbet pointed out,

Instructions from the central authority were often treated with indifference, and orders from Mandalay did not necessarily carry the same weight as attaches to similar missives in most civilised countries. Even the execution of royal orders could sometimes only be relied on as far as they could be carried out by armed force.⁴⁹

The fact that there was little security of tenure only seemed to increase the tendency of officials to make the most of their positions while they yet held them.⁵⁰

Although the size of the provincial administration varied according to the size of the province, in general, the structure of the administrative organisation and the functions of its officials were much the same from province to province. The myo-wun was responsible to the king and the hlut-taw for all that happened in his province but was aided by various officials. These were appointed by the king to be responsible for some particular aspect of administration, such as the ahkun-wun, who was the collector of land revenue and the supervisor of granaries,⁵¹ and the ahkauk-wun, (collector of customs).⁵¹ Usually the administrative organisation of each province was composed of the gov-

⁴⁹ Op.cit., Vol.I., pp.153-4. James Low stated that the government of Ava (i.e. of Burma) 'will never allow a new governor of a distant province to proceed to his destination until he has delivered up his nearest relatives as hostages for his good conduct and fidelity.' Op.cit., Chpt.V, p.291.

⁵⁰ H.Fielding Hall, op.cit., pp.80-81.

⁵¹ Ma Mya Sein, op.cit., pp.35-39.

ernor and deputy governor, an ahkun-wun, an ahkauk-wun, a sit-kē (conservator of the peace), a nā-gan, (king's reporter), and a secretary. In Rangoon in the early 1820's there were two deputy governors, two ahkun-wun, and four sit-kē.⁵²

The executive duties of the myō-wun and his colleagues included the supervision and inspection of the various administrative units which constituted the province, the collection of revenue, the organisation of an annual census, and the compilation of reports on the people. Besides these executive duties they were also responsible for the administration of justice for the province in the myō-yōn (governor's court). Each official could act as an independent judge, though in cases involving capital punishment, the sentence had to be confirmed by the myō-wun, who alone was vested with powers of life and death.⁵³ Decisions of the myō-yōn could be appealed against in the hlut-taw but litigation of this nature was an expensive, tedious and uncertain process. Provincial governors were expected to send records of their proceedings to the hlut-taw, though they did not always do so.

There was little system to the arrangements for emoluments for provincial officials. Theoretically, one-tenth of all produce was due to the king but considerably more was levied from the people to provide a livelihood for the myō-sā, myō-wun, and the

⁵²B.S.P.P., 1826, 14th April, No.55.

⁵³Ibid., P.A.R., 1855-56, p.4. and Ma Mya Sein, op.cit., pp.41-42.

various officials in the lower administrative levels.⁵⁴ Officials of the myo-yōn also received perquisites from their judicial work. Furthermore, there were few officials at any level who did not benefit from occasional 'gifts'. These were given to superiors whenever someone succeeded to office, especially in the regiments where it was compulsory.⁵⁵

Local government Each province consisted of a number of townships or villages, known variously as taik and myo and in Arakan as kyūn and kyoung.⁵⁶ These were the basic units in local administration and the most stable element in the entire structure of government.⁵⁷ Each was under a headman known variously as myo-thagyī, taik-thagyī, kyūn-ok, according to the

⁵⁴Maun-Htin Aung, A History of Burma, pp.236-7 and Father Vincentius Sangermano, op.cit., p.73. See also below, page 49.

⁵⁵B.S.P.P., 1826, 9th June, No.10 and Ma Mya Sein, op.cit., p.72.

⁵⁶A myo can mean either a fortified town or a township governed by a myo-thagyī. A taik can be a treasury, a township, a township subdivision, or the term applied to the seven divisions of Burma made in the seventeenth century. Ma Mya Sein, op.cit., p.34. According to Professor Cady, the term, taik, was used to describe an artificial administrative unit, interposed between the province and the township units of Mon Burma where depopulation in the latter part of the eighteenth century had swept away the traditional social and administrative structure. Op.cit., p.28. According to Ma Mya Sein, however, many of the townships constituted by the British in 1854 corresponded in name and area with those established by Ra-zaḡdarit, king of Pegu in the 14th century. A kyūn, (literally 'island'), was a lowland administrative unit and kyoung, ('stream'), was an upland one. Report on the Progress of Arakan under British Rule 1826-1875, p.7.

⁵⁷Maung Maung, op.cit., p.19.

title of his administrative charge. The duties of thagyi were similar in kind though not in degree, as their powers could vary considerably. Some myo-thagyi, generally of royal blood or with powerful connexions, had power to pass the death sentence and some were also the myo-sā of their charges.⁵⁸ Thagyi were responsible for multiple duties - collecting taxes, maintaining order, arbitrating in disputes, arresting criminals, and keeping a register of the people in their circles.

A myo-thagyi did not necessarily have jurisdiction over all the people in his district as he tended to be primarily the head of the athi and had jurisdiction of the ahmy-dān in his circle in criminal procedure only. Ahmy-dān communities were subject to their own regimental officers, such as myin-gāung (cavalry officer) and pe-nīn (steersman), who, however, could also be known as myo-thagyi.⁵⁹ Although headmen were hereditary mainly in the north in the future province of British Burma, great store was usually set on the hereditary line and effort was made to protect it from

⁵⁸ Ma Mya Sein, op.cit., pp.68-70. When this occurred the myo often had the status of a province with the myo-thagyi directly responsible to the capital. When a myo-sā was a member of the hlut-taw or of the king's court, he was unable to administer his province directly and a governor was appointed in his place, though the myo-sā continued to receive a large share of the revenue. Ibid., p.33 and Michael Symes: Journal, p.218.

⁵⁹ For the hill peoples, such as the Karens and Chins, special officials with similar functions to the myo-thagyi were appointed. E.S.L.I., 1853, Encl.6 to Letter 59 of 19th August.

usurpers.⁶⁰ And although headmen needed to hold appointment orders from the king, the will of the people was an important factor in their retention of office. Ma Mya Sein states,

The Myothugyi were really non-officials in the sense that they were at first appointed by the people and that the people looked upon them as one of themselves and not a court official. The Burmese included Government officials as one of the five enemies of mankind but the hereditary Myo-thugyi was usually loved and respected by all. He guarded their interests against the avarice of the Government officials.⁶¹

Thagyī were normally assisted by ywa-ok and ywa-gaung, who carried out police, magisterial, and revenue duties in the villages and hamlets of their circles.⁶² There was usually a gaung in every hamlet and in each of the wards into which the towns were divided. They reported to the thagyī all unwonted activity in their charges and, in fact, constituted the only police in the whole country. In the towns an officer was normally appointed to keep watch at night and apprehend all suspicious persons after

⁶⁰ So strong was this tradition that so late as 1879 when the British appointed a thagyī for Ok-hpo township in the Bassein district, the inhabitants tried to coerce what they regarded as the usurper and preserve the position for the boy they believed had a hereditary right to the thagyī-ship. They hamstrung the unfortunate incumbent's pony, burnt two of his boats, placed an empty coffin in front of his door during the night, and threw stones at him and his wife when they attended a local pwei. B.H.P., 1879, July Index No.44.

⁶¹ Op.cit., p.62. The people could petition the king if a myo-thagyī abused his powers.

⁶² The latter were often appointed by the thagyī, whose relatives they often were, but in some areas they were elected by the people.

nine. He had no establishment but was authorised to call on the inhabitants to assist him.⁶³

Taxation system The taxation system in Burma was highly complex and, at times, exceedingly rapacious. This was partly due to the organisation of society with its division into main groups of athi and ahmu-dān and partly due to the extreme localisation of the administrative system. Crawford, indeed, described the old Burmese fiscal system as 'the most faulty and mischievous part of the whole administration ...'⁶⁴ The lack of fixity in demand and of regular salaries for officials as well as the many opportunities for abuse in the Burmese administrative system all contributed to this. The one-tenth of all produce due to the king could be increased whenever some extraordinary expense was to be incurred, such as a deputation to be received or a mission to be sent.⁶⁵ And at the local level, although, according to Ma Mya Sein, the 'rate of taxation was stated in ameindaws and sacred books, the actual rate differed immensely in different localities. In some myōs, the rate depended on the condition of the crops,

⁶³ B.S.P.P., 1826, 27th Jan. No.22; 25th April, No.15; and 27th April, No.13, Encl.9. Phayre believed this practice of having gaung or representative agents of the central government in every hamlet and village was an extension of the system of employing nā-gan-daw. P.A.R., 1855-56, p.4.

⁶⁴ Quoted in D.G.E.Hall, op.cit., p.135.

⁶⁵ B.S.P.P., 1826, 14th April, No.55. Those collecting such extraordinary taxes would also extract their commission.

which left a great chance open to the collectors of revenue to misappropriate the revenue.⁶⁶

Taxes were paid in kind or in silver. The athi were the main tax-paying class but there were taxes that were common to all. These included dues on ferries, brokerage, and customs duties. Taxes on land producing rice, whether they went to the royal treasury or to support the service people, were paid by nearly all who cultivated.⁶⁷ Land tax, however, was comparatively light and was assessed by area mostly according to the number of oxen used to till it.⁶⁸ There was also a tax on fruit trees and on other miscellaneous cultivation.⁶⁹ Fisheries yielded considerable revenue, as most inland ones belonged to the crown and were rented out. Revenue from coastal fisheries was secured by taxing each boat according to size. There was, in fact, little that was not taxed but the major tax was that on the household, (taing-gyei). This was an assessment of the means of each family or revenue house according not only to annual produce but also according to house-

⁶⁶ Op.cit., p.67. An amein-daw is an edict. Although the British in Pegu in the 1850's discovered how much revenue was sent from the various provinces to the capital, they did not discover how much was retained by the local officials 'for their own show'. Phayre estimated it to be about two-thirds of that which went to the capital. P.A.R., 1855-56, p.22.

⁶⁷ E.S.L.I., 1853, Encl.6 to Letter 59 of 19th August.

⁶⁸ Ibid., 1852, Encl.5 to Letter 54 of 6th Nov. and B.S.P.P., 1826, 14th April, No.55. It was estimated in 1826 that the tax on the yoke of cattle was no more than a twenty-fifth part of the produce.

⁶⁹ B.S.P.P., 1826, 9th June, No.10.

hold possessions and even grown sons and daughters.⁷⁰

Customs duties yielded considerable amounts of revenue, as they were levied on all foreign imports and on exports as well.⁷¹ In 1826 there were no less than thirteen customs houses along the river between Rangoon and Ava at all of which duty was imposed. It was estimated in the same year that customs and tonnage duties at Rangoon had amounted to 150,000 rupees.⁷² Theoretically there were no excise duties, because the consumption of alcohol was illegal; but foreigners could be exempted from this prohibition by the purchase of licences from local officials.⁷³

The harshest levy of all, however, was that of men. Men were levied whenever labour was needed for some extraordinary purpose, such as building a road, a temple, or waging a war. Owing to the fact that Burma was almost constantly at war with one or other of its neighbours there was a constant drain on the populat-

⁷⁰ A revenue house was a group of several families counted together for taxation purposes. P.A.R., 1855-56, p.23.

⁷¹ Michael Symes, An Account of the Religion and Civil Institutions of the Burmans, (Calcutta, 1839), pp.40-41. According to Symes, the duty on imports was one-tenth per valorem but it would seem considerably more was imposed. Sangermano reported that 'sometimes these exactions are so oppressive that no one will venture his goods to Amarapura, as any profit he might hope for, from their sale in that city, could be beforehand entirely absorbed by payments at the cioche [customs house] ... The visits of the [customs] inspectors resemble a robbery rather than a collection of dues, for besides the usual tax, so much is demanded in the name of present, and so much is stolen, that the owner, after having passed two or three cioche, will generally be glad to hasten back to Rangoon ... ' Op.cit., p.73.

⁷² B.S.P.P., 1826, 14th April, No.55.

⁷³ D.G.E.Hall, op.cit., p.135.

ion for soldiers. Sangermano reported that when he first arrived in Burma during the reign of Bō-daw-hpayā, the banks of the Irrawaddy were lined with habitations but when he returned some years later after Bō-daw-hpayā had waged some of his wars, 'a very few villages were to be seen along the whole course of the stream.'⁷⁴ Many, unable to bear the continuous exactions of men and taxes, fled to Siam or to Bengal.⁷⁵

Buddhism While much of the revenue extracted from the people found its way to the royal treasury for the upkeep and aggrandisement of the king's court, a considerable amount was devoted to the maintenance of the Buddhist monastic order and to the construction of pagodas and kyāung. Lands were assigned in perpetuity to the monastic order as well as slaves to work them and to maintain the kyāung and pagodas.⁷⁶ Yet while it seemed that the economy was strained at times beyond endurance by the king's demands for the means of meeting both his political needs and his religious obligations, the institutions of Buddhist monasticism tempered those of the secular power with mercy. The monastic order held no political power and in matters of state the monks

⁷⁴Op.cit., p.79.

⁷⁵So many fled to Siam that the Siamese government appointed special guards to look after them and maintained stores of rice along the escape route. Michael Symes: Journal, p.211, f.n.79.

⁷⁶Sometimes whole villages were assigned for the maintenance of monasteries. U Kaung, op.cit., p.23.

generally remained aloof.⁷⁷ They did, however, have enormous influence which they sometimes used to secure clemency from governors when they oppressed their people or from the king to obtain mercy for conquered people, for rebels, or for any others likely to suffer at his hands.⁷⁸

The king appointed a primate, ('possessor of discipline'), and controlled the Buddhist order through him. He was usually the abbot of an important kyāung in the capital and a man esteemed for his own merit.⁷⁹ The primate exercised authority through the royal mandate and acted as the official channel for communications by the king with the monastic order. He was responsible for the general administration and supervision of the order and was assisted in this by a council of eight. They appointed the heads of monasteries both in the capital and in the provinces; issued orders and

⁷⁷ There were, however, numerous exceptions to this, as J.F.Cady points out. Op.cit., pp.52-55. Monks were used to conduct peace negotiations on occasion. There were also instances of hpon-gyi leaving the kyāung to assume political roles.

⁷⁸ Hpon-gyi were known to have forcibly rescued condemned men on their way to execution. P.Bigandet, The Life or Legend of Gaudama, the Buddha of the Burmese, Vol.II (London, 1880), 3rd ed., p.309. On rare occasions under the British regime, hpon-gyi were known to petition the British authorities against acts they considered harsh. See B.H.P., 1872, Feb.Index No.40.

⁷⁹ Customarily, the king had served his novitiate as a boy under this abbot. In 1871 a British official in Upper Burma, J.Talboys Wheeler, reported that on the death of the primate, Mīn-dōn had assumed direct control of the Buddhist order by refusing to nominate a successor and by undertaking the functions of primate himself. I.F.P., (Pol.), 1871, July No.273.

rules for the guidance of monks and novices; decided cases within the monastic order; and generally maintained discipline within it.⁸⁰

Law The monks were the main custodians not only of scholarship and learning in society but also of the law, for though 'they never sat in the courts, the law-books which guided judicial decisions, were almost all compiled by monks.'⁸¹ The system of civil law in Burma was based on custom rather than on rigid codes, with the law books, (damathat), being treated merely as guides to conduct, not as statutory law. These were periodically revised. The aim of judges was not impartial administration of the law but the achievement of compromise and satisfaction for both plaintiff and defendant.⁸²

There was no penal code, as came to exist in British India. The administration of criminal law was an extension of the activ-

⁸⁰ law and their persons were considered sacrosanct, unless they were defrocked.

⁸¹ D.G.E.Hall, op.cit., p.137. The hpon-gyi, together with some laymen, also wrote the Burmese chronicles. Their justification of writing about kings and other temporal things, normally forbidden to hpon-gyi, is explained by U Tet Htoot, as illustrating the impermanence of all things and of giving 'moral instruction to kings, ministers ... and other government officials ...' 'The Nature of the Burmese Chronicles', Historians of South East Asia, (ed.D.G.E. Hall, London, 1963), p.50.

⁸² Maung Htin Aung, Burmese Law Tales, pp. 10 and 21; John Jardine, Notes on Buddhist Law, (Rangoon, 1882), p.15; and J.S.Furnivall, Colonial Policy and Practice, (Cambridge, 1948), pp.131-32. D.G.E. Hall, however, considers Furnivall's account of administration of civil law in traditional Burma as somewhat idealised and quotes Crawford's comment, that 'no prudent person enters into a lawsuit.' Op.cit., p.136.

ities of the executive, as a criminal offence was associated with breaking the king's peace. This was redefined at the beginning of each reign when the king would issue a proclamation of the lists of offences he would consider as crimes against his peace.⁸³ Punishments were also defined, though these were mostly inflicted at the discretion of the judge. Crimes of treason were subject to the most severe penalties but torture, whipping, and maiming were not uncommon. Penalties were unduly severe when crime was rife and sometimes were devised to suit the crime. For instance, the face of a thief would be blackened by soot and he would be led through the town with his crime proclaimed to gong accompaniment at street corners.⁸⁴

Conclusion The harshness of Burmese administration and the lack of stability and continuity in the central administrative system was only partly offset by the stability and continuity in local government and in the Buddhist monastic organisation. The frequent rebellions and the unending wars were a continuous drain on the resources of the country and on the population. In 1784 Bō-daw-hpayā's revenue inquest revealed that the population was less than two million and in 1824 Crawford estimated that the

⁸³Maung Maung, op.cit., pp.17-18 and Maung Htin Aung, Burmese Law Tales, p.7.

⁸⁴John Jardine, op.cit., p.15 and Michael Symes, op.cit., pp.20-21.

population of Burma with all its tributaries was less than four million.⁸⁵ It seems that the Mon rebellions and the frequent wars with Siam had caused a complete breakdown of the old social order in lower Burma.⁸⁶ After the additional disruption there caused by the Anglo-Burmese war of 1852, Henry Yule, when travelling through to the Burmese capital in 1855, was to report that only a very small part of the Irrawaddy delta was under cultivation. 'Even farther from the sea vast tracts of fertile soil remain in a state of nature or abandonment.'⁸⁷

It was to remain to the British to establish a stable administrative system, greater social security, and thus the conditions in which the economic development of the delta was to occur.

⁸⁵Quoted in G.E.Harvey, op.cit., p.333 and D.G.E.Hall, op.cit.,p.93.

⁸⁶Ibid., p.134.

⁸⁷A Narrative of the Mission sent by the Governor-General of India to the Court of Ava in 1855, (London, 1858), p.284.

Chapter II

FOUNDATIONS OF BRITISH ADMINISTRATION IN TENASSERIM, ARAKAN, AND PEGU.¹

The establishment of British administration in Pegu in 1852 presented fewer problems in some ways than the establishment of British administration in Tenasserim and Arakan two and a half decades earlier.² There was no thought of returning the annexed territory to Burma, as there had been with Tenasserim, and no thought of setting up the new territory as a British protectorate as there had been with both Tenasserim and Arakan.³ From British experience during the brief occupation of the southern provinces

¹ A fourth British Burmese province, Martaban, was also formally constituted after the annexation of 1852 but, except for the fact that separate accounts and reports were made for it, it was actually administered as a district of Tenasserim and formally became this in 1859. For this reason it has not been considered necessary to include Martaban in the title. See also below, page 84.

² One of the main problems connected with British annexation of Pegu was the lack of a formal Burmese treaty recognising it. The Burmese cession of Tenasserim and Arakan in 1826 had been formally acknowledged in the Treaty of Yan-dabo and the authorities in London were anxious to have the annexation of 1852 similarly acknowledged. Mīn-dōn, however, refused to make such a treaty, which the governor-general, Lord Dalhousie, thought in 1853 would have cost him his throne. Dalhousie was content with the fact that in 1854 Mīn-dōn sued for peace and friendly relations with the British. In time, London had also to be content with this. William Lee-Warner, The Life of the Marquis of Dalhousie, (London, 1904), Vol. I, p. 441, I.S.P., 1853, 27th May, No. 81 and J.G.A. Baird (ed.), Private letters of the Marquess of Dalhousie, (Edinburgh and London, 1910), pp. 252-59.

³ There were later proposals to return two small parts of the territory annexed by the British in 1852-53. This included a belt of rich

of Pegu in the first Anglo-Burmese war and from preliminary investigations undertaken by British officials from Tenasserim during the second war it had been established that the administrative and social institutions in Pegu under the Burmese were similar to those found in Tenasserim and Arakan.⁴ The British administrative system initially devised for Pegu was therefore closely modelled on the administrative systems of the two older British Burmese provinces, as it was British practice in India to take the local institutions of newly annexed territories as the basis of their own administrative systems.

There was initially no attempt to ensure that the British administrative systems in Tenasserim and Arakan developed in conformity with each other, so that some differences emerged in the two systems that evolved.⁵ These were largely due to the different

teak forests between Prome and Myei-dē, which was beyond the traditional northern frontier of Pegu. When the Burmese protested that this was an abrogation of the terms of the proclamation of annexation, the British then offered to restore the disputed territory in return for Burmese acceptance of a formal treaty ceding Pegu. When this strategy failed, the British later offered to barter the historic township of Mīn-dōn, which lay in their jurisdiction, for Burmese signature to a treaty, as Mīn-dōn before ascending the throne had been myō-sā for the township and had special attachment to it. Dorothy Woodman, The Making of Burma, (London, 1962), pp. 147-53 and D.G.E. Hall, (ed.), The Dalhousie-Phayre Correspondence, 1852-1856, (London, 1932), Letter 86, p. 131. See also below, footnote 6.

⁴ B.S.P.P., 1826, Jan. 27, No. 22 and April 14, No. 55 and E.S.L.I., 1852, Encl. 5 to Letter 54 of 6th Nov.

⁵ At one stage the British had considered setting up in the interior of Arakan an exclusively Arakanese administration under British protection. This was largely due to the unhealthiness of the climate and the high illness rate among British troops during the war. Nothing came of the scheme because it seemed unlikely that any Arakanese would be able to command the support of all Arakanese and because active British administration with control over revenue

ways in which the two provinces were incorporated within the Indian system of government. Both were originally placed under the control of the governor-general, but Arakan, geographically adjacent to Bengal, was soon transferred to that presidency. Tenasserim, however, remained under the control of the governor-general until 1834, when the judicial and revenue branches of the administration were transferred to the government of Bengal.⁶

The fact that they were both provinces of India necessarily brought some conformity in administrative procedure and the application of general British Indian administrative principles. The code of regulations which was the basis of law and order in the Bengal presidency was not, however, introduced. This was introduced only when conditions in newly acquired areas were similar to those in the original 'Regulation' areas, as the application of the code implied a relatively complex system of administration.⁷ In

seemed a better prospect than the establishment of a British protectorate and the possibility of further military involvement and expenditure with no reimbursement from the internal revenue of Arakan. B.S.P.P., 1826, 12th May, Nos. 1-2. Although it seemed more likely that Tenasserim would either be returned to Burma or bartered with Siam for promises of Siamese withdrawal from Kedah and Perak, the setting up of an independent Mon kingdom was considered for a short time. Ibid., 27th April, No.66 and 30th June, No.29 and D.G.E.Hall, A History of South-East Asia, 1st ed., (London, 1958), p.521.

⁶The fact that until 1843 the commissioners of Tenasserim were from Penang and not experienced in administration in India also enhanced the differences between administration in the two provinces.

⁷The original 'Regulation' provinces were those in which the code of regulations drawn up by Lord Cornwallis in 1793 for the Bengal presidency prevailed. 'Non-Regulation' provinces were also known as 'Extra-Regulation' provinces.

areas where conditions were patently dissimilar and unsettled, as in the former Burmese provinces, as simple a form of administrative system as possible was devised, although officials were instructed 'to conduct their procedure in accordance with the spirit of the regulations, so far as they were suitable to the circumstances of the country.'⁸

Administration in such areas, generally known as the 'Non-Regulation' provinces, was characterised by the union of all powers, executive, magisterial, and judicial, in the hands of the district officer, subject to the appellate and supervisional jurisdiction of the commissioner of the province. Such a system in Burma was not markedly dissimilar in some respects from the administrative character of the former regime.⁹ For the British, the combination of collector and magistrate in one official had the added advantage of being considerably cheaper than the 'Regulation' system of having separate magistrates and collectors.¹⁰ The district was the basic unit of administration, covering an area of several thousand square miles. The district officer had overall responsibility for all aspects of district administration. These included supervising the work of the officers in charge of the administrative units into

⁸ Courtenay Ilbert, The Government of India, being a digest of the Statute Law relating thereto, 2nd ed., (Oxford, 1907), pp.101-102.

⁹ Patrick Fagan, 'District administration in the United Provinces, Central Provinces, and the Punjab, 1818-1857', C.H.I., (ed.H.H. Dodwell), 1958, Vol.VI, Chpt.V, pp.76-77 and J.S.Furnivall, The Governance of Modern Burma, (New York, 1960), p.5.

¹⁰ John Strachey, India: its administration and progress, (London, 1911), p.101.

which the districts were further subdivided, as in British India administrative responsibility was arranged in a strict hierarchy of specified powers and obligations.¹¹

Administrative officials in the 'Non-Regulation' provinces unlike those in the 'Regulation' provinces were drawn from both the Indian Civil Service and the army. Frequently the latter predominated, particularly in areas where the local population had first to be 'pacified'.¹² The 'Non-Regulation' system was one of great elasticity, allowing local officers much independence of judgment and action, except in expenditure of government money. This was rigidly controlled by the central government in Calcutta.¹³

Early British administration in Tenasserim and Arakan In Tenasserim and Arakan the former provinces became districts within the British administrative system. Tenasserim in 1826 consisted of Tavoy, Mergui, Yēi and that part of the province of Martaban that lay south of the Salween River. The latter became known as Amherst, which was later amalgamated with Yēi, so that, in effect, there were then only three

¹¹ See Eric Stokes, The English Utilitarians and India, (Oxford, 1959), pp. 7 and 74.

¹² It was not until the late 1870's that members of the I.C.S. were appointed in Burma. Social turbulence followed all three annexations, though there was least in Tenasserim.

¹³ See J.S. Furnivall, 'As it was in the beginning', J.B.R.S., Vol. XVIII, Pt. ii, 1928, pp. 56-7 and G.E. Harvey, Burma, 1782-1852, C.H.I., (Cambridge, 1929), Vol. IV, Chpt. xxx p. 563 for details of the financial stringency of the government of India in this. See also page 118, footnote 17.

districts.¹⁴ Arakan, on annexation consisted of four provinces, Sandoway, Ramree, Cheduba, as well as that of Arakan, also known as Mro-haung, which was its capital.¹⁵ Shortly afterwards the latter was abandoned as British administrative headquarters for the fishing village of Akyab, by which name the district was then known. Later due to the lawlessness that prevailed in the marshes of Ān, the districts were reorganised so that Ān became a separate district and Cheduba part of Ramree.¹⁶

The principles behind the development of British administration in Tenasserim and Arakan were influenced by the philosophy of liberalism, then propounded by James Mill in the India Office, and supported in British India by people such as Elphinstone and Munro. In this stress was laid on the ideals of equality before the law and freedom from oppression and corruption. Belief in economic equality was also prevalent.¹⁷ On a more practical level, however,

¹⁴ J.S.Furnivall, 'The Fashioning of Leviathan', J.B.R.S., Vol.XXIX, Pt.iii, 1839, pp.167. The inclusion of any of Martaban in the British province was disputed by the Burmese in the early 1830's but the British refused to discuss the matter. See Anil Chandra Banerjee, Annexation of Burma, (Calcutta, 1944), pp.21-24. The British did, however, concede to one Burmese territorial demand in Manipur. Ibid. and Dorothy Woodman, op.cit., pp.97-98.

¹⁵ B.S.P.P., 1826, 27th Jan. No.10 and G.E.Harvey, History of Burma, (London, 1925), pp.267-8. But see H.R.Spearman, British Burma Gazetteer, Vol.I, (1879), p.479 and R.B.Smart, Akyab District Gazetteer, Vol.A, (1917), p.160.

¹⁶ Ān was later merged with Ramree into a new district taking the name of the administrative headquarters, Kyauk-hpyu, used earlier as a base for a Bengal regiment. R.B.Smart, op.cit., p.160.

¹⁷ J.S.Furnivall, Colonial Policy and Practice, (Cambridge, 1948), p.29.

the limited resources and personnel behind the Indian government largely determined the nature of the administration. Hence two fundamental principles of administration were that the revenue of provinces should at least be commensurate with expenditure on administration and that the functions of government should be confined, as much as possible, to the maintenance of law and order.¹⁸ There was little optimism that Tenasserim, depopulated by so many decades of warfare and depredation, would become a paying proposition but the British were more optimistic about Arakan, especially with the ban on the export of rice removed.¹⁹

In both provinces officials from the previous regime remained in office with duties that were little different from those they had had under the Burmese. They were, however, subject to supervision by their European superiors and official oppression and extortion were no longer sanctioned. In Tenasserim initially no indigenous official above the rank of myo-thagyī was retained, as the first commissioner, Mr. Maingy, (1826-33), feared that reinstated officials of the myo-yōn, such as sit-kē and ahkun-wun, would abuse their positions of trust and bring the British into contempt.²⁰ In

¹⁸ The recent war with Burma had cost £13 million and 15,000 troops. Dorothy Woodman, op.cit., p.80.

¹⁹ B.S.P.P., 1826, 27th April, No.2 and 9th June, No.12. It was also hoped migration would occur to stimulate economic development.

²⁰ For the British there was little distinction at this stage between taik-thagyī and myo-thagyī. Correspondence for Tenasserim, 1825-35 to 1842-48, p.4 and F.S.V.Donnison, Public Administration in Burma - a study of development during the British connexion, (London and New York, 1953), p.23. Most high-ranking officials in both Tenasserim and Arakan fled with the coming of the British.

Arakan the British left the authority of the kyūn-ok largely unchanged, for fear of impairing 'the efficiency of their control', although they felt restraints could be imposed 'compatible with the character of an administration subject to our influence'.²¹

The major change in the administrative organisation at this level was that the jurisdiction of kyūn-ok and thagyi was now to be territorial rather than personal, each being in charge of a specified area. Their main responsibility was revenue collection, on which they were paid a commission by per centage of collection.²² They also had some responsibility for the maintenance of order in their townships and villages, as they had had under the previous regime.²³

²¹ B.S.P.P., 1826, 9th Jan., No.12. The title, kyoung-ok, apparently lapsed under British rule because there were always so few kyoung-ok as compared with kyūn-ok.

²² Thagyi received a 5 per cent commission on their collections but kyun-ok received a 14 per cent commission. The latter were aided by the village headmen, the rwa-gaung, and their assistants, the rwa-sari, who also received commissions. The latter were elected by the people themselves subject to the veto of the district assistant. Rwa-sari were usually sons or relatives of the rwa-gaung. Under the British the office of kyūn-ok was not considered hereditary but in practice seems to have been largely so. Report on the Progress of Arakan under British rule from 1826 to 1875, p.5 and Correspondence for Tenasserim, p.26.

²³ Maingy had attempted unsuccessfully to convert the thagyi into a graded and salaried local police force but they remained much as they had been under the Burmese. Ibid., p.8. In Arakan kyūn-ok were responsible for investigating petty suits which were not decided by the deputy commissioner, W.B.Tydd, Sandoway District Gazetteer, Vol.A, (1912), p.53 and H.R.Spearman, op.cit., Vol.I, p.481.

Later in Tenasserim the office of ahkun-wun was revived, as Maingy needed head revenue clerks and collectors at district headquarters and in Arakan in 1828 a myo-thagyī was appointed to aid and advise European officers presiding in court on indigenous customs.²⁴ Further additions to the corps of indigenous officials came when changes were made in judicial administration in 1831 and 1834 during the governor-generalship of Lord William Bentinck (1828-1835). These opened the criminal and civil branches of the judiciary to allow persons both European and non-European, other than covenanted civil servants, to become deputy magistrates.²⁵ In Tenasserim six myo-thagyī were appointed in each district to try petty civil and criminal cases as well as a sit-kē to try more important cases.²⁶ In Akyab a tayama-thagyī was also appointed to try all the civil suits not exceeding 500 rupees in value, which, in fact, constituted most of the original civil suits.²⁷

There was little change in the organisation and responsibilities of the European administrative personnel in this period.

²⁴ By 1852 the judicial duties of the myo-thagyī had lapsed and he had become the revenue assistant to the district officer, the equivalent of the Tenasserim ahkun-wun. Report on the Progress of Arakan, pp.6-7.

²⁵ Patrick Fagan, op.cit., p.88.

²⁶ Salaries for myo-thagyī ranged between 25 and 100 rupees a month and a sit-kē earned 300 rupees a month. A tayama-thagyī earned 150 rupees a month. In Tenasserim myo-thagyī came to be known as gaung-gyok under the British, perhaps to avoid confusion with the lower status thagyi.

²⁷ G.E.Harvey, 'Burma 1782-1852', p.566. Until 1845 all depositions and records in the vernacular were translated into Persian, the official state language of British India and of the courts, and

For most of it both provinces were under commissioners responsible to the government of Bengal for internal administration, Arakan having been under a superintendent subordinate to the commissioner of Chittagong until 1834. Districts were under deputy commissioners, then known as senior assistants to the commissioner. After 1834 when the rules of administration for both provinces were revised, an assistant commissioner was appointed to the provincial headquarters of each province to aid the deputy commissioners there.²⁸ Deputy commissioners could pass sentences of up to two years' imprisonment and commissioners up to fourteen years. Crimes requiring heavier penalties were referred to Calcutta. Assistant commissioners had similar though lesser powers than those of deputy commissioners, except that they could not hear appeals. In matters of adoption, inheritance, and marriage, the law was the customary law of the contestants, while in other and criminal matters, the law was similar to that prevailing elsewhere in British India.²⁹

It was in revenue administration that the greatest difference lay in administrative procedure and efficiency in the two provinces.

into English. Thereafter translations were made into English only.

²⁸ I.L.P., 1853, 22nd July, No.22. Assistant commissioners were then known as junior assistants.

²⁹ G.E.Harvey, 'Burma 1782-1852', p.563 and R.B.Smart, op.cit., p.162, B.O.Binns, The Amherst District Gazetteer, Vol.A, (1935), pp.74-6, I.L.P., 1853, 22nd July, No.41.

In both the British retained the old Burmese taing-gyēi tax, as a poll tax on adult males.³⁰ This, however, was at a reduced, fixed, annual, and relatively minimal rate, while land taxation became much more significant.

In Arakan within a relatively short time an efficient system of land revenue administration was developed which was to be the basis of land revenue policy in the later province of British Burma. There was some early confusion when the British mistook the position and powers of the kyūn-ok as being similar to those of the zamindars of Bengal and allowed circles to be put up for sale and tenders called from those aspiring to become kyūn-ok but by 1831 the British had the situation well in hand.³¹ The high rates of taxation that had initially been imposed were reduced by three-quarters and the revenue collection duties of kyūn-ok reverted to being much as they had been under the Burmese. An effective system of control by written demands and receipts was devised, however, to prevent abuses and corruption. Individual landholdings were recognised and the precedent was also established of each landholder making separate revenue payments to the government.³²

³⁰In 1841 the rate had been fixed in Arakan at 4 rupees a year for every married man and 2 rupees for each unmarried man. By 1853 in Tenasserim the tax was arranged to vary according to occupation and area. B.S.B.R.P. 1853, 3rd June, No. 3. See also below, page 135.

³¹Contracts went to the highest bidders and settlements for three years were made but few were able to carry out their obligations and the contracts were revoked. H.R. Spearman, op.cit., Vol. I, p. 480. The area under cultivation actually declined in some areas for a time because of this.

³²R.B. Smart, op.cit., p. 181.

After 1834 the land was roughly surveyed by surveyors from Chittagong and later by the rwa-gaung with the land tax fixed at between 1 rupee and 2 rupees 4 annas an acre of cultivation, according to fertility.³³

In Tenasserim until 1842 revenue demand was fixed as a village assessment. This was decided on by the deputy commissioner in conjunction with the village thagyi and the inhabitants of the village and later divided by the contributors amongst themselves. The rate of taxation was first set at 10 per cent of gross produce, which was believed to be a continuation of Burmese practices, but was soon raised to 20 per cent of annual gross produce.³⁴ Until 1842 tax was paid in kind but thereafter was paid in money. After 1843 taxation was assessed according to the acreage of individual cultivators.³⁵ The adoption of the ryot-wari system of land revenue administration, established a decade earlier in Arakan, was initially disappointing to the Indian government, who had hoped for greater efficiency in revenue administration and greater revenue returns than in the past. The new rates were so high that the area of cultivation decreased for a time. On their subsequent

³³G.E.Harvey, 'Burma 1782-1852', pp.563-4 and W.B.Tydd, op.cit., pp.64-66. Classes were later held to teach revenue officials surveying. The inadequacies of this early method of assessment are discussed on page 139.

³⁴J.S.Furnivall, 'The Early Revenue History of Tenasserim: Land Revenue', J.B.R.S., Vol.XIX, Pt.iii, (1929), pp.84-90. Land revenue was collected under a three year contract system for a time under Maingy and later under a seven year one but this appears not to have been successful.

³⁵J.S.Furnivall, 'The Fashioning of Leviathan', p.114.

reduction both cultivation and land revenue slowly increased.³⁶

After 1843 revenue administration procedure in Arakan and Tenasserim was increasingly assimilated but Tenasserim was notorious for the inaccuracies of its revenue returns and its slowness to become a paying proposition to the government of India.³⁷

In neither province was there much attempt to establish a system of civil police. Except for gang robbery, usually referred to as 'dacoity', and in Arakan, insurrection, crime was thought to be rare and when a number of cases of stabbing occurred in Arakan in 1850 it was considered a new phenomenon.³⁸ In Tenasserim reliance was placed mostly on the thagyi as civil police, although a night watch was established in Moulmein.

³⁶ The area under cultivation increased from 97,515 acres in 1845 to 144,405 in 1852. It was estimated from the capitation tax returns that population also declined in numbers during the transition period in revenue policy in the early 1840's. G.E.Harvey, 'Burma 1782-1852', p.567 and B.S.B.R.P., 1852, 9th Mch., No.59.

³⁷ Between 1828-29 and 1849-50 it was estimated that annual revenue from Tenasserim rose from about 3½ lacs of rupees to 4½ lacs. Ibid. It was largely because Tenasserim had proved such a financial liability to the Indian government that the British offered to return it to the Burmese in the 1830's. D.G.E.Hall, Burma, 2nd ed., (London, 1956), p.108.

³⁸ This was attributed to 'excessive prosperity unbalancing the passions'. G.E.Harvey, 'Burma 1782-1852', p.565. The British, however, were scarcely in the position to assess the frequency of crime that took place away from district headquarters because of the infrequency of district tours.

To counteract the more organised form of crime, dacoity, and insurrection, there was in both provinces some effort to develop a system of military police. In Tenasserim dacoity was mostly organised by Burmese from across the border in Burmese Martaban and in 1838 a corps of Mons was raised to act as a frontier and river police.³⁹ In Arakan dacoity and insurrection were mostly due to discontented and disillusioned Arakanese, who resented the exchange of one form of foreign domination for another. After 1836, when their resentment seems to have come to a head in the burning of Akyab town and police station, such acts of violence seem to have virtually disappeared.⁴⁰ Until then, however, there was need of a strong police system and this was met by the recruitment of the Arakan Local Battalion, composed of Arakanese and Manipuris, who were stationed at the headquarters of districts and of the police circles into which the province was divided.⁴¹ In both provinces regular troops were also stationed, though by 1851 Arakan had become so peaceful that they were withdrawn from Arakan and the local battalion was employed in their stead.⁴²

³⁹ It was also to protect the timber trade on the Salween River. It was known as the Talaing Corps, Talaing being the term mostly used by the British then for Mons who predominated in Tenasserim. It is thought the term is derived from Telingana, a region on the Madras coast, from which the early rulers of the Mons came. G.E.Harvey, A History of Burma, p.6.

⁴⁰ G.E.Harvey, 'Burma 1782-1852', p.565. The Mons in Tenasserim were less resistant to the introduction of British rule than the Arakanese, though there were some risings in Tavoy and Mergui, led by ex-governors, soon after the British assumed control. Horace Hayman Wilson, The History of British India, From 1805 to 1835, Vol. VII, (London, 1850), p.228.

⁴¹ G.E.Harvey, 'Burma 1782-1852', p.564 and W.B.Tydd, op.cit., p.55.

⁴² I.L.P., 1853, 22nd July, No.26.

By 1852 British rule in Tenasserim and Arakan had thus brought greater social stability and security than had existed before. Slavery had been abolished and British encouragement of the rice trade allowed the development of a greater degree of individual prosperity.⁴³ By 1852 Akyab had become the greatest rice port in the world and Moulemin a major exporter of teak. But although the population had trebled in both provinces between 1826 and 1852, under-population was still a major problem.⁴⁴ Migration did not occur on the large scale that had been anticipated and such population growth as there had been was attributed to the return of émigrés and natural increase rather than to immigration.

Little had been done to develop the hinterland. Public works consisted largely of the construction of administrative buildings and gaols at administrative headquarters, though convict labour was responsible for improving the drainage of these sites. Of roads and bridges there were none and Mergui was cut off for weeks at a time without communication with the rest of the province.⁴⁵

In both provinces the development of an administrative system suited to local conditions was checked by control from Calcutta.

⁴³ Abolition of slavery was effected largely after the Emancipation Act of 1833. W.B.Tydd, op.cit., p.38.

⁴⁴ Population growth between 1830 and 1852 in Arakan was from 131,390 to 333,645 and in Tenasserim between 1826 and 1852 from 66,000 to 191,476. G.E.Harvey, 'Burma 1782-1852', pp.564 and 567.

⁴⁵ J.Butler, Gazetteer of the Mergui District, (1884), p.9. Even the jetty at Akyab took seven years to build. G.E.Harvey, 'Burma 1782-1852', p.564.

In Arakan there was too much; in Tenasserim too little.⁴⁶ For Arakan the proximity of Bengal meant that the system of administration there was 'imposed ready-made from above and not built up from below; the Bengal acts and regulations were applied by rule and lithographed forms followed.'⁴⁷ For Tenasserim Bengal was so remote that irregularities in administration and scandals occurred with persistent frequency.⁴⁸ In neither province did the poor system of communications allow much contact with the people away from the immediate environs of the administrative headquarters, so that, in effect, former Burmese practices continued virtually unchanged.⁴⁹

Furthermore, the inadequacies of the 'Non-Regulation' system as developed during the previous three decades or so were becoming increasingly obvious. From a case in 1848 involving Captain Phayre, then an assistant commissioner in Tenasserim, emerged the fact that

⁴⁶ In the early years of British rule in Tenasserim it was more lack of support from the government of India than lack of control. See J.S.Furnivall's two articles 'As it was in the beginning' and 'The Fashioning of Leviathan', for details of the not very successful efforts of the first two commissioners to establish an administrative system suited to the province.

⁴⁷ G.E.Harvey, 'Burma 1782-1852', p.563.

⁴⁸ B.O.Binns, Amherst District Gazetteer, Vol.A,(1935), p.72. One commissioner, Captain Durand, handed an officer in civil employment to the military officials to be tried by court martial for acts committed in his civil capacity. In 1830 Captain Impey, who was in charge of Amherst district, embezzled 15,000 rupees from the treasury and disappeared into Burmese territory.

⁴⁹ J.S.Furnivall, Colonial Policy and Practice, p.38. In Arakan officers were also deterred from touring because of the heavy paper work required of them at administrative headquarters.

all legislation passed by the Bengal Sudder Court of Legal Proceedings after Act II of 1835 needed legal endorsement by the passage of a further act by the government of India.⁵⁰ Besides this it was also obvious that the government of the presidency of Bengal, swollen by the addition of so many territorial annexations, had become cumbersome and unwieldy.⁵¹ The need for reorganising the government on a more efficient basis could not be ignored and in the first year of Dalhousie's governor-generalship in 1848 an examination was begun of all the administrations of the 'Non-Regulation' provinces.

The annexation of 1852 When Pegu was annexed in 1852 it was immediately transferred to the governor-general's control and at the same time a commissioner, J. Colvin, was appointed to enquire into the administrative systems of Arakan and Tenasserim.⁵² Martaban, though placed under the jurisdiction of the commissioner of Tenasserim, was also placed under the ultimate authority of the governor-general. Dalhousie, not unaware

⁵⁰ I.L.P., 1853, 22nd July, Nos. 11, 22, and 23.

⁵¹ Until 1853 the governor-general had also been the governor of Bengal, although as early as 1835 consideration had been given to the appointment of a separate governor of Bengal but nothing had come of it. The presidency of Bengal at one stage included not only Bengal and Orissa but also the British Burmese provinces, Benares, and the Upper Provinces.

⁵² B.P.P., 1852, 30th Dec., No. 3. Colvin's appointment was announced only five days before the formal declaration of British annexation of Pegu by the new commissioner, Phayre. Colvin had been commissioner of Tenasserim from 1846 to 1849.

of the complexity of the situation, noted,

That the Commissioner should correspond generally with the Government of Bengal regarding most of his districts and with the Government of India regarding one is an anomaly in form. But such anomalies abound, and it will be productive of no inconvenience in practice ... Ultimately and at no distant date I contemplate the three provinces of Tenasserim, Arracan, and Pegu being united under one Commissioner. At present and until the new Province is settled, this cannot be done.⁵³

Although Dalhousie was not ultimately to see the final amalgamation of the three British Burmese provinces into one, he did see some progress made towards this. In 1854 an act was passed empowering the Governor-General in Council to take by proclamation under his immediate authority and management any part of the territories under the government of the East India Company.⁵⁴ Tenasserim and Martaban were then transferred from the control of the government of Bengal to that of the governor-general.⁵⁵ The transfer of Arakan was to take place later in 1862 but the submission of Colvin's report in 1853 marked the beginning of a greater effort to co-ordinate administrative procedure in all the British Burmese provinces.

The report represented a comprehensive investigation not only into the institutions and officers of administration but also those

⁵³ E.S.L.I., 1853, Encl. 29 to Letter 3 of 5th Jan.

⁵⁴ Courtenay Ilbert, op.cit., p.93.

⁵⁵ British Burma Manual, (Comp.C.S.Cooke), Vol.I,(1878),p.lvi.

of society.⁵⁶ Colvin's report and recommendations for effecting administrative reform and uniformity engendered considerable discussion and argument of some heat by the commissioners of Tenasserim and Arakan.⁵⁷ This was notably so with Colvin's recommendation for reducing the expense of revenue collections in Arakan by reducing the number of kyūn-ok and organising their duties to conform with those of the thagyi of Tenasserim.⁵⁸ The Tenasserim system had been introduced to Pegu and the government of India decided to introduce it also to Arakan. Because of the objections of the commissioners of both Tenasserim and Arakan, however, the latter's proposal was accepted instead.⁵⁹ This was a compromise between the two systems, which the latter thought more suited to the province.

⁵⁶ Colvin was appointed to enquire into 'the general state of the civil administration and the constitution of the several courts and offices in each province ..., how far the rules prescribed in the several departments are adapted to local circumstances, whether they are strictly observed, and in what respects they or any of the several establishments appear to be susceptible of amendment ... and ... the physical, moral and intellectual condition of the people as affected particularly by the system of government, introduced among them, and by what means at the command of the Government it may be improved.' B.P.P., 1852, 30th Dec., No.3.

⁵⁷ Many of the points raised by Colvin's investigation are discussed later in the thesis.

⁵⁸ B.S.B.R.P., 1853, 3rd June, No.3.B. There were in 1852 over 180 kyūn-ok in Arakan, each collecting between 1,000 and 12,000 rupees a year. By this time commission amounted to only 7 per cent on collections exceeding 5,000 rupees. Colvin wanted to reduce the number of kyūn-ok to about nineteen and change their status and functions to those of the Tenasserim gāung-gyok and to give their revenue duties to the rwa-gaung, whose commission would be increased to 10 per cent. Colvin estimated that a minimum of 20,000 rupees a year could be saved in the Akyab district alone. Ibid., No.3 D.

⁵⁹ Ibid., Nos. 3E and 4; 30th Aug., No.51; 9th Dec., Nos.64 and 68.

In it the existing institutions of kyūn-ok and rwa-gāung were to be retained but the smaller kyūn were to be absorbed into larger tracts so that no kyūn-ok collected much less than 5,000 rupees nor more than 12,000 rupees. The commissioner of Arakan, Captain H. Hopkinson, recommended that two or three circles be placed under an able kyūn-ok, to be titled gāung-gyok or myo-thagyī. He suggested, however, that the gāung-gyok, of Arakan, unlike those of Tenasserim, be paid by commission rather than by salary, as salaries were regarded as the insignia of servants and Hopkinson thought the former would provide greater inducement for them to improve their charges.⁶⁰

The new code, however, contained no explicit provision for the appointment of myo-thagyī in Arakan but merely made their existence legal once such officials came into existence.⁶¹ The code was, in fact, something of an anticlimax after Colvin's extensive investigations. It provided less than an outline of procedure and merely confirmed past practices except where amendment was obviously needed. The code thus left much to be desired in assimilating administrative procedure in the three provinces but Colvin's

⁶⁰ B.S.B.R.P., 1853, 9th Dec., Nos. 61, 62 and 66.

⁶¹ It was not till 1862 that five gāung-gyok were finally appointed in the interior of Arakan, as well as two extra assistant commissioners. The tayama-thagyī then became known as a sit-kē with the same status as an extra assistant commissioner. I.J.P., 1862, June No. 35.

work began to pave the way and the code did give the validity of law to existing administrative practices.⁶² Moreover, within the course of the ensuing years many of the recommendations made in Colvin's report were to be implemented. For the moment, Dalhousie thought that a comprehensive code could be drawn up only when 'the Government of India has leisure to attend to the Extra Regulation Provinces.'⁶³

The 'Non-Regulation' system of administration had, however, some advantages which, it seems, Dalhousie was not slow to grasp. He not only used it as a means 'to unite military strength and promptitude with civilian exactitude of justice and vigilance in administrative details' but could also see it as a way of effecting the rapid modernisation of India.⁶⁴ As Eric Stokes put it,

He employed the 'Non-Regulation' system because it gave him a personal control over these territories and because it promised to be more economical, more energetic, and more efficient in securing their rapid development. At the end of his life he felt that the Lawrences had secured too much credit for the Punjab achievement, and believed his own contribution had been neglected.⁶⁵

⁶²The commissioner of Pegu was sent a copy of the draft of the new rules to see if he had any objections to their being extended to Pegu. E.S.L.I., 1853, Encl.20 to Letter 54 of 5th Aug. The commissioners of Tenasserim and Arakan were also instructed to correspond to discuss intended legislation.

⁶³I.L.P., 1853, 22nd July, No.45. Due to the fact that the volumes of I.L.P. between May 1854 and 1855 are missing from the India Office Records only the draft of the code has been seen. There is evidence elsewhere that it was promulgated.

⁶⁴William Wilson Hunter, The Marquess of Dalhousie, (Oxford, 1890), pp.184-5.

⁶⁵Eric Stokes, op.cit., p.224.

In Pegu by using the same system he was able to overcome many of the obsolescences of the Tenasserim and Arakan systems and initiate many new features of administration, which were to provide the basis for administrative procedure for the united province of British Burma.

Development of administration in Pegu. While the administrative system developed in Pegu in the first formative years of British rule owed much to the zeal of Dalhousie, it also owed much to the knowledge of and sympathy with the country and its people of the first commissioner of Pegu, Captain Arthur Purves Phayre.⁶⁶ Dalhousie wrote of Phayre when recommending him for the appointment,

... his character stands extremely high in every respect; he has had long experience of the Burmese in Aracan and at Moulmain; he speaks and writes their language perfectly, and is especially qualified for the charge of the new province.⁶⁷

⁶⁶ Phayre had already acquired a reputation for his knowledge not only of the Burmese language but also for the chronicles and numismatology of Arakan.

⁶⁷ I.S.P., 1852, 29th Dec. No. 1. In choosing Phayre for the position, Dalhousie had to overlook the claims of Colonel Bogle, Phayre's senior in years and service. It is possible that Phayre's familiarity with the Burmese language was a strong reason for Dalhousie's preference for him. Bogle had once boasted of being able to carry on his administration without having any knowledge of Burmese, which he thought was too difficult for English gentlemen. G.E. Harvey, 'Burma 1782-1852', p. 563. His establishment included only people familiar with English and was less efficient and economical than Phayre's when he was commissioner in Arakan where much of the business of administration was conducted in Arakanese. B.S.B.R.P., 1852, 2nd Jan., No. 88. As Bogle was sorely disappointed at missing out on the new commissionership, his salary as commissioner of Tenasserim was raised by 500 rupees a month, so that his commissionership was more valuable than Phayre's.

The happy concord which came to exist between the governor-general and his new commissioner of Pegu was also of undoubted significance in the relatively rapid establishment of British administration there which had occurred by the time Dalhousie's term of office expired less than four years later. This harmony of minds, disrupted but rarely in the years of trial and establishment, was also promoted by the massive correspondence which flowed between the two men and which complemented the equally voluminous official correspondence.⁶⁸

From the first there was little doubt that the revenues of the newly annexed province, unlike those of Tenasserim, would soon pay for the administrative costs and, in fact, become a valuable asset to the finances of the Company. Crawford had stressed the economic value of Pegu and the commercial potential of the port of Rangoon in 1826 and Dalhousie in 1852 believed that by the annexation of Pegu the British held the 'Kernel of the Burman Empire'.⁶⁹ There seems to have been little anticipation by the British of difficulty in 'settling' the new province and establishing a British administration there. They were optimistic that the Mons,

⁶⁸ Dalhousie had earlier adopted the practice of having a private correspondence with his subordinates at the time of the 'settlement' of the Punjab. He also conducted one with General Godwin, the commander-in-chief of military operations in Burma.

⁶⁹ B.S.P.P., 1826, 7th April, No.5 and 12th May, No.1 and E.S.L.I., 1852, Encl. 3 to Letter 53 of 6th Nov. Some effort had been made before the decision to annex Pegu was taken to assess its economic potential. The results had been reassuring.

who still formed the majority of the population in Pegu, would be happy to be liberated from their old enemies and oppressors, the Burmese, and would accept the new situation and co-operate with the new order. Such optimism was supported by British experience during the war. The people were generally friendly, offering firewood and supplies freely, and crowds of Mon and Karen refugees poured into Rangoon as the war proceeded. Furthermore, a group of Mons took and held for a time the town of Pegu by driving the Burmese out.⁷⁰

The original administrative arrangements for Pegu contained little provision for dealing with any widespread rebellion or resistance to British rule, once hostilities with Burma were brought to an end. The system of administration Dalhousie outlined for Pegu in his Minute of December 1, 1852 contained only minimum provisions for the establishment of British law and very few for the maintenance of order. However, because it was not expected that hostilities with the Burmese would be concluded for some time, British troops would obviously be available within the province until this happened. And although there was no immediate provision for a regular police force to control civil disorder there is evidence that Dalhousie was merely waiting to see what

⁷⁰ Ibid., Encl.7 to Letter 29 of 2nd July and Encl.25 to Letter 56 of 6th Dec. There was no fear of any opposition from the Karens. They had been severely oppressed by the Burmese in the past, and had helped the British in the first Anglo-Burmese war and again in the second. Harry Ignatius Marshall, The Karen People of Burma: a study in anthropology and ethnology, (Ohio, 1922), pp.403-06.

police needs would emerge for the new province.

The organisation of the new administration was little different in basic outline and function from that of other 'Non-Regulation' provinces, though it was modelled specifically on the general administrative practices of Tenasserim with revenue rules based on those of Arakan.⁷¹ There was to be a small administrative superstructure of European officials resting, as in Tenasserim and Arakan, on a broad infrastructure of indigenous officials. The province was to be divided into districts, each under a deputy commissioner with duties and salaries corresponding with those of their counterparts in Tenasserim.⁷² They were all to be of equal rank and all on a salary of 1,000 rupees a month.⁷³ There was also a magistrate in charge of the town of Rangoon and a number of assistant commissioners on 500 rupees a month to aid the deputy commissioners and to act as customs officers in Rangoon, Bassein, and Prome.⁷⁴

The subordinate officials were to be much the same as those

⁷¹E.S.L.I., 1853, Encl. 19 to Letter 3 of 5th Jan. Phayre had conferred with Dalhousie in Calcutta in November when presumably this had been discussed. The Dalhousie-Phayre Correspondence, Letter 1, f.n., p. 1,

⁷²Effort was made, however, to remove such anomalies as had been revealed in the Tenasserim system.

⁷³Later the deputy commissioner of Rangoon was granted an extra 200 rupees a month. This was largely due to Phayre's recommendation that it would 'stimulate the exertions of other officers'. E.S.L.I., 1853, Encl. 37 to Letter 3 of 5th Jan.

⁷⁴The assistant commissioner to the deputy commissioner of Rangoon was to receive 600 rupees a month.

E.S.L.I., 1853, Encl. 19 to Letter 3 of 5th Jan.

in Tenasserim, except that Dalhousie endeavoured to make these officials correspond in function and status to officials in India, perhaps, at this stage, as much to illustrate their function and status to his India-centred colleagues as to introduce administrative conformity. Thus gāung-gyok were to be considered as analogous to the Punjab extra assistants and sit-kē were made the equivalents of indigenous judicial officers in Bengal. Sit-kē were to be appointed by selection to principal towns for the trial of non-heinous criminal offences and of such civil cases as the deputy commissioners transferred to their courts. Gāung-gyok were to be appointed in each township and were to have limited judicial, fiscal, and magisterial powers, being able to try no civil cases exceeding 500 rupees in value. Decisions of sit-kē and gāung-gyok were to be appealable to the deputy commissioners. Thagyī were to be appointed with fiscal and police powers within their circles and gāung were to act as police and fiscal officers in the large towns.⁷⁵ Beyond defining the functions and status of these officials, Dalhousie made no attempt to specify their numbers and left this to the discretion of the commissioner.

The British officials appointed were comparatively few. All senior officials were officers from the Bengal and Madras armies; most of them were experienced in administration either in Tenasserim or Arakan; and most were familiar with the Burmese

⁷⁵E.S.L.I., 1853, Encl.19 to Letter 3 of 5th Jan.

language. Their military background was to be useful in the first difficult years in 'pacifying' the population, suppressing or expelling trouble-makers, and taking the initiative in establishing order in unprecedented situations. Lieutenant Fytche, the deputy commissioner of Bassein, for instance, was to organise a force of 600 Karens to attack the bands of resistants led by the former Burmese governor of the district.⁷⁶

The units of administration corresponded with those that had existed under the previous regime, though in a simplified and standardised form. Thus former provinces became districts, divided into townships, circles and villages. The two southern districts of Bassein and Rangoon corresponded roughly with former Burmese provinces but in the north the Burmese provinces were too small and numerous to be constituted as separate districts. Those within the vicinity of the Irrawaddy were first amalgamated into two districts, Tha-rawāw (soon known as Henzada) and Prome, with each former province retaining its identity as a township, and later made into three districts when Tha-ya-wadi was separated from Henzada as a new district.⁷⁷ Taung-ngu became a special charge under an assistant commissioner.⁷⁸ The southern districts

⁷⁶ Albert Fytche, Burma past and present, (London, 1878), Vol. I. p. 136 and The Dalhousie-Phayre Correspondence, Letter 11, p. 25.

⁷⁷ Ibid., p. 168, f.n. iv and P.A.R., 1855-56, p. 7. Dalhousie ordered the subdivision of Henzada into two districts to place an extra deputy commissioner there to help put down the strong resistance movement in Tha-ya-wadi.

⁷⁸ It seems Taung-ngu may have been formally part of the Rangoon district. See J.S. Furnivall and W.S. Morrison, Syriam District Gazetteer, (1914), Vol. A, pp. 3-4.

were the most extensive, there being 9,500 square miles in Rangoon district as compared with 5,500 square miles in Prome district. There was, however, a greater concentration of people in the north.⁷⁹

Martaban was placed in the charge of the commissioner of Tenasserim but its separate identity was maintained for the first five years of British administration and separate accounts of revenue and population were submitted to the government of India. The rules of administrative procedure were the same as those in Pegu whenever these differed from those in Tenasserim. In reality, it became only another district of Tenasserim, with a deputy commissioner stationed at Shwei-gyin, who was also responsible for the more isolated hill country, generally referred to as the Yūnzalīn. Although Dalhousie had originally envisaged appointing an assistant commissioner there, the appointment was not made until 1858.

Many indigenous officials appointed had held office under the previous regime but some received their appointments because of their services to the British or because they had been with the British administrations in Tenasserim and Arakan.⁸⁰ Their

⁷⁹ Henry Yule, A Narrative of the Mission sent by the Governor-General of India to the Court of Ava in 1855, (London, 1858), p.284 and P.A.R., 1855-56, p.3 and 1857-58, p.9. The population of Rangoon district, excluding the town, in 1857-58 was given as 141,271; that of Bassein 183,137; that of Prome 194,250. The population of Taung-ngu was, however, only 41,563.

⁸⁰ The basis on which Lieutenant Fytche selected the thirteen gāung-gyok of Bassein was that they seemed 'to be the most intelligent, influential and best effected to the British rule'. E.S.L.I., 1853, Encl.14 to Letter 72 of 4th Nov., (Encl.Fytche to Phayre, 23rd April). Presumably many of the indigenous officials appointed in the south were Mons, though Phayre claimed it was difficult to find anyone

charges were left as much as possible within the same areas as before, though effort was made to impress upon officials that their jurisdiction was no longer personal but extending only to those people within the territorial limits of their charges.⁸¹ Even when it was against the interests of efficiency and economy, Phayre was reluctant to dismiss former officials with strong hereditary claims to office and with local influence and prestige. This was for fear of antagonising them and swelling the ranks of those already disaffected. He therefore considered himself fortunate when, in the township of Mīn-dōn, many of the hereditary thagyi departed before the arrival of the British and saved him from the 'embarrassment' of dismissing some, as the village tracts there were exceptionally small.⁸² Phayre had apparently no qualms at first about dismissing officials, such as gāung and ok, whose claim to office was by appointment and not by heredity, as he saw no need of continuing the Burmese system of having an agent or

calling himself 'anything but a Burman, so completely has the national spirit been extinguished'. P.A.R., 1855-56, p.23. Two officials from Tenasserim and Arakan were Maung Khaing, a Mon from Moulmein, whose father, a former hereditary governor of Swei-gyin, had come to Moulmein after the first Anglo-Burmese war, and Maung Kyan Doon, who came from a 'respectable Arakanese family'. I.F.P.P., 1860, 3rd Feb., No.289 and B.H.P., 1873, Sept. Index No.156.

⁸¹ Phayre found there were well-defined boundaries between the village tracts. P.A.R., 1855-56, p.25.

⁸² He found the remaining thagyi 'were quite sufficient to carry on all duties with occasionally the assistance of a Menthaben or inferior constable'. E.S.L.I., 1854, Encl.20 to Letter 35 of 14th Aug.

official in every two or three houses.⁸³

The proclamation of annexation had called on 'the inhabitants of Pegu to submit ... to the authority, and to confide ... in the protection of the British government ... '. The south responded first. Later the north began to follow suit once the frontier had been firmly demarcated.⁸⁴ When a new district was 'settled', villagers were assembled at each halting station and officials were informed verbally of their duties.⁸⁵ The British had some difficulty in making them understand the changed nature of their jurisdiction. They also had difficulty in establishing the procedure for revenue collection. Captain T. P. Sparks, the deputy commissioner of Rangoon, wrote,

The Burmese are so unaccustomed to anything like system that I have had the greatest trouble in obtaining the accounts from the myo-oks, and in one district, Engapoo, which has always been in an unsettled state, I have not been able to get them yet, nor have I yet received those from Pegu ... The method of assessing the various taxes under the Burmese Government is so complicated and intricate, and varies so much in different divisions of the District ...⁸⁶

⁸³ Ibid., and P.A.R., 1855-56, p.8. He was later to modify his views on this; see page 99 .

⁸⁴ Ibid., p.5. Memories of the fierce reprisals taken by the Burmese on those who had co-operated with the British after the latter's withdrawal in 1826 accounted for some of the caution with which the people greeted British annexation. Dalhousie himself presided at the formal 'declaring' of the frontier 'to convince people of the permanency of British rule.' E.S.L.I., 1854, Encl.189 to Letter 7 of 18th Feb.

⁸⁵ Ibid., Encl.7 to Letter 18th Jan. (Encl. O'Riley to Phayre, 23rd Nov. 1853).

⁸⁶ Ibid., 1853, Encl.17 to Letter 72 of 4th Nov. (Encl. Sparks to Phayre).

The Burmese lack of fixed salaries had also allowed local officials many opportunities for not accounting for funds received. Although the British government soon fixed regular salaries for all its new officials, it was to prove difficult to persuade many of them to abandon ~~their~~ age-old, lucrative practices.⁸⁷

The British were also to have difficulty in achieving some measure of uniformity and efficiency in the size of administrative units. Not only was there fear of increasing the number of insurgents through disturbing old institutions but also there was fear of causing a mass migration from British territory. The need for people to secure the economic development of Pegu had been immediately obvious to the British.⁸⁸ Only as vacancies occurred could the British unite the smaller circles. By 1856 the area of a thagyi's circle varied from three or four to twenty square miles but there were normally 100 houses to each village tract, five villages to each circle, and twenty-five circles to each township under a gāung-gyok or myo-ok, as he soon was called.⁸⁹

⁸⁷ Except for the sit-kē of Rangoon, salaries for sit-kē were fixed at 200 rupees a month. The former received 250 rupees a month because of the more onerous work in Rangoon. Salaries for gāung-gyok ranged between 25 and 100 rupees a month. Thagyi received 10 per cent commission on revenue collections. These rates were decided on in relation to those prevailing in Tenasserim.

⁸⁸ By 1856 Phayre was hoping that the provisions in the land revenue rules for taxation concessions for new settlers would encourage immigration to develop the country. P.A.R., 1855-56, p.39.

⁸⁹ The term myo-ok rather than gāung-gyok was used in Pegu to avoid confusion with gaung and the decision to use the term, myo-ok, instead of myo-thagyi, seems to have been based on Phayre's belief that the term, thagyi, implied hereditary succession to a position

By 1856 the law of the province was much the same as it had been in Arakan and Tenasserim. For the time being indigenous judicial officials were allowed to pass judgment according to Burmese law in such cases as came before them. None of these were civil or criminal cases of any great magnitude, the more serious cases going before British officers.⁹⁰ Later in 1860 the British were to attempt to codify Burmese customary law to make its administration uniform by British and Burmese judges alike.⁹¹ In this early period, however, the British felt the need only to bring some sort of uniformity into the way in which land rights could be established and recognised, as they found the Burmese 'laws regarding rights in land ... uncertain'.⁹² In the town of Rangoon, no sale, mortgage, or lease of land was recognised as valid in the courts unless it had been registered. And throughout the province twelve years' unchallenged occupation of land was settled upon to give the occupant a title to it.⁹³ Debt bondage was abolished, as it had been in Tenasserim, and creditors had to sue for the payment of debts in the courts.

while the term, ok, implied temporary appointment. As we have seen, however, Phayre was reluctant to ignore hereditary claims to office.

⁹⁰ Sit-kē were empowered to pass sentence not exceeding one month's imprisonment and myō-ok could punish petty theft by sentencing to twenty-four hours' confinement in the stocks and petty assaults and misdemeanours by fines not exceeding 20 rupees. P.A.R., 1855-56, p.9.

⁹¹ P.A.R., 1859-60, p.4. This was, however, only a guide to procedure. See also pages 159-60.

⁹² Ibid., 1855-56, p.21.

⁹³ Ibid., pp.21-22

Procedure in the courts was based largely on the code of rules for Tenasserim. As this was little more than a general guide to procedure, the Bengal regulations were referred to whenever greater and more specific guidance was required. The language of record was English whenever it was understood by the presiding officer in court.⁹⁴ The fee on litigation, which under the previous regime had ranged from 10 to 20 per cent of the value of the property under dispute, was considerably reduced but not entirely abolished. It was retained on the recommendation of the deputy commissioner of Rangoon to deter people from resorting frequently to the courts for frivolous reasons, as they had done earlier in Moulmein.⁹⁵ The commissioner was the highest judicial authority in the province with originally the same powers as the commissioners of Arakan and Tenasserim and the same appellate jurisdiction over the lower courts. In 1853, however, he was empowered to pass the death sentence, subject to confirmation by the governor-general, and later in districts extremely torn by resistants and dacoity deputy commissioners were authorised for a time to execute persons convicted of participation in open and armed insurrection.⁹⁶ Later the maximum sentence a deputy

⁹⁴ P.A.R., 1856-57, p.4. The record was written by the officer presiding in court. Lawyers were allowed into the courts, their presence facilitating the passage of justice when suitors were illiterate or ignorant.

⁹⁵ E.S.L.I., 1853, Encl.19 to Letter 54 of 5th Aug. and T.M.A.R., 1856-57, p.4.

⁹⁶ E.S.L.I., 1853, Encl.18 to Letter 54 of 5th Aug. and P.A.R., 1855-56 p.9. Dacoity had been normally punished by death under the Burmese regime. G.E. Harvey, History of Burma, pp.81 and 258.

commissioner could impose was seven years' imprisonment with labour for cases of dacoity or gang robbery.⁹⁷

Development of police administration

The provision of such extraordinary powers was but one way in which the British endeavoured to counter the unforeseen difficulties they were to meet in 'settling' Pegu. These were mainly due to the emergence of bands of men who kept the countryside in turmoil and retarded the establishment of British administrative control. Many of these were staunch resisters to British rule but there were some who pillaged merely because of the chaos the war had brought and others forced by the economic dislocation of the country to plunder for food.⁹⁸ Among the resisters were former Burmese local administrative officials. Gāung Gyī was a former thagyi in Tha-ya-wadi; Maung Bo was the former myo-thagyi of Myei-dē; and Myat Htūn was a hereditary Mon pe-nīn in Danu-byu township. Some of these, however, seemed to be more motivated by the desire to preserve their office and authority than by any intrinsic loyalty to the Burmese throne.⁹⁹

⁹⁷ Except in exceptional circumstances assistant commissioners could then pass a maximum sentence of two years' imprisonment with labour.

⁹⁸ The scarcity of food in the first year of British administration was relieved by shipments of rice from Bengal. In Prome and Padāung British officers formed a special fund to alleviate the food shortage. The Dalhousie-Phayre Correspondence, Letter 59, p.93 and P.A.R., 1855-56, p.7. In 1854 wheat was imported from Upper Burma.

⁹⁹ E.S.L.I., 1853, Encl.18 to Letter 22 of 19th Mch. and Encl.17 to Letter 68 of 4th Oct. Gāung Gyī had refused to co-operate with the Burmese king prior to and during the war and, it seems, aspired to the governorship of Tha-ya-wadi. Because of these aspirations,

All, however, were soon called 'dacoits', a term used fairly indiscriminately from early 1853 on when the Burmese army retreated north in response to the steady pressure of the British army and left in its wake small bands of men who resisted British occupation by guerilla warfare.¹⁰⁰ Frequently a strong, defensible stockade would be built, then the people of the area, together with their cattle, would be driven from their fields and houses into the stockade and threatened with death if tempted to submit to the British.¹⁰¹ After the border was defined, villagers were driven across

it was thought, he resisted British occupation and it was later suggested that 'it would be more correct to regard Gaung Gyi at first as the head of an army competing with the British for the possession of a province abandoned by the Burmese Government than as a rebel or outlaw as he is generally described.' Tharrawaddy District Gazetteer, comp.n.g., (1920), Vol.A, p.26. The fact that Gaung Gyi wrote to the deputy commissioner of Bassein to declare that he had no quarrel with him, as his territory was clearly defined, supports this view. E.S.L.I., 1853, Encl.10 to Letter 61 of 5th Sept.

¹⁰⁰ General Prendergast, the commander of the British military expedition against the Burmese in 1885, noted that the term, 'dacoit', had not been used by Major Snodgrass in his account of the first Anglo-Burmese war but that both Laurie and Fytche had used it freely in their descriptions of the second war. Prendergast, himself, was highly critical of the way the term was used in 1885-86, when a month after the Burmese defeat, all Burmese soldiers still at large, were generally dubbed 'dacoits'. H.N.Prendergast, 'Burman Dacoity and Patriotism', A.Q.R., 2nd Series, Vol.V, No.10, April, 1893, pp.271-77. Dalhousie, however, had recognised that Myat Htūn was no criminal and should be 'regarded as a Chief and a Soldier - and a good one too'. The Dalhousie-Phayre Correspondence, Letter 76, p.117.

¹⁰¹ E.S.L.I., 1853, Encl.15 to Letter 26 of 7th April. Dorothy Woodman points out that the British records give perhaps a very one-sided view of the 'dacoities' of this period and suggests that some villagers may not have been forced at all. Op.cit., p.166.

it, making it difficult for the British to effect reprisals or rescues. About this time, however, Anglo-Burmese relations began steadily to improve, so that Phayre was then able to write directly to M̄n-dōn about frontier skirmishes.¹⁰² It then remained mostly for the British to suppress the troublemakers within their own domain.¹⁰³

Between February and April of 1853 the British actually lost ground to the resistance in the north. Because of the continued state of war with Burma for the first six months after British annexation of Pegu, British troops were expected to put down internal resistance.¹⁰⁴ Their efforts as well as those of the Arakan Local Battalion which was brought over from Arakan and the ad hoc measures devised by administrative officials, such as Fytche's Karen and Mon

¹⁰² E.S.L.I., 1854, Encl. 8 and 9 to Letter 52 of 7th Nov. and 1855, Encls. 19 and 20 to Letter 38 of 3rd July. When M̄n-dōn sued for peace in his letter of June 1853, which thus provided the means of formally terminating the war, he had promised to ban frontier raids. Although M̄n-dōn denied to the British any connexion with the resistants of Pegu, his predecessor, Pagan M̄n, had been deposed only some months before and M̄n-dōn required time to consolidate his position on the throne and overcome the faction at court who favoured continuing the war.

¹⁰³ Fortunately for the British both Tenasserim and Arakan remained tranquil at this time. Two surprise raids across the frontier in 1855 made Phayre suspect M̄n-dōn's avowed friendliness but the level-headedness of Dalhousie saved the situation from acquiring more serious dimensions. See Dorothy Woodman, op.cit., pp. 166-67.

¹⁰⁴ The participation of British troops in this was not so great as the civil authorities could have wished, as General Godwin, the commander-in-chief of the military campaign in Burma, wanted to carry the war into Upper Burma, despite Dalhousie's known opposition, and was reserving the troops for this.

levies, led to some improvement in the situation when the army was 'dissolved' as an expeditionary force.

Thereafter effort was made to make more long-term arrangements for ensuring the maintenance of civil order. As Dalhousie was not willing to tolerate a situation similar to the one which had prevailed for almost a decade in Arakan after British annexation, six months of British administration in Pegu caused him to decide that the establishment of a strong police force must be a cornerstone of British administrative policy there. He wanted not only to maintain a strong force of European troops in the province but also to raise a corps of irregular cavalry for the frontier at Myi-dē and Taung-ngu, to recruit a local militia, and to organise systems of strong frontier, river and district police. Phayre, however, thought no police system for Pegu would be complete without reviving the Burmese system of having a representative of the government, a gāung, in every village tract.¹⁰⁵ In this he was influenced by his experience in Arakan, where indigenous officials below the grade of thagyi had been incorporated into the British administration, and by his observations of the effect of British changes on the indigenous administrative structure in Pegu.¹⁰⁶

¹⁰⁵ E.S.L.I., 1854, Encl.18 to Letter 7.

¹⁰⁶ Fytche had written to Phayre in August 1853 that because myok had been deprived of their traditional retainers and had no established police at their disposal under the British, many 'found themselves unable to keep the dacoits in check and concealed their crimes from me for fear of being punished for neglecting to apprehend the offenders'. E.S.L.I., 1853, Encl.10 to Letter 61 of 5th Sept. See also I.S.P., 1854, 31st Mch., Nos. 19 and 21.

The requirements and organisation of police administration were discussed by Dalhousie and Phayre in their regular correspondence and when Dalhousie paid his second visit to Pegu from mid-December 1853 till early January 1854.¹⁰⁷ While Dalhousie and Phayre were agreed on the importance of a police force in establishing and maintaining order in the new province, Phayre was inclined to view Dalhousie's proposals as somewhat lavish. He had always kept a careful eye on expenses and while Dalhousie appreciated this, he regretted it in Phayre's inclination to keep police establishments too small. When, for instance, Dalhousie thought four European regiments would be needed in Pegu in 1854, Phayre thought three would be quite sufficient.¹⁰⁸ Dalhousie, who had presided over the introduction of law and order to the unruly Punjab, was not one to quibble over the saving of a few rupees when the achievement of law and order was at stake. On one occasion he wrote to Phayre, '... Do not fear the expense. Peace externally I hope for; but submission and order I must have, and at whatever cost.'¹⁰⁹ And again later, he wrote,

I reply to you frankly that I think your leaning is to keep establishments too low. I am aware of your notice and appreciate it, but I think a free expenditure to repress outrages, which make more and do much harm, is good economy.¹¹⁰

¹⁰⁷ Dalhousie had made his first visit to Pegu in June 1852. He reported the progress made in the organisation of a police force in a Minute of Jan. 11, 1854. E.S.L.I., 1854, Encl. 189 to Letter 7 of 18th Jan.

¹⁰⁸ The Dalhousie-Phayre Correspondence, Letter 48, p. 10. Letter 53, p. 80, and Letter 55, p. 88.

¹⁰⁹ Ibid., Letter 64, p. 100.

By 1856 the police system of Pegu consisted of a local militia, the Pegu Light Infantry Battalion; a river police; four battalions of district police; and a village police organisation. Although troops were stationed in the province at frontier cantonments and at Rangoon and Moulmein, they did not form part of the regular police force of the province. Their services were to be called on only in time of emergency, as Dalhousie disapproved of the use of small detachments of troops for police purposes.¹¹¹

Dalhousie had considered the need for a local battalion in Pegu as early as September 1852 but only in April 1853 did he finally sanction recruiting for it. It was to be under the orders of the commissioner, unlike the Arakan Battalion which was under military authority.¹¹² Like the latter, the Pegu battalion was to be composed mainly of local indigenous peoples, although Dalhousie initially wanted a strong Malay contingent included in the new corps because of their distinguished record in Ceylon and because 'the Burmese dread them'. He had little faith then in the Mons because he was not impressed by their performance in the Talaing

¹¹⁰ William Lee-Warner, The Life of the Marquis of Dalhousie, (London, 1904), Vol.II, p.8.

¹¹¹ E.S.L.I., 1854, Encl.189 to Letter 7 of 18th Jan.

¹¹² E.S.L.I., 1854, Encl.38 to Letter 7 of 18th Jan. The organisation of the Pegu Light Infantry Battalion was similar to that of the Punjab Irregular Force in this respect. Only when the battalion was to serve with regular troops was it to come under the authority of a military commander rather than the civil commissioner.

Corps and because he believed them to have a 'notoriously unwarlike character' and an 'inability to face Burman troops'.¹¹³ Presumably this opinion was later modified when he heard of the Mons' exploits in the town of Pegu and in Fytche's levies. He was eventually forced to rely mostly on the indigenous peoples of Pegu, as the vigorous recruiting campaign undertaken in the Straits Settlement met with little response.

At first the recruiting campaign within Pegu met with almost as poor a response. The term of service was three years and men were expected to serve in any part of the province where they were needed. Discipline was strict and, according to Captain Nuthall, the commander of the battalion, the rate of pay offered was no more than that for a cooly in Pegu.¹¹⁴ Already the government of India was confronted by the fact that in a country so lightly populated as Pegu, the people could command much higher wages than their counterparts in India. Although many later governor-generals and their colleagues were to prove difficult to convince that this was so, Dalhousie took heed and raised the rate of wages so that by 1856 the numbers in the Pegu Light Infantry Battalion had reached

¹¹³Ibid., 1852, Encl.19 to Letter 42 of 7th Sept.

¹¹⁴Ibid., 1854, Encl.11 to Letter 7 of 18th Jan. The basic rate was raised from 8 to 10 rupees within less than 12 months of the beginning of the recruiting campaign. By August 1853 there ^{had} been no more than 200 recruits, less than half the number wanted. The Dalhousie-Phayre Correspondence, Letter 59, p.93.

the level initially set by Dalhousie.¹¹⁵

He had also decided early on the need in Pegu of district police but had apparently been dissuaded by Phayre from pursuing this further during the discussions in Pegu in 1853-54.¹¹⁶ A sudden rising in Bassein in March 1854 revealed the inability of district civil authorities to deal with such situations without the aid of armed police.¹¹⁷ When Captain Fytche shortly afterwards suggested the granting of extraordinary authority to deputy commissioners to punish such insurgents and the levying of an armed police to replace the detachments of regular troops he had had to rely on to suppress the rebellion, these suggestions were taken largely as the basis on which the further development of police administration in Pegu was to proceed.¹¹⁸

The recruitment of 600 armed police for Bassein was immediately sanctioned and soon after two other battalions of district

¹¹⁵E.S.L.I., 1854, Encl.11 to Letter 7 of 18th Jan. The rate of wages in Pegu was higher also than in Arakan. By mid-1856 there were 580 non-Europeans in the battalion, of whom 114 were Malays. There were eight European officers. P.A.R., 1855-56, p.10.

¹¹⁶There was no mention of district police in the Minute of January 11, though mention had been made earlier of such a body. See The Dalhousie-Phayre Correspondence, Letter 64, p.100.

¹¹⁷Dalhousie was rather irritated by the fact that the rising took place not long after he himself had been in Bassein when he had complimented Fytche on its tranquility. The Dalhousie-Phayre Correspondence, Letter 104, p.167.

¹¹⁸I.S.P., 1854, 31st Mch. Nos.19, 20 and 23. Later people in disturbed areas were also disarmed. P.A.R., 1855-56, p.11.

police were being enlisted for the more troublesome districts of Tha-ya-wadi and Prome. By 1856 a fourth battalion had been recruited for the Taung-ngu district. Their recruitment was achieved more easily than that for the Pegu Light Infantry Battalion, as discipline was less strict and duties were confined to the district of enlistment. These duties were mainly the suppression and detection of dacoity. The police battalions had the additional tasks of garrisoning the frontier posts in conjunction with detachments of the Pegu Light Infantry. By mid-1856 almost 1,600 men were enlisted in district police battalions. These were under the control of European non-commissioned officers who were, in turn, subordinate to the deputy commissioners.¹¹⁹

As the rivers were the main arteries of communication, river police were recruited for both the Irrawaddy River in Pegu and the Sit-tāung River in Martaban. Although British possession of the latter province removed the opportunities for raiding that the Burmese had had prior to the annexation of 1852, it was still considered necessary to retain the Salween river police as well as to organise river police for the Sit-tāung.¹²⁰ During 1856,

¹¹⁹This arrangement was the same as in the Punjab. As this had only recently been brought under British control, many administrative devices used there were also introduced to Pegu. In 1856 there were 80 men in the Taung-ngu battalion, 480 each in the Bassein and Tha-ya-wadi battalions and 640 in the Prome battalion. P.A.R. 1855-56, p.8.

¹²⁰E.S.L.I., 1852, Encl.20 to Letter 50 of 25th Oct. and 1853, Encl. 3 to Letter 61 of 5th Sept.

however, the Irrawaddy river police was disbanded as the declining incidence of dacoity indicated that its purpose had been served.¹²¹

When Dalhousie and Phayre had discussed the organisation of the village police in 1853-54, Phayre had suggested carrying on with the Burmese system virtually unchanged. In each village tract he wanted a gāung or headman with one or two constables under his orders. As under the Burmese regime, the gāung was to be both revenue and police officer and 'to report to his superiors everything of importance that occurred within his village'. Phayre stressed that

... Without these village officers which the people have been accustomed to, we break up the existing system when we require it; that is, at the outset of our rule, we leave numerous remote villages without any functionary to represent our Government and by dismissing from employ those Goungs who were employed under the late Government, we scatter discontent among the influential hamlets and leave no one to impress on them a sense of our presence and authority.¹²²

Because of the expense involved in implementing Phayre's scheme it was modified to the extent that constables were appointed to aid gāung only in the frontier districts and Tha-ya wadi. Gāung were appointed in every village tract but on Dalhousie's de-

¹²¹ P.A.R., 1856-57, p.11.

¹²² E.S.L.I., 1854, Encl.18 to Letter 7 of 18th Jan. The fact that the British were then about to 'settle' the north of the province added weight to Phayre's argument.

cision were paid a fixed salary of 10 rupees a month in return for the execution of village revenue and police duties which were to be carried out under the supervision of the thagyi.¹²³ Together gāung and thagyi were considered to be the detective police of the province.

British achievements by 1856 Towards the end of 1855 when Dalhousie paid his last visit to Pegu the province was notably more tranquil than on his previous visit, when the arrangement of measures to impose order in the province was of paramount importance. On this visit it seemed as though these measures had been largely successful.¹²⁴ Phayre noted soon after,

.. the people appear well contented with our rule. The forest laws are the only unpopular part of the system; that is, because we must stop the utter ruin which went on under the Burmese, when everybody might cut young trees or old as they pleased.¹²⁵

Effort had also been made to woo the good will of the people

¹²³Ibid., Encl.20. Phayre had suggested that gāung be paid by commission as in Arakan with the commission being 5 rather than 7 per cent on revenue collections. Constables were to receive 6 rupees a month. Dalhousie found that the scheme would have involved about 25 per cent of the entire estimated provincial revenue. As it was, the modified scheme involved slightly more than 20 per cent of the estimated revenue. At that stage, however, Phayre was optimistic that district police would be unnecessary.

¹²⁴Dalhousie's impressions of the province were recorded in his Minute of November 27, E.S.L.I., 1856, Encl.6 to Letter 8 of 22nd Feb.

¹²⁵The Dalhousie-Phayre Correspondence, Letter 201, p.401. See also page 200 .

and win their confidence. Dalhousie attempted to show the people of Pegu that they were in the hands of a permanent and firm but much less capricious and more benevolent government than before. As much to inspire respect from the people below the border as from the kingdom above, he insisted on not surrendering a 'tittle of real dignity' to the Burmese and with Phayre's able assistance took a firm stand in all British dealings with the Burmese kingdom. When in late 1853 M̄n-dōn wished to send 'the usual Royal offerings to the Pagodas of ... Pegu', the mission was refused.* This was because the British suspected that these

ministers of the king, ... dressed in their robes of State, and carried in a Royal Golden Boat, were to parade through the whole length of the province of Pegu ... in nothing less than a Triumphant Procession, symbolizing the future restoration of the King's supremacy.¹²⁶

At the same time some effort was made to mollify the feelings of outrage among the people at the desecration of pagodas by British soldiers searching for booty. M̄n-dōn's request for permission for the passage of the mission to the pagodas had been accompanied by an enquiry into the reports of the profanation of the Rangoon Shwei-dagon Pagoda by the British. Phayre had already attempted to stop the pillage of pagodas but M̄n-dōn's letter prompted him

¹²⁶ E.S.L.I., 1853, Encls. 5 and 9 to Letter 72 of 4th Nov. Later a formal letter from Man-dalei, sent via Phayre, to the governor-general, was twice returned as Phayre decided that the matter of the letter was one used towards an inferior and not towards an equal. I.S.P., 1855, 26th Jan., Nos. 1 and 2.

*Annexation, of course, ended the formal disciplinary control of the Buddhist primate over the hpon-gyi of Lower Burma.

to inform the governor-general immediately of what had been happening. He assured him that the 'profanation' of the Shwei-dagon Pagoda, though intensely disturbing to the people of Rangoon, had not been 'wanton but part of the offensive operations' with no actual damage done. He did, however, point out that 'the British name has ... become a bye-word throughout the length and breadth of the country from the sacrilege committed under our rule.'¹²⁷

The governor-general's reaction was prompt. Stern measures were to be taken against such offenders. He stated peremptorily,

The Government of India should request that officers in command will preserve all temples and pagodas from injury for whatever object unless the security of the troops should indispen-
sably require it.

I would propose to issue a Notification, directed against those who may injure these Pagodas from wantonness or for the sake of plunder, and intimating that all such offenders in future shall be most severely dealt with.

The Commissioner should cause it to be translated into Burmese, in order that the people of the Province may be made aware of the desire of the Government to protect their place of worship from injury, and in order that they may be able to complain against any party contravening the order.¹²⁸

Some British officials, trying to stamp out Burmese resistance, resorted to burning and destroying villages. Dalhousie

¹²⁷ E.S.L.I., 1853, Encl.3 to Letter 76 of 18th Nov.

¹²⁸ Ibid., Encl.4. Later after his last visit to Rangoon in 1855 Dalhousie made a personal contribution of 250 rupees for regilding the Shwei-dagon pagoda as well as 500 rupees to the Rangoon Protestant Church fund. The Dalhousie-Phayre Correspondence, Letter 249, p.401.

strongly disapproved of this. He stated that this was 'only an extreme and last resort', which was possibly justified against the hill tribes, as it was likely it was then the only effective weapon but mostly it 'only annoys the people - and further inevitably hurts Government.'¹²⁹

Although it was necessary that provinces should pay their way as soon as possible, particularly during Dalhousie's governor-generalship when there had been great expansion of empire and consequently greater expense than usual, in the first year of the British regime in Pegu taxes were collected only from those people not in 'distressed circumstances'. Those able to pay the capitulation tax that the British introduced were obliged to pay. This was as much to impress upon the people the permanence of British rule as to gather revenue.¹³⁰

Despite the economic dislocation caused by the war and British annexation, by 1856 when Dalhousie sailed finally for England the economic viability of the province had been proved. In that year Phayre reported a revenue intake of 30 lacs of rupees against a general expenditure of 17 lacs. He wrote, 'The ordinary civil expenditure is now not three-fifths of income - and while land revenue will probably increase rapidly, there is no prospect of a

¹²⁹ E.S.L.I., 1853, Encl. 8 to Letter 61 of 5th Sept.

¹³⁰ The people of Shwei-gyin, Taung-ngu, and Henzada were almost entirely exempt from taxation in the first year of British rule. E.S.L.I., 1853, Encl. 17 to Letter 72 of 4th Nov. and Encl. 3 to Letter 83 of 17th Dec.,

corresponding increase of expenditure.'¹³¹ Martaban, however, proved to be less of an economic asset, as by 1857-58 its revenue amounted to less than 3 lacs of rupees.¹³² Its main value was strategic, as British possession of it sealed off both the eastern flank of Pegu and the western one of Tenasserim from Burmese military penetration.

The main taxes affecting the indigenous people in the British regime were those on land and fisheries and the capitation tax, which was the same as in Arakan.¹³³ The very minor taxes of the previous regime, regarded as vexations to the people and troublesome to the administration, were abolished. Land tax was at first levied 'on each yoke of cattle according to the custom of the country' but later effort was made to introduce the same system of revenue administration as had been established in Arakan.¹³⁴ Without trained surveyors and with the limited numbers of British personnel, actual surveying was not possible. Phayre was later to point out, 'As no thugyi knew what an acre was, and the great majority had never probably before in their lives thought about square measure, it will be

¹³¹P.A.R., 1855-56, p.22.

¹³²T.M.A.R., 1857-58, p.8. It had been estimated in 1852 that the Burmese revenue of Martaban was 4 lacs and that of Pegu 25 lacs of rupees. E.S.L.I., 1852, Encl.3 to Letter 30 of 2nd July. It was later established, however, that the Burmese revenue for Pegu amounted to less than 16 lacs of rupees. P.A.R., 1855-56, p.22.

¹³³Fisheries were let annually at a rate fixed by the district officer. There was also a tax on fishing equipment and on the production of ngapi, the fish paste, which features so strongly in Burman diets. P.A.R., 1855-56, p.27. See also pages 144-47.

¹³⁴E.S.L.I., 1853, Encl.19 to Letter 3 of 5th Jan.

understood that fixing rates was for the most part mere guess work.¹³⁵

Even with such imperfections in the revenue system it was not thought that British taxes caused any great hardship to the people. In fact, most British officials thought they were much better off. Although the tax demand was apparently higher than in the previous regime, this was offset by the greater stability of the regime and the expanding economy. The removal of Burmese restrictions on the export of rice, the abolition of the transit tax, and the restoration of peace had led to rice production more than doubling within two years.¹³⁶ Moreover, the introduction of a fixed currency into the country was decidedly one boon the British had conferred upon the people, as prior to 1861 there was no standard currency in the Burmese kingdom, only silver bullion or alloys of silver.¹³⁷ Every transaction had necessitated the

¹³⁵ Quoted in Report on Settlement Operations in the Bassein District, 1883-84, p.15. Rates were based mostly on those tracts in Arakan where it seemed the rice yield was comparable. Enquiries were also made of individual cultivators and some consideration was taken of the distance from markets.

¹³⁶ This statement is based on the figures for land revenue for 1853-54, 1854-55, and 1855-56. Although no revenue was collected from some areas in the first year, land revenue increased from 363,620 rupees in 1853-54 to 935,988 rupees in 1855-56. P.A.R., 1855-56, p.24. In the same period known exports in rice and paddy had grown from 17,344 tons to 126,674 tons. Ibid., p.viii. How much more was crossing the border away from the customs houses at Taung-ngu and Thayet-myo is impossible to say. Phayre noted at the same time that people were already starting to appreciate the value of land, to which before they had ^{mostly} been oblivious. Ibid., p.44. Cultivators were also receiving greater prices for rice. In 1848-49 paddy rice had been sold for 8 rupees a hundred baskets; in 1855-56 the same quantities were commanding prices of 53 rupees. Ibid., p.viii.

assaying of the metal, which was troublesome, costly, and open to fraud.¹³⁸

From their own point of view, the British in 1856 regarded the result of their four years of administration in the new province with considerable satisfaction. The Burmese frontier problem seemed at last to be settled and internal order in the province was well on the way to being imposed. The economic viability of the province was abundantly evident. Rangoon, which had been largely destroyed during the operations of war in 1852, had been

¹³⁷Bo-daw-hpaya had attempted to introduce a standard coinage into Burma when Colonel Symes was there in 1802-3 but the scheme had come to nothing. There was a system of minted currency in Arakan prior to the Burmese annexation. Richard Temple, 'Notes on Currency and Coinage among the Burmese', The Indian Antiquary, Vol. 57, Jan. 1928, p. 13.

¹³⁸Introducing this currency, the Company Rupee, and inducing the people of Pegu to use it was difficult. Although a large number of rupees was thrown into circulation monthly in many parts of Pegu by the payment of the troops, it took time for the transition to be effected from one system to another. In some parts of the country, however, there were at first not enough rupees about for revenue to be paid in them. Accordingly it was decided that the alloy with the highest silver content used by the Burmese would be accepted by the British government. As the quality of this varied from place to place, government assayers were appointed but to encourage the people to pay in rupees, taxes were made slightly higher if paid in bullion. This provision was necessary as it was found that large numbers of rupees were being melted down in Prome and other parts of the province. This was due to the facts that people were accustomed to using bullion, that bullion was easily exchangeable all over the country, and that in Upper Burma discovery with possession of Company rupees meant possible penalty. E.S.L.I., 1852, Encl. 3 and 6 to Letter 46 of 2nd July and Encl. 6 to Letter 59 of 19th August. By December 1854, however, the transition to British currency had been effected and the Assay Office in Pegu was closed.

replanned and rebuilt in the symmetric design favoured by colonial administrations at that time.¹³⁹ The port was flourishing with trade in British manufactured goods and produce from Pegu and the regions beyond.¹⁴⁰ Although trade with these regions was sizeable, it gave little substance to the already established legend of the riches of trade with western China. This, however, was to retain its strength till after the end of the century.¹⁴¹

Of more substance and significance was the fact that by 1856 the foundations of a modern communications system had been laid. Dalhousie who had presided over the beginning of the transformation of India in this respect was not slow to introduce similar innovations to Pegu. To link the new province to India by

¹³⁹ P.A.R., 1855-56, pp.32-33 and xxvii and B.R.Pearn, A History of Rangoon, (Rangoon, 1939), pp.184-89.

¹⁴⁰ Captain H.P.Keighly, the executive officer in charge of laying out the town of Rangoon reported enthusiastically, 'Already the river teems with ships bearing the colors of all nations; the banks are lined by a dense crown of boats plying between the shore and the shipping ...' P.A.R., 1855-56, p.xxvii. In 1855-56 the total value of goods exported by sea was 42,37,366 rupees and that of goods imported by sea was 109,05,869 rupees. The value of trade through Thayet-myq and Taung-ngu was 40,57,861 rupees. Ibid., Appendix.

¹⁴¹ Phayre had declared the only hope of increased trade was in the increased consumption by the inhabitants of the province and of the countries immediately adjoining them. A prohibition was in force against the entry of manufactured goods to Yun-nan but even without this, existing transport facilities would not have allowed a trade of any significance to develop. Sir James Scott discussed the attempts to open the China trade in his introduction to Joseph Dautremer' Burma under British Rule, (London and Leipzig, 1913), pp.22-27.

land Dalhousie ordered the construction of a road from Dacca to Prome, which by 1856 was passable by bullock cart. Effort had also been made to break the isolation of remote places difficult of access within the province. A road was under construction between Rangoon and Prome and Rangoon and Myei-dē were linked by electric telegraph. A similar linkage between Rangoon and Taungngu was also under construction.¹⁴² The existing and natural system of communications - the waterways - had also received attention. A sea-going steamer had been placed at the disposal of the commissioner to ensure connexion with Calcutta and the Irrawaddy Flotilla had been organised to convey troops, passengers, and supplies between Rangoon and Myei-dē and the intervening river ports.¹⁴³

Despite the military and economic importance of Dalhousie's communications, little was done in the next few years to continue them. Although this was largely due to the troubles which beset India in the year after Dalhousie's departure from India, no other governor-general was to have such a wide vision of the significance of communications in the administration and development of Burma. The trunk road connecting the Indian sub-continent with Burma was allowed to revert to the wilderness from which it had been carved

¹⁴² Rangoon and Calcutta were linked by electric telegraph in 1861.

¹⁴³ P.A.R., 1855-56, pp.31-32 and William Lee Warner, op.cit., Vol.II, p.15. Dalhousie had also been interested in building a canal to link the branch of the Irrawaddy delta on which Rangoon stood to that on which Bassein was situated.

and many other plans Dalhousie had for Pegu were neglected. Nonetheless, with his ability to make use of modern technology and to plan and organise efficiently, Dalhousie, with Phayre's able support, had laid the foundations of British administration in Pegu. Within four years he had also largely achieved his objectives.

Chapter III

FISCAL POLICY AND FINANCIAL RELATIONS WITH INDIA.

The abolition of the East India Company following the outbreak of the Mutiny a year after Dalhousie's departure from India, had little immediate effect on the British Burmese provinces, but eventually led to changes which were to have considerable consequences for all areas under the administration of the British Indian government.¹ The assumption of control of Indian affairs by the Crown was followed by a close scrutinisation of the whole British structure of government in India. It was then subjected to considerable reorganisation and reform with a view to effecting the greatest efficiency and economy. Hardly a branch of the administration was left untouched.²

This was largely necessitated by the condition the finances of the government of India were in at this time. The rapid expansion of British India that had occurred under Dalhousie and his vigorous administrative and public works policies had resulted

¹ The most immediate reaction in the British Burmese provinces to the events in India in 1857 was fear of a renewal of hostilities by Upper Burma. Despite some sabre-rattling by the war faction at Mān-dalēi and the consequent placing of a gun boat on the Irrawaddy at the frontier, Mīn-don avowed his friendship for the British and relations between the two Burmas remained pacific. The Indian troops in Burma remained loyal and except for minor disturbances in Prome and Bassein, the latter being an extension of the Karen Mīn-lāung rebellion in the Yūn-zalīn in 1856, the province was quiet. F.A.R., 1856-57, p.7, T.M.A.R., 1856-57, p.19.

² John Strachey, India: its administration and progress, (London, 1911), p.119.

mostly in years of deficit for the Indian government and it had been one of the immediate tasks of his successor, Lord Canning, to remedy this state of affairs.³ His early efforts to effect economies and retrenchments in expenditure, however, had been largely lost in the storm of 1857. Once this had subsided the new scheme of reform was to be much more comprehensive. It involved the establishment not only of an efficient system of public accounts and of strict financial control throughout the provinces administered by the Indian government but also of a greater and more efficient degree of centralisation than had hitherto existed.⁴

Union of British Burmese provinces In July 1860 a special commission was appointed to examine administrative establishments of all provinces in relation to costs and revenue.⁵ It was also concerned with introducing reforms and economies into all departments of administration. In its preliminary review of civil charges and district establishments for Pegu, the commission had found that 'the

³ According to Michael Maclagan in Clemency Canning, (London, 1962), there had been an average deficit of £1,402,772 from 1838-9 to 1848-9 (chiefly owing to the Afghan war). From 1848-9 to 1852-3 there had been a small average surplus of just under half a million pounds but in 1853-4 there had been a deficit of two, and in 1854-5 of two and a half million pounds. p.64.

⁴ The financial effects of this centralisation are mainly discussed in this chapter, the other effects being discussed in the following chapters.

⁵ I.Fin.P., (Estabs.), 1860, Nov. No 1.

charges appear high, as compared with the standards in India'.⁶ Later in the year Lieutenant Colonel H. Bruce and Mr. Richard Temple were deputed to proceed to the three British Burmese provinces to make more detailed enquiries into the administrative systems there and, in consultation with the three commissioners, to formulate proposals for effecting improvements.

In general their recommendations for reforms and reorganisation in the British Burmese provinces corresponded with those made by the Commission for all India. Their most significant proposal for improving executive administration, however, was that the three provinces be amalgamated into one, under a chief commissioner. Aided by a secretariat and a suitable establishment, he was to be set over the three former provinces, each of which was to remain under a commissioner. Such costs as were to be incurred in establishing the central administrative system were to be offset by rigorous reorganisation, redistribution, and reductions effected elsewhere.⁷

Such a development was no more than the logical conclusion to the process Dalhousie had set in motion in 1852. Since his departure there had been growing co-ordination of administrative policy not only in Tenasserim and Pegu but in Arakan as well.⁸

⁶Ibid.

⁷Bruce and Temple's reports and recommendations are discussed more fully in the following chapters.

⁸By 1860 revenue and taxation policies were much the same in all the British Burmese provinces and Arakan was gradually being prised from its position as an integral part of Bengal. And because of the differences between

Moreover, it was obvious that the authority vested in the existing three commissioners was too limited to enable them to deal adequately with measures of importance and that the control exercised over them by the governments of India and Bengal was weakened by the geographic remoteness of the provinces. The creation of an intermediary local authority of high position capable of weighing the opinions of the provincial commissioners to present a comprehensive and informed picture to the government of India could only be an improvement to government.⁹ In addition to this, union and the introduction of the various reforms and reorganisations recommended by Bruce and Temple promised to reduce administrative expenditure while increasing efficiency.¹⁰

Although some of the reorganisation recommended by Bruce and Temple had been effected in 1861, it was not until early the following year that Arakan was transferred to the charge of the

society in Bengal and Arakan, education in the latter province had been transferred from the charge of the Bengal education department to that of the local Arakan authorities as the officers of the former found that these differences made it impossible 'to work the two systems together satisfactorily.' B.A.R., 1857-58, p.117

⁹ B.P.P., 1862, Feb.No.21.

¹⁰ Bruce and Temple had estimated a reduction of 35 lacs of rupees alone in military expenditure and 182,600 rupees in police expenditure. R.Temple and H.Bruce, Report upon British Burma, 1860, Elgin Papers, M.S.S.Eur.F.83, Cat.No.83, Docket 47, pp.12 and 20. By September of 1862 the net decrease in civil expenditure was 62,279 rupees. I.F.P., (Pol.), 1862, Sept.No.192.

Governor-General in Council and that the formal union of the three provinces was declared.¹¹ Rangoon became the administrative capital of the new province as it was midway between the other two provinces, and, situated on the mouth of the Irrawaddy, offered easiest access to the interior. The commissioner of Pegu, Lieutenant Colonel A. P. Phayre, was appointed chief commissioner over the three provinces, which were now termed divisions. According to the resolution of the Governor-General in Council, the main objects of the appointment were to provide a central administrative officer to direct the affairs of the three divisions

on a generally uniform system, to control the public expenditure in all Departments, to exercise a close and watchful supervision over the proceedings of the Local Officers of every class, and to devise such measures as may be best calculated to promote the material welfare and moral advancement of the people.¹²

The new chief commissioner had no legislative powers; Indian acts could be extended to Burma only by the Governor-General in Council and laws with special reference to Burma were enacted by the governor-general. The chief commissioner could merely propose that certain acts be enacted or that legislation be ~~ex~~ extended to Burma. He had direct control over the public works department, police, forests, prisons, Port Blair, marine

¹¹The early reorganisation was mainly that of police administrative arrangements in Pegu and Tenasserim. Only in 1863-64 was the civil administration of Arakan completely assimilated to that of the rest of the new province. B.B.A.R., 1863-64, p.41.

¹²B.P.P., 1862, Feb., No.21.

affairs, communications with the Burmese government, and all arrangements and correspondence with the commander of the military division in British Burma.¹³ He also exercised the powers of judicial commissioner for the whole province but had no power to authorise any expenditure other than that authorised by the government of India.¹⁴

Financial Relations with India. This was in keeping with the determination of the government of India to ensure that the administration of the various provinces be conducted with maximum efficiency and economy. The imposition of such stringent financial control over such vast and diverse areas as made up British India was not ultimately to be the most efficient or economical means of administration, particularly as this coincided with an expansion of government activity and interest into areas of economic and social life from which it had previously remained aloof. As Sir John Strachey noted, 'no central authority could possibly possess the knowledge or find the time' to undertake and conduct efficiently such an administration.¹⁵ Eventually this stringent financial

¹³ Port Blair, a penal settlement on the Andaman Islands, was for a time administered by British Burma, although it was mainly a settlement for Indian convicts. It was later removed from the jurisdiction of British Burma.

¹⁴ Bruce and Temple had recommended that a separate judicial commissioner be appointed for British Burma but no action was to be taken on this for more than a decade.

¹⁵ Op.cit., p.121. See also below in Chapter IV for greater discussion of the expansion of government activity in this period.

control was to be somewhat relaxed but not completely and the vast proportion of provincial revenues was still to form a central and single fund, from which the government of India was to dole out portions, according to the requirements of the provinces. This arrangement, at least as far as British Burma was concerned, was to be far from satisfactory.

Under such conditions the growth and changes that occurred in government activity from 1860 to the end of the period under review, were governed largely by the availability of funds and the condition of the general finances of the Indian government. Although administrative policy was influenced by political and social developments, the usual procedure was to give priority to financial considerations unless situations assumed emergency proportions. Within this period the returns from revenue collections in British Burma continued to grow at a steady rate but because the province was subordinate legislatively and fiscally to the Indian government, it did not necessarily benefit from the satisfactory state of its revenues. To the government of India British Burma was only another province and, being mostly quiet and peaceful, and physically apart from the Indian subcontinent, not a very important one. Expenditure was kept to a minimum and the surplus revenue went to swell the funds in the central treasury of the Indian government.¹⁶

¹⁶ Leland Hamilton Jenks pointed out that the revenue from India supported not only the obvious expenses of administrative staff and offices at central and provincial levels in India and in London but also the expenses for several enterprises not obviously relative to India, e.g., gifts to a Zanzibar mission and consular and diplomatic

The chronic financial difficulties of the government of India at this time made this more or less inevitable but British Burma suffered particularly because of the fact that the cost of living was higher there than in most other provinces under the government of India. The reluctance of the latter to make concessions for these circumstances for either European or indigenous officials brought repercussions to the standards and calibre of administration, especially in police administration which had assumed increasing importance by the 1880's. Although British Burma reaped with India some of the benefits from British engineering skills, the public works projects that received priority at this time were primarily those of military and strategic importance and secondarily those that would bring an increment in revenue. Thus there were extensive projects for the reclamation of land by embankment works while roads for basic communication were largely neglected unless they were of military value.

To some extent, attempt was made to remedy this situation by raising local funds to be devoted to improving facilities and services of no direct bearing on provincial and imperial revenues. These included not only local roads and public works but also public health and educational measures. Despite the fact that far greater attention was paid to these matters in this period, it was a principle of the government of India that these services should be paid for as much as possible by the people themselves through local taxation. Although, in fact, grants were made from establishments in China and Persia. The Migration of British Capital to 1875, (U.S., 1927), p.224.

imperial and provincial funds to aid these services, they were never very large and when the Indian government's financial difficulties grew to any size were the first to be cut.

The fiscal subordination of British Burma to the government of India was of course not new. Prior to amalgamation, various provincial administrators had been frustrated on occasion at the degree of control exercised over them and by the very connexion itself, but after 1862 when the chief commissioner had considerably more responsibility, the tight fiscal control of the Indian government was to become more daunting.¹⁷ At a time when efficiency was a general keystone of administrative policy, provincial efficiency could not but be affected by the need of submitting all accounts of expenditure to the scrutiny of the finance department of the Indian government. Moreover, long-term development projects were liable to suffer by sudden restrictions on expenditure.

Until 1871 the central government retained complete control over finance and made grants of money to the provincial governments according to its judgment of the merits of the latter's

¹⁷ An early assistant commissioner of Tavoy on finding a favourable balance in his local funds, obtained the consent of the commissioner of Tenasserim to make the people a grant to buy fireworks for the New Year festival. The government of India, however, warned that all officers would be held personally responsible for all items of unauthorised expenditure. J.S.Furnivall, 'As it was in the beginning', J.B.R.S., Vol.XVIII, pt.ii, (1928), p.57. In the years immediately succeeding the Indian Mutiny, the only expenditure on public works allowed was on works of primary importance. In 1860 the commissioner of Pegu submitted

demands. As the local governments had no vested interests in the collection of revenue or independence in expenditure, the government of India felt that provincial governments tended to act without responsibility towards both revenue and expenditure. Accordingly, in 1871 in the interests of general economy the governor-general, Lord Mayo, introduced a new system of provincial-central relations in an attempt to induce reform and greater responsibility by the provincial governments. Under the new arrangement certain heads of expenditure, such as police, education, printing, medical services (but not medical establishments), roads and civil buildings, were transferred to the provincial governments. Fixed annual grants were made over to the latter by the central government on estimates based on previous expenditure under these heads. The provincial governments were then free to distribute expenditure within these limits.¹⁸ From that time on, accounts were classified into three categories - imperial, provincial, and local.

As it seemed that the objectives of these reforms were still not attained, further changes were made again in 1878 in the governor-generalship of Lord Lytton. Receipts and charges on those departments which were under the direct control of the

two budgets for public works, one in arrears for 1859-60 and one in advance for 1860-61. P.A.R., 1859-60.

¹⁸Yaman Govind Kale, Indian Administration, (Poona, 1913), pp. 160-161 and B.B.A.R., 1871-72, p. 94.

government of India, such as posts and telegraphs, political and accounts, remained so. Revenue derived from other sources, such as land and capitation tax, was divided between the central and provincial treasuries in the proportion of five-sixths to the former and one-sixth to the latter. In British Burma revenue from fisheries, salt, excise and the export duty on rice was reserved for the central government but the remaining revenues and expenditure were exclusively provincial. There was also the allotment of a lump sum from the central government. Interest on capital expended in the provinces on productive works was to be met by the provincial funds.¹⁹ It was hoped this new arrangement with its calculated provision for containing increases in revenue would give the provincial governments the incentive for economy and careful management. Revision of the arrangement was to occur every three years.

As the revenue assigned to most provincial governments proved inadequate for their growing needs, further revision was made in 1882, four years later. Under the new settlement still larger proportions of the main heads of revenue were transferred to the provincial governments. Provincial revenue now comprised one-sixth of land revenue, capitation tax, forests, export duties, and salt tax, and all revenue from fisheries, public works and railways. Responsibility for expenditure came in the same proportion.²⁰ This again was not to be the happiest arrangement.

¹⁹ B.B.A.R., 1878-79, Intro., p.13.

²⁰ Yaman Govind Kale, op.cit. pp.162-3; B.B.A.R., 1881-2, p.116 and 1882-83, p.127.

Until the revision of revenue arrangements in 1878 the local administration in British Burma constantly claimed the province was unfairly treated by the central government and continually urged the uniqueness of British Burma in the Indian revenue system. In 1865 Phayre represented that though British Burma brought in a revenue of $93\frac{3}{4}$ lacs of rupees, only $38\frac{1}{2}$ lacs were expended on provincial items, including police, as compared with the Central Provinces which had revenue collections of $84\frac{1}{2}$ lacs but expenditure of 45 lacs. He claimed:

... There has been for some years an apparent feeling or opinion at Head Quarters, that the territories comprising British Burma might be left pretty much to get on as best they could, as long as they paid revenue. Indeed, the fact of the revenue being so large, has been, as now practically ignored. It would almost seem as if because the people paid quietly and largely it was considered they might be made to pay more still; while the return in the shape of outlay for their benefit, which a sense of the mutual duty of governor and governed teaches us, should be suitable and generous, has rather been in an inverse ratio to the amount of the people's payments. While strenuous efforts have been made by the authorities to reduce expenditure, and to increase the revenue, a deaf ear has been turned to earnest representations made for sanction to outlay necessary for the benefit of the country.²¹

The theme of his complaints was taken up by his successor, Colonel Fytche (1867-71), who claimed that on the basis of gross revenue the incidence of taxation on the people of British Burma was three times greater than that on the people

21 I.Fin.P.(Expend.), 1865, Jan., No.316.

22 I.Fin.P., (Sept.Rev.), May 1867, No.48. Fytche also submitted the following table:

of the Central Provinces, Oudh, or the North Western Provinces.²²

He urged,

This is no argument that the Central Province get more than is due to them as the geographical accident of their being the highway between Calcutta and Bombay, in a great measure accounts for the large grants which have been made to them... Nor does Oudh receive more than she is entitled to. The claims for British Burma are not that any other Provinces may obtain less, but that she may have at least a fair proportion. A dependency which has doubled its revenue from all sources in ten years (from 1855-56 to 1864-65) ... and whose area of cultivation has gained ground from 1,000,000 acres to 1,600,000 acres, is surely worthy of some special consideration.

Beyond the mere fact of our Military possession of the country, beyond the existence of a Police, most inadequately paid, there is hardly anything in the length and breadth of the Province to testify the presence of any rule superior to the one from which it has been wrested. As for Public Works in the true sense of the term, they are only now being called into existence. Of barracks, of gaols, of court houses, we have not a few. But their connection with the prosperity of the country is of quite secondary consideration, their presence being necessities, contingent on our possession of the country.²³

Between 1861-62 and 1870-71 British Burma had contributed an annual average of almost half its gross revenue as net sur-

Province	Population	Gross Annual Revenue	Tax per head.
British Burma	2,250,000	£1 million*	9/10
Cent. Provs.	6,600,000	£1 "	3/-
Oudh	8,000,000	£1,300,000	3/5
N.W.Provs.	30,000,000	£5,500,000	3/8

* £1 = 10 rupees.

²³ B.B.A.R., 1868-69, p.ix.

plus to India.²⁴ The position did not improve after the new financial arrangements of 1872. The gross charges in British Burma grew from 49,67,000 rupees to 75,52,000 rupees between 1870-71 and 1878-79 while the net surplus to India grew from 59,37,000 rupees to 99,13,000 rupees.²⁵ After the revised allocation of provincial funds in 1878 there was, however, a considerable increase in the funds available for provincial expenditure until the revision of provincial settlements in 1882. This was largely fortuitous, as there was a large increase in rice production and overseas rice exports at this time. Total revenue demands had risen from 2,21,86,000 rupees

²⁴ B.B.A.R., 1871-72, p.106. Below are the figures for revenue expenditure, and surplus for the period between 1861-62 and 1870-71:

	1861-62	1868-89	1869-70*	1870-71
<u>Gross Revenue</u>	<u>Rs.lacs</u>	<u>Rs.lacs</u>	<u>Rs.lacs</u>	<u>Rs.lacs</u>
Imperial and provincial	76.33	120.66	120.49	125.44
Public Works Dept.	.35	1.25	.47	.47
<u>Total</u>	76.68	121.91	120.96	125.91
Civil Surplus	47.93	71.20	70.79	75.77
Net charges for				
public works	11.34	24.12	13.92	16.40
Net surplus	36.59	47.08	56.87	59.37

*1869 was a year of financial crisis for Indian and reductions in expenditure were made wherever possible.

²⁵ B.B.A.R., 1884-85, p.61.

in 1878-79 to 3,08,06,000 rupees in 1882-83 and to 3,12,71,000 rupees in the following year. Gross revenue collections were never equal to revenue demands but the two figures always corresponded. Gross charges rose to 1,07,10,000 rupees in 1882-83 and to 1,14,41,000 rupees in the following year. The surplus to India was approximately equal to the gross charges.²⁶

Neither the Indian nor the provincial governments had estimated such a favourable outcome for British Burma of the settlement of 1878. The revenue contract of 1878 had contained provisions for allowing greater civil expenditure for the creation of the new administrative units, and for better salaries for the lower ranks of police and executive officials. The administration was, however, not only able to cover increased charges but was also in the position to make a large and much needed

²⁶ Below are the figures for revenue, expenditure, and surplus for the period between 1877-78 and 1885-86:

	1877-78	1880-81	1883-84	1885-86
<u>Gross Revenue</u>	<u>Rs.lacs</u>	<u>Rs.lacs</u>	<u>Rs.lacs</u>	<u>Rs.lacs</u>
Imperial and provincial	174.45	218.64	263.97	234.69
Public works dept.	3.98	15.22	18.10	24.29
<u>Total</u>	178.43	233.86	282.07	258.97
<u>Gross Charges</u>				
Imperial and provincial	66.86	92.34	114.41	112.45
Public works dept.	15.06	36.96	51.35	41.35
<u>Total</u>	81.92	129.30	165.76	153.80
Civil Surplus	107.59	126.30	149.56	122.24
Net charges for public works.	11.07	21.74	33.25	17.06
Net surplus	96.52	104.56	116.31	105.18

From B.B.A.R., 1884-85, p.61 and L.B.A.R., 1885-86, p.59.

expansion in public works expenditure both in actual projects and in basic establishments.

The new contract between the central and provincial governments in 1882 was based on an estimate that the future revenue increases in British Burma would accrue at the same rate as in the past few years. On the assumption that revenue would increase by 10½ lacs of rupees a year, a diminishing proportion of the land revenue was then assigned to British Burma. It was estimated that $8\frac{3}{4}$ lacs of rupees would be left of the increase for provincial expenditure. By February 1883, however, it was obvious that this estimate was a miscalculation and that if the government of India insisted on the terms of the 1882 agreements being carried out, public expenditure would have to be drastically curtailed.

These financial difficulties of the province were then enhanced by an unexpected fall in revenue receipts. From March 1883 the price of teak fell by 40 per cent, causing the estimated receipts to decline by 2 lacs in 1883-84.²⁷ Furthermore, between April and September of 1884 receipts from the duty on rice fell

²⁷ The following are the figures for revenue demands for the period between 1871-72 and 1885-86 in thousand rupees:

<u>Year</u>	<u>Total Demand</u>	<u>Imperial</u>	<u>Provincial</u>	<u>Local</u>	<u>Municipal</u>
1871-72	13,634	12,170	373	1,091	250
1875-76	20,048	17,458	421	1,210	958
1878-79	22,186	10,514	9,679	904	1,089
1880-81	16,340	12,285	10,311	2,395	1,350
1881-82	29,969	14,146	11,343	2,526	1,965
1882-83	30,806	16,034	9,957	3,059	1,755
1883-84	31,271		26,115	2,658	2,499
1885-86	29,173		24,998	2,231	1,944
from B.B.A.R., 1880-81, p.5. and L.B.R.A.R., 1885-86 p.2.					

considerably short of the receipts for the corresponding period of the previous year. This was largely due to a decrease in rice exports from Akyab and to an increase of rice imports from British Burma into Upper Burma because of a sudden scarcity there. Rice imports into Upper Burma had been duty free since 1862.²⁸ As well as this, land revenue did not increase as expected, because good harvests in Asia and Europe had lowered the price for rice in 1882 and caused a consequent drop in the expansion rate of rice production in British Burma for the next season or so.²⁹ Moreover, the results of the cadastral survey, begun in 1879, in order to secure accurate surveys of land holdings and hence larger revenue yields, had been disappointing. Revenue demand had increased only by an average of 3.98 per cent in the areas surveyed, while the cost of the survey had come to over half a lac of rupees.³⁰

These financial developments placed many administrative reforms in jeopardy. Some of these, indeed, had been recommended by the government of India. These included a ^{professional} cadastral survey.

²⁸ I.F.C.P. (Accts. and Fin.), 1885, Jan. Nos. 113 and 115. Upper Burma normally imported a small amount of rice each year but in 1884 74,000 tons of rice were imported compared with 20,000 tons in the previous year.

²⁹ B.B.A.R., 1881-82, Intro., p.3.

³⁰ I.F.C.P., (Accts. and Fins), 1885, Jan. No. 115. This was the first professional survey in the province. It had been known for some time that land holdings had been mostly under-assessed. Because the prices for rice had risen recently the government also anticipated increasing its rates. See below.

While increased salaries for indigenous officials had long been urged by the local government, when the increases were actually sanctioned, in some cases they were higher than the provincial government had originally proposed because a standard rate was introduced throughout all the British India provinces.³¹

Furthermore, the governor-general, Lord Ripon, had on a recent vice-regal visit to British Burma stressed the need and importance of public works in the province. Under the new financial conditions, however, the total allotment for public works was 22 lacs of rupees, compared to the annual expenditure of 40 to 45 lacs of rupees established in the previous two or three years.³²

A series of urgent telegrams and correspondence between Calcutta and Rangoon ensued. The chief commissioner claimed that all the items involving increased expenditure had been proposed or sanctioned before March 1882 when the new provincial contract had been made.³³ Because of its own over-estimate in

³¹ Ibid.

³² See footnote 86 of Chapter IV.

³³ I.F.C.P.(Accts.and Fin.), 1885, Jan.No.113. The Rangoon Chamber of Commerce also became involved in the issue. At a meeting in July 1884 a resolution was passed expressing dissatisfaction with the government of India's insistence on economy in expenditure to the detriment of administration. An exchange of letters followed between the Chamber of Commerce and the chief commissioner which the intervention of the government of India attempted to end. Alleyne Ireland, The Far Eastern Tropics: Studies in the administration of tropical dependencies, (Westminster, 1905), p.98 and I.F.C.P.(Accts.and Fin.), 1885, Jan.No.135. John Nesfield reported that the Chamber tried to persuade the various Chambers of Commerce in Great Britain to pressurise the government to separate British Burma from the Indian empire and make it into a crown colony. 'The Development and Trade of Burma', A.Q.R., 3rd Series, Vo.25, No.94, Jan.1908, p.78.

1882 of future revenues in British Burma, the government of India acknowledged some responsibility for the condition of its finances but its policy was not to allow expenditure in excess of revenue, even though it approved of improving the administration in British Burma.³⁴ Conceding that sanction had been given for the increased expenditure in British Burma before March 1882, the government of India stressed that that approval did not relieve the local government from the responsibility of keeping its total provincial expenditure within the bounds set by its total provincial revenue. It also stated that the revenue assigned to British Burma under the contract of 1882 was 'not incommensurate' with the position occupied by that province.³⁵

Provincial expenditure was trimmed to the barest minimum, but as the branches of administration had grown so much it was impossible to call a complete halt to further growth and expenditure. Despite all attempts on the part of the provincial government to observe the most stringent economy, the central government was forced to contribute additional sums of 66 lacs of rupees in 1884-85 and 77 lacs in 1885-86 to support the provincial government.³⁶ The arrangement was scarcely satisfactory to either.

³⁴ I.F.C.P., (Accts. and Fin.), 1883, Sept. Nos. 1362 and 1366.

³⁵ Ibid., 1885, Jan. No. 135.

³⁶ B.B.A.R., 1884-85, Intro., p. 9 and L.B.A.R., 1885-86, Intro., P. 11. No reflection of the changed circumstances of the province appeared in the figures for public works expenditure in 1883-84 because of the consumption of balances from previous years. Expenditure dropped, however, from 44½ lacs of rupees in that year to 34 lacs in the following year and to 24 lacs in 1885-86.

Provincial revenue raising No further taxation could be imposed at this time to help the administration out of its difficulties as the rate was considered already high. People were paying two to three times more in taxes than the people in India. This high incidence of taxation had, in fact, drawn fairly frequent protests from the provincial administration throughout this period. In 1862 Phayre claimed that he had made Pegu pay every farthing it could and that there was need for some relaxation in taxation, either in the form of the abolition of frontier customs or in the reduction of some of the direct taxes.³⁷ Though the former was achieved under the treaty with Upper Burma in that year, the government of India proposed raising taxes again in 1864 by increasing the excise duty on salt manufactured within the province. To this Phayre protested that 'the safe limit of direct taxation has now been reached'.³⁸ His successor, Colonel Fytche, (1867-1871), reiterated the same point three years later when the government of India proposed imposing a licence tax on people whose annual net income exceeded 200 rupees. Stressing that the new tax should depend on the amount of taxation already in existence, Fytche stated that the object of such a tax had been more than attained in British Burma as most people were paying double what the new

³⁷I.F.P.(Pol.), 1862, May No.130.

³⁸I.Fin.P., (Sep.Rev.), 1865, Jan. No.316.

tax was expected to yield.³⁹

This protective attitude among British Burmese administrators was due to several factors. There was a genuine desire to prevent British taxation in Burma developing into a machine of exploitation. The fact that British rule had brought 'liberty, security, and general prosperity' to the province was valued by many British officials, especially those who had witnessed the transformation of the province since 1852.⁴⁰ A more weighty consideration, however, was perhaps the fact that a harsh taxation system would scarcely attract many people to the province to promote its development. British experience in Tenasserim had already established that.

When the cadastral survey had first been considered, Rivers Thompson, the chief commissioner then (1875-78), had expected to be able to double land revenue receipts as a result.⁴¹ Although

³⁹The 'licence Tax' was intended to be a duty on 'persons engaged in lucrative occupations and trades who contributed little or nothing to the revenue'. People already paying a tax on their professions were to have the amount due on that deducted from the new tax. In British Burma, however, no such taxes were paid but people earning over 200 rupees a year were normally residents of towns and though exempt from capitation tax paid considerably more in municipal and land assessment taxes. I.Fin.P. (Sep.Rev.), 1876, May No.48. When the new tax was imposed the land assessment taxes were, however, remitted. Ibid., Aug.No.51. The latter taxes were imperial taxes until 1875 when the government of India allowed them to become purely municipal. I.Fin.P. (Accts.), 1875, May Nos.21 and 30.

⁴⁰Albert Fytche, Burma Past and Present, Vol.1, (London, 1878), p.351.

⁴¹I.F.C.P. (Accts. and Fin.), 1885, Feb.No.221.

the survey indicated that the people, heavily taxed as they already were, could pay this, it was decided that 'the true measure of an assessment ... is not the utmost paying power of the land, but the customary resources of the people.' Because of this and fears of demoralising the people and of reviving their 'migratory' habits, the actual increase in taxation receipts was only 3.98 per cent.⁴²

At this time most people seemed able to spend comparatively lavishly on jewellery and imported luxuries and on the traditional works of merit but there were indications that the limits of expansion and prosperity in the province were not endless.⁴³ In some areas, notably in Akyab, it was found that the existing rate of taxation was oppressive so that revenue was paid only with difficulty and sometimes only after coercive processes were taken.⁴⁴ Moreover, the cadastral survey revealed the existence of a growing amount of agricultural indebtedness and rural tenancy in the province.^{44a} This was not correlated with the incidence of taxation and those in the latter class frequently seemed to be in only slightly less prosperous circumstances than those who had

⁴² Report on Settlement Operations in Hanthawaddy and Bassein Districts, 1879-80, p.14 and I.F.C.P. (Accts. and Fin.), 1885, Jan.No.115.

⁴³ In 1881 it was estimated that the average family in British Burma spent 120 rupees a year on jewellery and imported goods. B.B.A.R., 1880-81, Intro., p.16.

⁴⁴ Resolution on the Report on Settlement Operations in the Akyab District 1885-86, p.1. When this was discovered taxation was reduced. Elsewhere in the province the rate of coercive processes taken to secure revenue payments was comparatively low, the incidence in 1880-81 in the whole province being one in

their own holdings, It was considered, however, that the relatively low enhancement in land revenue taxation 'left the way clear for any measures' possibly needed later 'for the protection of tenants from rack-renting by landlords'.⁴⁵

Reforms and changes in the taxation system could be introduced only with caution as the people appeared to value the fixity of British taxation. Each innovation in taxation had met with suspicion and sometimes opposition. The Indian government's proposal to introduce fixed quinquennial land revenue settlements in Arakan in 1853 was dropped for a time because of the strong 'disinclination' of the people.⁴⁶ When, at the end of the decade such revenue settlements were introduced, considerable opposition and unsettledness were reported among the people, even though such settlements provided a better deal for both people and government.⁴⁷ The

every 200. B.B.A.R., 1880-81, Intro., p.16. See also below.

^{44a} The various settlement reports reveal that it was not uncommon to find more than half the cultivators in debt, although only a comparatively small proportion were hopelessly so. Government loans were available to agriculturists and although some had recourse to them, it seems many were defeated by the apparently complicated machinery of official forms and sanctions. The rate of government interest was lower than that of the local moneylender but frequently the latter's money seemed more accessible. B.B.R.A.R., 1880-81, Pegu Report, p.79 and G.E. Harvey, British Rule in Burma, (London, 1946), p.56.

⁴⁵ Report on Settlement Operations in the Hanthawaddy and Bassein Districts, 1879-80, p.9. In 1885-86 no rack-renting had appeared in the province and the chief commissioner thought there was still too much land available for this to happen for some time. About 14 per cent of landlords had no interest in common with their tenants. L.B.A.R., 1885-86, pp.6-7. Although tenancy was only a transient state for many before they acquired their own holdings, in some areas 20 per cent of the cultivated area was occupied by tenants.

⁴⁶ B.S.B.R.P., 1853, 20th Dec., No.57.

⁴⁷ I.F.P., (Rev.), 1862, Dec. No.16 and June No.14.

proposal to introduce a salt tax to Arakan in 1860 led to at least 922 people giving up their salt lands even before the tax had been imposed.⁴⁸ Even the census of 1872 and that of 1881 aroused suspicion that such enumerations would lead only to further taxation.

In the latter years of the period there was not only the 1881 census but several disturbing changes and increases in taxation. There were the cadastral survey of 1879 with consequent new land revenue settlements, the introduction of supplementary surveys to follow these up, summary enhancements of land revenue in 1879-80, and the doubling of the local cess on this. Partly because of the uneasiness this had caused, a scheme then being considered for abolishing the duty on rice exported by sea and replacing it with a sliding scale assessment on land revenue was dropped. It was considered a more efficient and just mode of taxation than the prevailing one, but as it necessitated removing the existing certainty from taxation, few thought the people would appreciate it.⁴⁹

The main sources of revenue between 1862 and 1885 were still the land and capitation taxes, although customs and excise duties became increasingly important. Revenue from fisheries remained considerable but that from salt dwindled to comparative

⁴⁸ B.R.P., 1860, Ap. No.39.

⁴⁹ I.F.C.P., (Accts. & Fin.), 1885, Jan. No.118 and 132 and Feb.No.221.

insignificance.⁵⁰

The capitation tax retained the same form it had had when it was first introduced into Pegu. Only migrants newly arrived in the province were entirely exempt from the tax and then for only two years. People living in the larger towns were also exempt from it but had to pay in lieu of it a land rate on the value of their allotments. Hill people, however, paid only a nominal annual fee on each family, unless they moved to the plains and assumed economic parity with the bulk of the population. The income tax, introduced after the Mutiny and abolished in 1865, and the licence tax, which lasted from 1867 until 1873, were confined to the larger towns only. Because of this, the capitation tax was increased by 25 per cent in 1861-62.⁵¹ Except for this, the income and licences taxes affected so few people

⁵⁰ Statistics for net revenue demand from 1861-62 to 1885-86 are in thousand rupees:

	1861-62	1865-66	1870-71	1875-76	1880-81	1885-86
Land Revenue	2,614	2,965	3,319	4,451	6,630	7,381
Capitation Tax	1,733	2,102	2,211	2,596	2,906	3,193
Land rate	-	-	136	164	92	97
Fisheries	506	524	661	760	1,391	1,168
Salt	73	51	51	46	44	33
Customs	1,965	1,911	2,848	4,705	5,957	5,766
Excise	790	843	988	1,550	2,414	2,100
Forests	684	903	818	1,837	1,517	1,974
Income Tax	333	13	212	-	-	-
Stamps, Jud.	242	368	474	631	787	938
Stamps, Postage	40	67	206	392	617	665
Marine	285	36	56	84	151	228
Others	215	242	340	292	637	267
Total	9,627	10,023	12,321	21,008	23,143	23,810

from B.B.A.R., 1861-62 - 1880-81 and L.B.A.R., 1885-86.

⁵¹ B.B.A.R., 1861-62, p.17. It was also to compensate for the licence tax on professions not being introduced to British Burma.

in Burma, that their imposition or abolition made comparatively little difference to the mass of the people or to the general revenue.

Throughout the entire period, however, the capitation tax remained subject to considerable criticism. It was regarded as a form of income tax, yet by no means pressed equally on people.⁵² In Tenasserim, for a time the tax was graded according to other taxes paid and the general prosperity of the district.⁵³ Yet for all its disadvantages, the people became accustomed to it and reluctant for any change to be made in it. Colonel Sladen, the commissioner of Arakan, presented the typical Burman attitude to the tax as follows:

If you abolish capitation tax, you are sure to subject us to some new impost. We are accustomed to capitation tax; it does not vary; we know what we have to pay; we are disturbed at the idea of any new tax because there is uncertainty as to amount, time of collection, of inequality in incidence; we would rather pay capitation tax than wait and pay any other uncertain demand, though you say that such new demand is specially designed for our benefit.⁵⁴

⁵²In Arakan prior to 1854 the British administration had objected to the fact that a tax on bachelors was an unjust hardship to them, as most Burmese married, and such bachelors as there were were merely youths living under their fathers' roofs. B.S.B.R.P. 1853, 30th Dec., No.68. Colvin's report of 1853 had, however, aroused the suspicion that the lower rate for bachelors would discourage people from marrying, which in an underpopulated country was considered undesirable. Ibid., 3rd June, No.3 E.

⁵³T.M.A.R., 1858-69, p.612.

⁵⁴I.F.C.P.(Accts. and Fin.), 1885, Jan. No.122.

Land taxation was not regarded as an income tax but as a share by the government in the profits of cultivation for its maintenance. Until the inauguration of the cadastral survey in 1879 government demand was still 20 per cent of gross produce but thereafter in the major surplus paddy-producing districts it was commuted to 50 per cent of net produce.⁵⁵ Yet until a detailed and accurate survey, such as that begun in 1879, was undertaken, with the known inaccuracies of the thagyi and their general ignorance of surveying, there could be little real relation between the theoretical demand of government and the actual taxation paid.⁵⁶ The cadastral survey revealed that sometimes there were discrepancies of as much as 80 and 90 per cent between its own measurements and those of the thagyi.⁵⁷

In such instances and under the new rates government could have doubled and even trebled its current demand. Because of its reluctance to disturb and even antagonise the people, the government ruled, however, that in no case was the new demand to be more than double the old, even when there had been large

⁵⁵ Except in the hilly and sparsely cultivated areas of them. These districts included Han-tha-wadi, Tha-ya-wadi, Prome, Bassein, Henzada, Thōn-gwa, Akyab, and Shwei-gyin. I.F.C.P. (Accts. & Fin.), 1885, Feb. No. 221. There was also a cess on land revenue which was raised from 5 to 10 per cent in the period under review. There was, however, a special rate for fallow land. Garden lands were also included in the cadastral survey.

⁵⁶ Report on Settlement Operations of Hanthawaddy and Bassein Districts, 1879-80, p. 5. See also below.

⁵⁷ More usually the discrepancy was about 20 per cent, but in Henzada in 1885-86 it was found that thagyi's measurements on paddy land were out by 90 per cent and on garden land by

areas unassessed.⁵⁸ Care was also taken to ensure that the net or gross surplus produce, of which government claimed half, was only that which was left after an ample allowance had been made not only for the basic costs of food, clothing, and cultivation, but also for the costs of the capitation tax and pagoda and other religious offerings obligatory on the people.⁵⁹ The size of the holdings, the richness of the soil, and other factors such as distance from markets, were also taken into consideration. The new rates on paddy land ranged between 3 rupees 8 annas and 12 annas an acre.⁶⁰

Prior to the cadastral survey, cultivation had been neither so extensive nor so established as to warrant such a detailed and expensive survey, but by the loose assessments of the past and by generous concessions to cultivators government had encouraged settlement and cultivation.⁶¹ For the first years all immigrants

254 per cent. Report on Settlement Operations in Henzada District, 1885-86, Review, p.2.

⁵⁸Report on Settlement Operations of Hanthawaddy and Bassein Districts, 1879-80, p.12. Such increase in revenue as was yielded by the cadastral survey was as much due to the new areas brought under assessment as to any enhancement of rates. These were raised, however, by as much as 20 per cent in some areas, although in some the rates were reduced.

⁵⁹Ibid., pp.9-11. Cultivation costs included an allowance for cattle mortality and also for hiring labour.

⁶⁰Rates on garden lands ranged between 2 rupees 8 annas and 4 annas an acre.

⁶¹For 1883-84 the settlement and survey charges came to 9,34,077 rupees, almost all of which was considered a new charge since 1878. There had been an increase of 3.98 per cent in revenue demand in areas newly settled. I.F.C.P., (Accts. & Fin.), 1885, Jan. No. 115.

were exempt from land tax.⁶² Moreover, under the long term land revenue settlements arranged in the late 1850's and after, people could extend their cultivation during the limits of the settlements without being required to pay additional revenue on it. These rules were incorporated in the Land and Revenue Act of 1876 but conditions had changed so much that the law was soon out of date and after 1879 the old system was abandoned.⁶³

Cultivation had extended so rapidly that there was less need of providing such incentives for expansion and greater need of regulating it and registering accurately the nature and limits of land tenures. Often these were not clearly defined in the thagyi's registers nor was the status of land occupants - as to whether they were lease-holders, tenants, or grantees. As there was less land available for cultivation, this situation bred more frequent litigation with which the courts were unable to deal until holdings were better defined and more systematically registered. By the introduction of the cadastral survey and provision for supplementary surveys this situation would be eliminated. The new land revenue settlements were then made for fifteen year periods at a settled rate, subject to remission in case of floods or crops failure, but also subject to the proviso

⁶²This was not changed after 1879. The period of exemption varied according to the amount of clearing and drainage that had to be done.

⁶³J. S. Furnivall, An Introduction to the Political Economy of Burma, 2nd ed., (Rangoon, 1938), p.61. By 1880 thagyi were no longer allowed to make grants of land.

that any expansion in the holdings was to be assessed.⁶⁴ The nature and extent of the tenures were all recorded.

Though the old methods of assessment were extremely loose and therefore mostly very generous, the incidence of ~~land~~ tax had been far from even. Under the early system in Arakan large tracts of land from 300 to 400 square miles in area were placed under the same rates, which were imposed according to the estimate of the thagyi of the fertility of the holdings.⁶⁵ Phayre had considered that it was 'only the peculiarly favourable circumstances of the Akyab district which ... (had) ... rendered the system tolerable and concealed from general view its blighting effects on other districts of that province.'⁶⁶ After 1858 a more equitable assessment had been made when the kwīn system of assessment was introduced.⁶⁷ By this areas of between only 50 and 300 acres

⁶⁴ B.B.A.R., 1879-80, p.10. The supplementary survey would record such expansions. More provision had been made for registering land holdings in 1879 when sub-registrars' offices were established at township headquarters under the charge of the township officers. Ibid., 1878-79, p.20.

⁶⁵ Report on Settlement Operations in Bassein and Henzada Districts, 1883-84, pp.14-15. There were 3 rates levied on each 'doon' or area that a yoke of oxen could plough. This was equal to 6¼ acres.

⁶⁶ Quoted in ibid., p.15. This was the system introduced into Tenasserim though at higher rates and later into Pegu.

⁶⁷ Colvin had recommended this in his report of 1853 and Phayre had favoured its introduction even earlier. B.S.B.R.P., 1853, 3rd June, No.3d. A kwīn was a tract, naturally defined by streams of hills with relatively homogeneous soils and conditions, and recognised by the inhabitants. The nearest English equivalent to the kwīn was the 'block'.

were placed under the same rates but, of course, only a field by field survey such as was undertaken in the cadastral survey could eliminate such margins for error as there were still under this system.

Revenue from customs was collected under the same policy as in India. This was designed purely for the raising of revenue. Consequently when import duties were gradually reduced to the point of practical non-existence due to the strength of pressure from Lancashire and other groups in England with vested interests in free trade, the government was forced to rely on increased export duties for customs revenue.⁶⁸ The uniform rate of 10 per cent ad valorem on imported goods, established in 1860, was reduced in 1875 to 5 per cent and in 1882 import duties were abolished.⁶⁹ This meant that although the value of imports by sea rose from 1,24,76,000 rupees in 1861-62 to 5,28,73,388 rupees in 1884-85 in British Burma, the revenue from export duties contributed most to the growth of customs duty.⁷⁰ The major proportion of customs revenue came from the export duty on rice, levied at a rate of

⁶⁸Yaman Govind Kale, Introduction to the Study of Indian Economics, (Poona, 1917), p.23. As revenue from imports became almost negligible and as the subject of the import trade, though important in its effect on the way of life of the people of British Burma, has wider significance in the relations between the two Burmas and in the observation of the commercial treaties of 1862 and 1867, the subject has only been briefly touched upon in the thesis.

⁶⁹B.B.A.R., 1881-82, p.110 and Romesh Dutt, India in the Victorian Age, an economic history of the people, (London, 1904), pp.404-05.

⁷⁰B.B.A.R., 1861-62, p.18 and B.B.A.R., 1884-85, p.cxxiii. The value of imports for the previous year was 6,57,61,000 rupees.

3 annas a maund.⁷¹

Revenue from excise included the receipts from the sale of opium and from the fees paid by licensees of liquor shops. Under the Burmese regime the legal penalty for the use of intoxicants was death, but both alcohol and opium had been consumed liberally and, at times, to excess.⁷² Under the British, excise on alcohol and opium constituted such a substantial proportion of gross provincial revenues that when the increasing consumption was correlated with the growing crime rate and the administration was placed under pressure to restrict it in the 1880's, possibly because of the financial difficulties of the province then, the administration acted only slowly. It expressed concern for 'the comfort, prosperity, and morality of the people' but was reluctant to 'jeopardise' or 'sweep away large sums of annual revenue'.⁷³

⁷¹ A maund - an Indian standard of weight approximately equal to 82 lb. When the abolition of the duty on rice exports and its replacement by a sliding scale on land revenue was under consideration, the rice duty was regarded as being paid indirectly by the cultivator through lower prices from the rice merchants. I.F.C.P., 1885, (Accts. and Fin.), 1885, Feb. No. 221. In 1881 it was estimated that the total taxation paid by agriculturists in British Burma, including capitation tax, land revenue, local cess and rice duty, was approximately 3 rupees 14 annas an acre. B.B.A.R., 1880-81, Intro., p. 16.

⁷² G.E. Harvey, History of Burma, (London, 1925), pp. 314-15.

⁷³ I.J.P., 1884, Oct. Index No. 28 and Nov., Index No. 35. Phayre had been dubious about the advantages to government from sanctioning opium sales in Pegu in 1856-57. He doubted whether the increase in crime and loss of energies of men to the development of the province through opium smoking were worth the relatively small profit from opium sales. P.A.R., 1856-57, pp. 22-23.

From the very first the government attempted to control firmly all sales and licences but opium smuggling both into Burma from Gengal and Upper Burma and into Siam from British Burma was a constant challenge to British control, as was the existence of illicit stills within the province.⁷⁴ Opium, made at government factories in Bengal, was sold at public auction to licensed vendors. Alcohol came from a variety of sources. In 1885 there were four central distilleries at Rangoon, Moulmein, Taungngu, and Bassein and forty-three licensed outstillls for the sale of imported alcohol. Licence fees for that year amounted to 424,750 rupees.⁷⁵ By that date the government was taking stronger measures to control and restrict alcohol and opium consumption. In 1881 the number of opium shops was reduced by half and the price increased by 30 per cent. Alcohol prices were also increased.⁷⁶ And in 1884 an excise commissioner was appointed to control excise matters more systematically.

Revenue from timber also comprised a relatively substantial part in the gross revenue from the province, but unlike excise, which was a relatively stable source of income, dependent on internal consumption and increasing population, revenue from timber was liable to fluctuate because of the sensitivity of the

⁷⁴I.Fin.P. (Rev.), 1866, Ap.No.20 and Oct. No.450, and B.B.A.R., 1870-71, p.46, P. 110.

⁷⁵B.B.A.R., 1884-85, p.59.

⁷⁶Ibid., 1880-81, Intro., p.20 and 1881-82, p.110.

timber trade to world prices. Revenue came not only from timber produced in British Burma but also from that imported from Upper Burma and the Siamese province of Chiengmai.

Because of its conservation policies, government gradually assumed greater control over the industry in British Burma in this period. Initially the government had controlled the girdling of trees for felling but in 1862 it relaxed this control so that in some of the poorer forests leases for a term of years were made and lessees were allowed to arrange their own girdling.⁷⁷ In 1872-73, however, when it was discovered that permit holders were flagrantly abusing the forest rules, the system of permits and leases was abolished and the decision was taken to bring all forests under direct government management.⁷⁸ These included not only teak forests but all others as well. Conservation costs increased considerably thereafter, so that revenue from timber was offset by the comparatively heavy charges associated with the forest department and the establishment of teak plantations. In 1883-84, for instance, although timber revenue increased by 10 lacs of rupees, expenditure on forests increased by 5 lacs.⁷⁹

Revenue from salt came from two main sources - an excise

⁷⁷B.B.A.R., 1861-62, p.34. See also page 200.

⁷⁸Ibid., 1872-73, p.75 and ibid., 1876-77, Intro., p.18. Permit holders had been girdling teak trees in forests leased by other permit holders. A divisional commissioner had been involved in the scandal.

⁷⁹I.F.C.P., (Accts. & Fin.), 1885, Jan. No. 115 and B.B.A.R., 1880-81, Intro. p.25.

duty on the manufacture of salt within the province and an import duty placed on salt imported into the province. The salt tax was not a major source of income and compared with India, the tax was relatively light.⁸⁰ Early in British rule salt had been manufactured extensively all along the coastal periphery of the province, although the Kyauk-hpyu area in Arakan and the Bassein coasts were the main salt-producing areas, from which salt was exported to the rest of the province.⁸¹ Competition from the cheap salt carried as ballast by the rice-trading ships to British Burma and the imposition of the tax on salt manufacturing caused a considerable decline in the local industry, as the province became increasingly reliant on imported salt.⁸²

The government had anticipated this but regarded those displaced from the salt industry as better employed in rice cultivation. In the latter part of the period locally manufactured

⁸⁰ In 1884 the salt tax was levied at the rate of 4½d a maund in British Burma, compared with 4 shillings a maund in India. B.B.A.R. 1883-84, p.71. According to J.S.Furnivall, and W.A.Morrison the lower salt tax in British Burma was due to the fact that the people paid capitation tax. Syrian District Gazetteer, Vol.A, (1914), p.155.

⁸¹ B.B.A.R., 1875-76, p.106. At one stage Kyauk-hpyu had exported salt also to Chittagong.

⁸² In 1880-81 there were 8,562 tons of salt manufactured locally while 56,434 tons were imported. Revenue from the former amounted to 43,650 rupees while that from the latter amounted to 193,390. B.B.A.R., 1880-81, Intro., p.23. By this time Upper Burma was also reliant on imported salt, though in the 1860's it had produced its own salt. A considerable amount of imported salt also found its way through Upper Burma into China and the Shan States.

salt came to be used almost exclusively in the preparation of dried fish, known in Burma as ngapi. Many salt makers moved between rice cultivation and salt-making according to the fluctuations in the rice and local salt markets. In times of good harvest and high rice prices the demand for ngapi and local salt was high, so that salt production tended to be profitable in good years only.

Fisheries yielded a considerable revenue to government each year but the revenue was liable to fluctuate and the entire industry was prone to considerable instability. This was mainly due not only to the vagaries of the ngapi market but also to government administrative and taxation policy. At the beginning of British rule in Burma fishing was practised all along the sea-boards and in the main waterways, although the Thōn-gwa district in the Irrawaddy delta was the major fishing area with its extensive inland and sea fisheries. Because of the extension of cultivation and the embankments policy of the government, the number of fisheries in the Thōn-gwa area was considerably diminished throughout the period, as were many other fisheries in the province. The government regarded this development in much the same light as it had the decline of the local salt making industry - that people were better employed in rice cultivation.⁸³

Moreover, until comparatively late no attempt was made to impose any sort of conservation policy on the fisheries. Under

⁸³B.B.A.R., 1876-77, pp.140-141.

the Burmese/^{regime} fisheries had been under the strict control of the In-thagyī, who was the sole agent for the sale of fish. For a set annual fee of about 1 rupee, the public could take fish for their own consumption but not for sale. No fish traps were allowed in any of the main streams.⁸⁴ During the British regime the annual fee on the general public was removed, as well as the ban on dams in main streams. In Arakan in 1875 there was no taxation on fisheries at all, despite the fact that Kyauk-hpyu was an important salt-making centre and fishing a traditional industry.⁸⁵ By 1878 it was feared that the fisheries would become totally unproductive in a very few years, as even the smallest fish could be used in ngapi production and there were no restrictions on fishing in the breeding season.⁸⁶

The actual revenue from fisheries came from fees for licences for sea-fishing nets and boats and from leases of inland fisheries by professional fishermen. For most of the period these were sold by auction but because of the high demand for fish and the exploitation of the fisheries frequently bidding bore little relation to the actual value of the fisheries.⁸⁷ Consequently government frequently experienced difficulty in

⁸⁴ Francis Day, Report on the Fresh Water Fish and Fisheries of India and Burma, (1873), p.49.

⁸⁵ B.B.A.R., 1861-62, p.17 and I.L.P., 1875, Feb.No.93.

⁸⁶ B.B.A.R., 1877-78, p.53. At times the demand for ngapi was so high that it could be met only by importing dried fish.

⁸⁷ Ibid., 1864-65, p.17 and L.B.A.R., 1885-86, p.54. There was also considerable demand in Upper Burma for ngapi from the south, but this fluctuated according to conditions there.

collecting the revenue due from fisheries and many fishermen were so heavily in debt that in 1881 the government considered 'the total extinction of the industry a possibility.' In order to introduce more stability to the fishing industry and to fisheries revenue, the administration attempted to aid the industry in various ways. Money was advanced to fishermen to help them out of their difficulties, provision was made for storing fish at fishing settlements, and public auctions of fishery leases were mostly abolished.⁸⁸ To eliminate speculation entirely from the industry, fisheries were carefully re-valued and leased on new terms to the existing lessees for periods of five years in 1885-86.⁸⁹

Revenue from local taxes was never very large compared with the sources mentioned above but it was all available for disposal within the province, subject to its being spent on items specified by the government of India.⁹⁰ The principle behind the levying

⁸⁸ B.B.A.R., 1881-82, pp.108-09 and 1882-83, pp.125-6.

⁸⁹ L.B.A.R., 1885-86, p.54. The number of coercive processes taken against fishermen for payment of revenue had declined, however, by this time.

⁹⁰ The revenue from towns not having full municipal status under either the Acts of 1874 or 1884 was included in general local funds, which in 1878 were divided into categories - incorporated local funds and excluded local funds. The former included district and cess funds, while the latter included revenue from towns, posts, cantonments, Dalhousie Park, and the Rangoon Port Trust. B.B.A.R., 1881-82, pp. 121-2. District funds included education fees, rents, ferry tolls and fines. Below are the

of these taxes was the relief of the main revenues from the greater demands placed on them by the expansion of administration. Local funds were spent on items, such as municipal administration, education, public works, postal administration and other comparatively minor but necessary miscellanea of provincial

figures for local revenue between 1867-68 and 1885-86 :

Year	<u>Local Funds Receipts</u>		<u>Municipal Receipts</u>	<u>Total*</u>
	Incorporated Local Rupees	Excluded Local Rupees	Rupees	Rupees
1867-68		9,87,120		9,87,120
1868-89		10,89,120		10,89,120
1869-70		12,20,050		12,20,050
1870-71		10,60,944		10,60,944
1871-72		10,90,790		10,90,790
1872-73		12,94,720		12,94,720
1873-74		14,19,290		14,19,290
1874-75		10,24,170	10,18,950	20,43,120
1875-76		12,10,270	9,58,320	21,68,590
1876-77		15,08,060	10,10,090	25,18,150
1877-78		12,51,430	11,85,120	24,36,550
1878-79	5,44,740	9,04,050	10,88,910	25,37,700
1879-80	5,95,320	10,27,620	12,79,200	29,02,140
1880-81	7,66,550	10,86,120	21,19,600	39,72,270
1881-82	10,20,780	13,08,460	19,60,020+	42,89,260
1882-83	9,67,360	7,69,600	17,56,190	34,93,150
1883-84	11,97,250	5,86,280	24,82,160	42,65,690
1884-85	10,62,030	5,45,250	21,52,600	37,03,040
1885-86	9,09,220	5,67,340	22,26,480	37,03,040

Compiled from B.B.A.R., 1867-68 to 1884-85, and L.B.A.R., 1885-86. This can only be regarded as an approximation, as within reports there are frequently two different sets of figures, particularly for municipalities, and between reports of different years there are often discrepancies also.

*Added J.N.

+Rangoon Municipality ceased to bank with the government from 1st January, 1882.

administration.

Local taxes had been collected by executive order in the major towns of Pegu soon after its annexation. They were expended on town police, drainage, conservancy, and street repairs. Before the introduction of the first Municipal Act for British Burma in 1874 there were forty-five towns paying special rates, including tax on the area of land covered by buildings, rents from bazaars and market stalls, and various licences such as those for passenger boats, carriages, and carts.⁹¹ A further source of local funds was created in 1866-67 with the imposition of a local cess of 5 per cent on land and fisheries revenue.⁹² This was doubled in 1879. More funds were also made available for local expenditure after the passage of the municipal legislation of 1874 and 1884.

Under the orders of the government of India, the revenue from the local cess fund on land and fisheries was divided into set proportions for expenditure on specified items. The allocations were made according to the importance of each; thus over half went to rural police and the rest was divided on education, public works, district posts and the local hospital fund.⁹³ Such allocations were due to the administrative priorities of the government of India, public works and education being considered much

⁹¹B.B.A.R., 1872-73, Intro., p.13. Nineteen of these towns had a population of over 5,000.

⁹²Ibid., 1866-67, p.49.

⁹³I.Fin.P., (Expend.), 1870, Feb. No.65. Eleven tenths of the cess went to rural police and one-fifth back to public works and education.

less items of obligatory expenditure than rural police.⁹⁴ Within such a framework of priorities the administration of British Burma had to develop.

⁹⁴I.Fin.P.(Accts.), 1872, July, No.32.

Chapter IV

THE DEVELOPMENT OF DEPARTMENTAL

ADMINISTRATION - 1862-1885

While the basic objectives of British administration throughout the nineteenth century were the comparatively negative ones of the maintenance of law and order, the waning of the influence of laissez-faire as a political and economic philosophy in the latter half of the century led the government of India to assume growing responsibility for the material welfare of its subjects - by framing policies for famines and rural indebtedness, and wider education. As this was accompanied by a general widening of administrative interests, the enlargement of the administrative organisation of the government of India was necessitated. This entailed not only the appointment of more personnel with more specialised knowledge but also some reorganisation of the old system of administration. As this coincided, at least in British Burma, with an expansion in executive and judicial work, there was even greater need for such a reorganisation of the administrative structure. It was effected largely by the creation of separate departments with specialist functions and all controlled centrally - first from provincial headquarters and finally from the central administrative headquarters of all British India. By 1885 there were in British Burma departments of education, public works, forestry, and agriculture, a medical service combined with the prison service, a separate railway establishment,

and a growing judicial department. There were also separated departments of accounts, of telegraphs, of ports and customs, and of postal services, as well as several other smaller departments.¹

Such developments necessarily had repercussions on the roles and responsibilities of the executive officials, as officials from most departments were appointed in all districts. At district level, however, the deputy commissioner retained his supremacy of authority in all matters occurring within the district and the chief commissioner remained the supreme authority in the province in all aspects of administration until 1872 when he was relieved of his judicial duties with the appointment of a special judicial commissioner. The latter came to head what amounted almost to a separate judicial department, as there was a growing number of purely judicial officials appointed within the province. There was not, however, complete separation of judicial and executive functions, especially at district level and below. Although the debate in India at this time on the desirability of continuing to combine executive and judicial powers in one official affected British Burma, it had comparatively little to do with the development of a separate judicial department.²

The Judiciary The growth of the judicial establishment in British Burma stemmed from two main causes.

¹ Only the major departments are discussed below, with the exception of the police department. This is dealt with in a separate chapter.

² This is discussed further in the next chapter.

The growing number of Europeans and other non-indigenes involved in commercial activity in the province necessitated the provision of adequate judicial facilities for them. And the consolidation and expansion of administration brought the ~~needed~~ for greater conformity of rulings in the lower courts with the established judicial codes, especially as more responsibility was delegated to indigenous officials by the end of the period. This led to the situation where the work of the judicial establishment was divided between its supervisory role and its purely judicial role.

The appointment of specifically judicial officials was begun in 1859 when a deputy judicial commissioner was appointed in Rangoon to relieve the deputy commissioner of the heavy judicial work accumulating through the large community of Europeans engaged in commercial activities there. Until the appointment of a judicial commissioner in 1872 all other specifically judicial appointments were piecemeal ones, made in the attempt to alleviate the growing pressure of judicial work on executive officials in the large seaport towns. In 1863 the deputy judicial commissionership of Rangoon was abolished and replaced by recorders' courts at Rangoon and Moulmein under Act XXI of that year.³ Although the act allowed for the appointment of three recorders, initially only one, the former

³I.F.P.(Pol.), 1862, Sept., No.192. Registrars were also appointed at the three main ports and dealt with small causes.

deputy judicial commissioner of Rangoon, was appointed. The inadequacies of having a peripatetic recorder travelling to and from Rangoon and Moulmein prompted the chief commissioner to recommend in 1864 the appointment of the two other recorders.⁴ It was not, however, till 1866 that a second recorder was appointed for Moulmein, the government of India deciding that Akyab had no need for one.

Although the Burma Courts Act of 1872 catered further for the needs of the commercial community, the appointment of a judicial commissioner was of considerable administrative and constitutional importance. Not only was the chief commissioner, as chief executive official relieved from the burden of judicial work and from the embarrassment of being 'in many cases a Judge in his own cause'; it also provided the mechanism for a constitutional countercheck to executive actions at provincial level.⁵ The latter was also to be the cause of some embarrassment to the executive, as in the 1880's when there were several instances of conflict between executive and judiciary.⁶ The appointment

⁴I.F.P.(Jud.), 1864, May, No.30.

⁵I.J.P., 1870, Jan. Index No. 84.

⁶In 1882 there was a regrading of extra assistant commissioners with a changed system of nomenclature. As the words of the Burma Courts Act of 1873 had not been altered to meet the new circumstances, the judicial commissioner challenged the legality of their courts even though such an action threatened to disrupt the flow of regular administration. (I.J.P., 1883, Sept. Index Nos.213 and 219). In 1883 a thagyi was given, in exceptional circumstances, judicial powers to handle civil cases up to the value of 150 rupees. The judicial commissioner again questioned

of a judicial commissioner also enabled much more thorough supervision of the lower courts than had been possible before, when this was the responsibility of the chief commissioner.

The Act of 1872 also provided for the replacement of the recorder of Moulmein by a judge and the establishment of a court of small causes in Akyab. A Special Court, consisting of the judicial commissioner and the recorder of Rangoon, was also created, chiefly for hearing appeals from the judge of Moulmein.⁷ Two other courts were created with the powers of a high court. These were the court of the judicial commissioner, which was the high court of appeal, of reference, and of revision for the whole province outside Rangoon, and the court of the recorder, which was a high court for European British subjects throughout Burma and disposed of all civil cases in the town of Rangoon, except for small causes which were dealt with in the small cause court of Rangoon.⁸

the legality of the action, despite the fact that sanction had been given to the appointment by the government of India. The chief commissioner was forced to apply for a special clause of amendment to the Burma Courts Act giving him the power 'to appoint any person he pleases to preside in any Civil Court subordinate to the Judicial Commissioner'. (I.J.P., Index Nos. 170 and 172 and B.H.P., 1884, Feb. Index No. 1.) The judicial commissioner's ruling in 1885 that magistrates with first class powers were not subordinate to deputy commissioners in judicial procedure was regarded by the chief commissioner as possibly weakening the executive supremacy held by the deputy commissioners at district level. The matter was referred to the government of India and the judicial commissioner was upheld. (B.H.P., 1885, Mch. Index Nos. 1 and 8).

⁷B.B.A.R., 1872-73, p. 11.

⁸Ibid., 1882-83, p. 7.

The existence of three high courts in Burma and the apparent need of a chief court had caused some unease in 1872 but the financial difficulties of the government of India at the time precluded the establishment of a better arrangement.⁹ Mr. Chapman, a member of the Indian Legislative Council, had expressed then the hope that the incongruous yoking together of the recorder and judicial commissioner in a Special Court did not upset the coach.¹⁰ Although this did not happen, the two did not run together completely harmoniously and by 1880 there was considerable agitation for a reorganisation of the high courts of the province and the establishment of a chief court. The Burma Courts Act of 1872 had been revised in 1875, chiefly to allow the appointment of a second judge to the Rangoon court of small causes, a Burman, and there had been further amendment in 1880.¹¹ The basic cause of contention remained. The fact that the judicial commissioner and recorder had to sit, on occasion, to try cases of appeal on their own decisions in a lower court gave little satisfaction to anyone. Further appeals for criminal cases against European British subjects and for certain civil cases could be lodged only with the High Court of Fort William in Calcutta. This was both expensive and time-consuming.¹²

⁹ John Jardine, 'A Chief Court for Lower Burma', A.Q.R., 3rd Series, Vol. IX, No. 10, Apr. 1900, p. 283

¹⁰ I.L.P., 1872, May No. 501.

¹¹ B.H.P., 1877, Aug. Index No. 4 and Note on the principal measures of administration under consideration in the Home Department of the Government of India during the viceroyalty of the Marquis of Ripon, (1884), (B.M.I.S., 290/13), p. 63.

The remaining half decade of the period under review was filled with plans for removing the anomalies in the high court system of the province. Most of the difficulty lay in the need for providing adequately for the dual functions of the judicial commissioner - as judge and supervisor of judicial administration. By the 1880's the judicial commissioner had acquired the character more of a minister of justice than of an English appellate law court judge.¹³ The process of according Burman officials more responsibility in administration was then gathering momentum and necessitated much more careful supervision of their judicial work by the judicial commissioner. Furthermore the experiment of appointing benches of honorary magistrates in all municipal towns to exercise summary jurisdiction in minor cases also required careful supervision and guidance.¹⁴ Moreover the increase in the crime rate caused the executive to place greater pressure on the judicial commissioner to ensure that all subordinate courts meted out the correct judgments to deter criminals and would-be law-breakers from their course.

By 1883 the pressure of judicial and appellate work had become so great that temporary additional recorders had to be appointed from time to time.¹⁵ Both Sir Charles Aitchison

¹² I.J.P., 1882, Feb. Index No.46, No.91.

¹³ B.H.P., 1883, Dec. Index No.4. The registrars of this time were concerned only with work of a ministerial nature.

¹⁴ B.B.C.J.R., 1880, Resolution.

¹⁵ B.H.P., 1884, Feb. Index No.6, Prog. 3.

(1878-1880) and his successor, Charles Bernard, (1880-83, 1884-87) had submitted plans for reform based on a chief court composed of three judges. Both of these were rejected and the period closed with the province awaiting the outcome of the submission by the government of India to the Secretary of State of a modified version of a plan of reform proposed by Bernard's successor, Charles Crosthwaite (1883-84). In this the chief court was to be composed of four judges, two of whom were to be barristers and others either members of the British Burma Commission with experience as district judges or as commissioners of the divisions. One of the latter was to continue the work of supervising and inspecting the courts of the interior of the province.¹⁶ It was not until the opening of the new century that a chief court was provided for British Burma, then known as Lower Burma.¹⁷

Until the system of providing thorough supervision of the courts of indigenous officials was developed, the effect of the expanding British judicial system on the indigenous people was limited. Many of them still preferred to have recourse to the traditional methods of arbitration outside the established courts.¹⁸ Even within them, so long as the Burman officials were ignorant of British law, the judgments of the lower courts were made within

¹⁶ Note on the principal measures during the viceroyalty of the Marquis of Ripon, pp.66-67.

¹⁷ John Jardine, op.cit., p.279. A Bill had been introduced on the basis of Crosthwaite's suggestion but had been abandoned because the scheme was too costly.

¹⁸ I.J.P., 1870, Jan. Index No.84 and 1875, Sept. Index No.19.

the Burmese legal traditions. Once indigenous officials were expected to become familiar with British law and translations of the various codes were made available, the British judicial system began to make a greater impact, particularly as these developments coincided with the growth of a comprehensive system of inspection and supervision by the superior judicial officials, headed by the judicial commissioner, who normally had a legal background.

The fundamental difference between the Burmese legal traditions and the British was the fact that the former contained sanctions that were customary and adaptable to compromise for individual circumstances, while the latter stemmed from a fixed written law, unvarying and impartial to all circumstances and conditions. The existence of the Damathat served to confuse the British who regarded them as fixed codes of law instead of being merely rules of conduct.¹⁹ Until 1878 only one Damathat, the Manu-gye, had been translated into English. This had been done as early as 1847 by a Dr. Richardson. This remained the sole book of reference for the British in matters relating to Burmese law for most of the period under review. It provided the basic reference in the code of Burmese law on marriage, inheritance, titles to land and other aspects of indigenous law, published by Major Sparks in 1860. Deciding that the Manu-gye

¹⁹J.S.Furnivall, Colonial Policy and Practice, (Cambridge, 1948), pp. 132-4.

was mostly out of date, he had attempted to combine the written law with the local customs, on the assumption that recent Burmese codifiers had dealt only with written law and had ignored local custom altogether.²⁰ Because of this, it was widely believed that the Burmese had never attempted to compile a complete code of current law. Furthermore, the wide discrepancies within the texts and between one damathat and another, due to the fact that they had been written over wide periods of time to meet the changing needs of society and that they described special contracts and compromises, also contributed to British confusion.

Not until towards the end of the period under review was there a greater appreciation and understanding of the Burmese legal system. The observation of the British agent in the Mixed Court at Mān-dalēi of the Burmese legal system in action as well as the greater interest displayed in Burmese legal and other customs by people, such as the archaeologist, E. Forchhammer, and the judicial commissioner, John Jardine, helped create a more favourable environment. Jardine's close study of Burmese law in 1882 revealed many British misconceptions about it. By this time, however, British attitudes towards Burmese law were becoming entrenched by being confirmed and upheld by the courts. Moreover,

²⁰ John Jardine, Notes on Buddhist Law, (1882), Pt.v., p.1. The Manu-wun-nana Damathat was translated in 1878.

there was a decided preference for the rationality and certainty of the British judicial system.²¹

Furthermore, the development of a commercial economy and the legislative connexion with India facilitated the encroachment of British law and legal interpretation on Burmese customary law. Laws relating to land had been among the first to be defined and codified. Later John Jardine considered,

The greater portion of the Burmese law is now abrogated. British Indian statutes of general incidence make up the law of crimes, procedure, evidence, contract, and relief in equity. Tort and damages are dealt with on English principles. Adultery is a penal offence, and slavery is abolished. Privileges and sumptuary laws are done away with.²²

In addition to this, the British courts confirmed new and differing practices, such as the compound interest system. Under the Burmese regime rates of interest were fixed by law, so that they could not exceed prescribed limits. Interest on gold and

²¹ See T.P.Sparks, Select Decisions of the District Court of Rangoon, 1859-1860, (Rangoon, 1862), p.108. In 1873 when the fisheries of British Burma were under review, the chief commissioner, Ashley Eden, (1871-75), had dismissed the idea of being influenced by practice in Upper Burma. He believed that 'there nothing is settled or certain; the administration of the country is without method or system, and practically the only right is might ... it is hardly he hoped the intention of the Government of India to introduce practices into Lower Burma because they may be found to exist in Upper Burma ...' I.L.P., 1875, Feb. No.93.

²² Introduction and Notes to A Description of the Burmese Empire, 5th ed. (by Father Vincentius Sangermano, London and Santiago de Compostela, 1966). p.299.

silver could not accumulate beyond the principal though interest on grain could be fourfold the principal.^{22a} This was to have bearing on the economic changes that occurred in the province towards the end of the period when land speculation, absentee-landlordism, and agricultural indebtedness became increasingly prevalent.

Education Until 1866 there was no separate education department in British Burma and no comprehensive scheme for general education. Government schools had initially been established at Akyab, Ramree, and Moulmein to provide a local source of clerks and surveyors. These were Anglo-vernacular schools. No attempt was made to establish government vernacular schools or classes until 1856 when a government school was opened at Rangoon with only a third of the school learning English. Because of competition from the number of small private and missionary schools which soon sprang into existence to meet the growing demand for English, there was a consequent lack

^{22a}Maung Htin Aung, Burmese Law Tales - the legal element in Burmese folklore, (London, 1962), pp.33-34 and G.E.Harvey, British Rule in Burma, 1824-1942, (London, 1946), p.54.

of patronage for the government schools which were soon forced to become anglo-vernacular too.²³

At this stage the government tended to rely mainly on the various mission schools rather than on its own for the propagation of the principles of European education. The number of government schools dwindled to three after the closure of the Rangoon government school in 1862.²⁴ For want of a general plan of its own for vernacular education, the government was also forced to support mission efforts in the interior by grants-in-aid.²⁵

The fact that proselytisation was the main purpose of mission education made government support somewhat inconsistent with the general policy of neutrality in religious matters adopted after 1857 by the government of India. Furthermore, the majority of mission schools were for a minority of people, the Karens, as the Burmese proved highly resistant to efforts of conversion. These were Karen language schools. Not until 1864 when Major Laurie was appointed as inspector of the seaport town schools was any definite effort made to increase government participation in and surveillance of education. Measures were also taken to introduce to the kyauung of more rural areas books

²³ P.A.R., 1855-56, p.28 and ibid., 1858-59, p.584. It was originally planned to have only a third of the school learning English.

²⁴ B.B.A.R., 1862-63, p.22. Attendance at the Moulmein government school had become so poor that its closure was also considered.

²⁵ Ibid., 1861-62, pp.20-21. Government aid amounted at this stage to several thousands of rupees.

in Burmese of an elementary standard on such utilitarian subjects as western-style arithmetic and land-measuring.²⁶ It could perhaps be argued that such a step was an equally dubious interpretation of British neutrality towards religious and social institutions but it was little more than a continuation of the process by which the British adapted indigenous institutions to their own ends.

The education department was founded, in fact, on such principles as had already been established in education policy in British Burma. These, being largely derived from education theories prevailing in British India, were, in turn, based on Macaulay's 'filtration theory' and on the principles contained in Sir Charles Wood's despatch of 1854. The scheme of education for British Burma was developed by Phayre in a series of letters to the government of India between 1864 and 1866.²⁷ The whole system was to be based on the monastic schools. By inducing the hpon-gyi to accept books supplied by the government on subjects not taught by them, such as geography and land-measuring, and to accept the help of visiting circuit teachers in using the books, 'the great cause of sound European education' was to be furthered and the system of education in the Kyāung improved.²⁸

²⁶ Ibid., 1864-65, p.21. Although the Burmese system of arithmetic produced the same results as the British one, the British disapproved of the former and tried to replace it with their own.

²⁷ The scheme had been germinating since at least 1859. I.F.P.P., 1859, 30th Sept., No.269.

²⁸ I.F.P.(Accts.), 1866, Jan.No.544, and U Kaung, 'A Survey of the

Such a scheme supporting the existing monastic schools had the attractive advantage, especially for Phayre, of being the most economic plan as no new buildings would need to be provided.²⁹ Phayre also undoubtedly wished to allow the element of continuity in education which he had endeavoured to preserve in other aspects of administration. In this way the new learning would be introduced in the least disruptive manner possible and the monks would be left as the agents of education they had been in the past.

Any idea of founding government vernacular schools in every village was rejected for fear such would be considered antagonistic to the monasteries. Only at the principal towns were central Anglo-vernacular schools to be established. English was to be the main language of instruction there, though Burmese was not to be neglected. These schools were 'to spread abroad knowledge, and the desire for increased knowledge', as well as to testify to the good will of the British government in this respect.³⁰

History of Education in Burma before the British Conquest and After', J.B.R.S., Vol. XLVI, Pt. II, Dec. 1963, p. 80.

²⁹ This also conformed with the requirements specified in Wood's despatch which recommended a more comprehensive and systematic promotion of general education through the vernacular. Wood had specified that 'no Government Colleges or Schools are to be founded where a sufficient number of institutions exist capable, with the aid of Government, of meeting the local demands for education; but new schools ... are to be established and temporarily maintained when there is little or no prospect of adequate local effort being made to meet local requirements. Yaman Govind Kale, op.cit., p. 228.

³⁰ I.F.P., (Accts.), 1866, Jan. No. 544.

Mission schools were still to be supported by grants-in-aid.

Vernacular Education after 1866 Phayre stressed that the success of the scheme for vernacular education rested on the manner in which it was carried out. He attached great significance to the appointment of a director of education endowed with sufficient tact and sympathy to enlist the co-operation of the hpōn-gyī. He recommended for the position a Mr. Hough, who had been in the province for ten years or more and whom Phayre considered to have the requisite qualities for the position.³¹ Later critics, notably Hough's successor, Peter Horder, pointed out that the weakness of Phayre's scheme lay in the fact that it pivoted on the necessity of one man possessing the qualities that 'disarmed prejudice among the Elders of the monasteries' and 'inspired an awakening interest among the younger members'.³² The death of Hough not long after his assumption of duties, the virtual impossibility of procuring anyone with his capacities to replace him, and the retirement of Phayre from Burma necessitated a reappraisal of Phayre's scheme for vernacular education and for advancing the cause of general western education.

³¹ B.B.R.P.I., 1868-69, Appendix C.

³² Ibid., 1867-68, p.10.

Hordern believed that the concepts on which western education and hpon-gyī kyāung education were founded were fundamentally opposed. Of the kyāung, he wrote,

It is a school for the education of the character not of the intellect, and it is the principle of the superiority of the moral to the intellectual, pushed to the extreme of denying the value of wisdom at all, which governs the Monastic School.³³

Pointing out that there was no examination standard for those who wore the yellow robe and taught the Buddhist boys, Hordern favoured the promotion of the growing number of village lay schools.³⁴ That they had no prejudice against accepting girls was a further factor in favour of Hordern's argument. Furthermore, he believed that in advocating the cause of the lay schools, he was not advocating the ruin of the monastic schools, which were purely religious. He thought the time when the monastic schools could offer an extended and improved curriculum lay in the future, when a system of sound secular education had taken root in the country and when a consequent rise in the intelligence of the monastic community had taken place.³⁵

As a result of this, subsequent government efforts to foster a system of vernacular education in British Burma were to be directed towards incorporating both the monastic and the lay schools

³³ Ibid., p.56. Hordern was influenced by the Roman Catholic Bishop Bigandet in his scepticism of the educational value of the Buddhist kyāung.

³⁴ These were originally founded by pious lay men and women. Although their numbers were originally very small, they had grown considerably by 1886. Mīn-don's examination system did not apply in kyāung of British Burma.

³⁵ B.B.R.P.I., 1867-68, pp.62-63. U Kaung suspected that the

into its education system. The immediate outcome of Hordern's stand in 1868 was that the government of India directed that both schemes of vernacular education be implemented at the same time. Gradually, however, Phayre's scheme was modified until both monastic and lay schools were placed on the same footing in government vernacular education policy. This was implemented somewhat fitfully largely because of the periodic retrenchments in expenditure necessitated by the various financial crises of the government of India. The consistency of policy also varied to some extent. This was because of the frequent changes of the persons who were chief commissioner and director of public instruction and because their interests and beliefs varied considerably in the degree to which they shared Hordern's beliefs or inclined towards Phayre's for the best means of establishing a viable system of British vernacular education in the province.³⁶

British education officers, except for John Nesfield (see page knew nothing of Pali education at the monastic schools. Op.cit., p.76.

³⁶ For instance, John Nesfield, who acted as officiating director of public instruction while Hordern was away on leave from the province between 1871 and 1873, held ideas quite the opposite to Hordern's about kyāung education. B.B.R.P.I., 1871-72, p.iii. Nor did Ashley Eden (1871-75) always agree as chief commissioner with Hordern or Nesfield in education policy. And Eden, who had favoured the continued survival of the kyāung (see below), was succeeded by Rivers Thompson (1875-78), who saw no reason to regret the passing of the kyāung if lay schools were to take their place. B.B.A.R., 1875-76, p.130. The varying degree of ignorance or knowledge about Burma and the kyāung by officials was also reflected in vernacular education policy. An example of misunderstanding caused through this was Peter Hordern's belief that badin was the type of arithmetic taught in the hpongyi kyaung. While correct in claiming that the strictest orthodox hpon-gyi disfavoured badin, he was unaware that badin

During the chief commissionership of Ashley Eden (1871-1875) a major departure was taken from Phayre's original scheme for vernacular education policy. Eden regarded the system of general education existing in the kyāung as far in advance of any in India and urged their encouragement if only to ensure their continuance.³⁷ He did, however, believe that they could benefit from some modernisation but considered that pressure for this should be exerted by the people themselves rather than by the government. For this reason he was willing to accept Horder's proposal of making grants-in-aid according to the results of yearly examinations in kyāung where the hpōn-gyī consented to such examinations.³⁸ These examinations were to be carried out by deputy inspectors who were to take the place of the four circuit teachers appointed under Phayre's scheme. Unlike the latter, they were to inspect not only the kyāung but also the lay schools and any mission schools which invited inspection.³⁹ For those

was the word for astrology and calculations upon the stars and as such, anathema to Buddhism. The arithmetic taught in the schools had no connexion with this. P.Horder, 'Buddhist Schools in Burmah', Fraser's Magazine, Vol.XVI, 1877, p.630 and B.B.R.P.I. 1870-71, Appendix xvi.

³⁷ B.B.R.P.I., 1871-72, pp.ii & iii and 1870-71, p.xi.

³⁸ A scheme was devised whereby kyāung could benefit from money endowments, as the vows of the hpōn-gyī had made this impossible before. Lay patrons were then enabled to handle such endowments, although grants of books were still continued in the new grants-in-aid system. Alfred Croft, Review of Education in 1886 with special reference to the Report of the Education Commission, (Calcutta, 1886), p.205.

desiring to go beyond the course of instruction given in the monasteries Eden favoured the founding of higher class vernacular schools in the larger towns, rather than forcing the monasteries into a pace with which they could not keep up. Normal classes were also begun in Rangoon to supply teachers for these schools.⁴⁰ Later government began to open its own lower class vernacular schools in areas where the indigenous schools were considered by the education department to be incapable of meeting the education requirements of the locality.⁴¹

From then on government policy for vernacular education developed largely on these lines. By 1885 over 5,000 vernacular schools with over 150,000 children were being inspected by the government.⁴² Although this was nearly twice as many as reported in the census of 1881, this represented an increase in government inspection rather than any major spread of British education.⁴³ In 1882-83 only 0.1 per cent of the pupils at

³⁹ B.B.R.P.I., 1870-71, p.vi. British Burma was one of the last provinces in British India to have a staff of inspectors, as in 1869 the North West Province had 197, Bengal 52, and the Punjab 37. Ibid., 1868-69, p.iv.

⁴⁰ Ibid., 1871-72, p.iii. Kyāung could also send pupils there to train as future masters for the kyāung.

⁴¹ B.H.P., 1884, Feb. Index No. 16. It was still government policy, however, not to open new schools in opposition to existing schools, which were capable of 'development' with the aid of government.

⁴² L.B.A.R., 1885-86, p.67. The types of government education aid available are clearly listed in B.B.A.R., 1882-83, pp.145-147.

⁴³ B.B.C.R., 1881, p.58. In all 88,553 children were then attending schools under government inspection.

vernacular schools succeeded in passing one of the prescribed examinations, even though standards had been lowered in the previous year. Furthermore, less than one-third of the schools inspected were able to qualify for any grant.⁴⁴ Most children were still educated at the kyāung but in 1881 only 518 kyāung were actually receiving government grants, though 2,645 kyāung with 65,320 pupils were under government inspection.⁴⁵ Only 196 lay schools were then receiving government grants but these schools, particularly those in the towns, were more receptive than the kyāung to government education policy and obtained a higher percentage of examination passes. In 1879-80 12 per cent of the pupils at lay schools earned government 'rewards', compared with 2 per cent of pupils at kyāung.⁴⁶

The reasons for this limited success of government vernacular education policy were several. On the whole people were reluctant to abandon their own system of education unless they were sure their children would receive an education which would secure them a coveted position in the administration. This, to some extent, explained the increase in the number of lay schools but it was the Anglo-vernacular schools which attracted most indigen-

⁴⁴ B.B.A.R., 1881-82, p.131 and 1882-83, p.149.

⁴⁵ B.B.C.R., 1881, p.58.

⁴⁶ B.B.A.R., 1879-80, p.102 and Alfred Croft, Review of Education in 1886 with special reference to the Report of the Education Commission, (Calcutta, 1886), p.205.

ous support because of the predominance of English in the curriculum there. Moreover, it was mostly the townspeople and government officials who were interested in British education, rural people, indeed, seeming to have often only seasonal interest even in kyāung education.⁴⁷ For this reason, Eden's attempt to establish superior vernacular schools in the main towns met with little success. Only one of the ten schools established, that at Henzada, remained as it was intended; the others all became Anglo-vernacular schools.⁴⁸

Had the hpōn-gyī not suffered a moral and intellectual decline following the loss of the discipline and stimulus of the Mān-dalēi Buddhist primate and the development of anarchy within their ranks, the hpōn-gyī could perhaps have reacted more coherently and positively to British pressure on their education than they did.⁴⁹ As it was, it seemed there was a general decline in the traditional education given in the Kyāung.

⁴⁷ B.B.R.P.I., 1870-71, Appendix xvi and B.H.P., 1873, Nov. Index No. 78. Education was free in the kyāung and people were reluctant to pay the fees required in lay and government schools unless the education could be put to some practical use.

⁴⁸ B.B.A.R., 1878-79, p. 82. The government considered closing them as they were not filling the role for which they were established. They were, however, finally transferred from the charge of the district cess funds to that of the town funds, as it seemed unfair that country people should pay for what benefitted the townspeople only.

⁴⁹ B.B.R.P.I., 1870-71, p. xii and C.J.F.S. Forbes, British Burma and its People, (London, 1878), pp. 325-26. The British refused to recognise the Buddhist code and so prevented the appointment of a supreme Buddhist authority in the province with disciplinary powers over the hpōn-gyī. Such guidance as they had still came from Mān-dalēi.

The census of 1881 revealed that in the districts where the birth place statistics indicated that large numbers of immigrants from Upper Burma had settled, the proportion of people able to read and write was greatest. This was attributed to the fact that 'the phongyees [there] maintain their hold with a firmer grasp than they do here' so that the people of the Burmese kingdom were 'already on the average better educated than the Burmese of the English province.'⁵⁰

The government's system of inspecting kyāung instead of inspiring innovation, frequently gave only offence. As John Nesfield pointed out, in Burma hpōn-gyī were primarily priests and only secondarily school teachers while inspectors were laymen, often aliens in race and creed, and certainly regarded as inferior socially, notwithstanding their official capacity.⁵¹ And although most kyāung reacted conservatively and negatively to British efforts thus remaining beyond their direct influence, such kyāung as did co-operate with government education policy

⁵⁰ B.B.C.R., 1881, p.63. James Low noticed a similar development in early British Tenasserim when many hpōn-gyī there became lax in the observation of Buddhist precepts, because of their removal from the discipline of the Burmese capital. 'History of Tenasserim', Jnl.of the Asiatic Society, Vol.II, 1836, Cpt.V, pp.327-30.

⁵¹ B.B.R.P.I., 1871-72, p.51 and B.H.P., 1872, Aug.Index No.116. It was urged on all examiners and inspectors that they were admitted to the kyāung 'by courtesy and not by right.'

had difficulty in reconciling the basic conflict between their philosophy and that of the administration.⁵²

Higher education Monastic and lay schools, while providing the basic education for the population as a whole, were also regarded as feeders to the Anglo-vernacular schools. The former, according to the general system of classification established throughout British India by 1886, were classified as primary schools while the latter were mostly middle stage (secondary) and high schools. But in Burma, at least, the system of classification retained elements of the original system when schools were classified according to the class of people who used them. Thus town schools were middle

⁵²This was especially so in the case of geography, although undoubtedly the difference in economic concepts was also important. A visiting Russian orientalist, I.P.Minayeff, commented, 'the monk, who was yesterday bragging about the geographical map in the school, does not suspect what kind of poison he has brought into his monastery; the boys looking at this map will learn to lose faith in the truth of the words of the Great Teacher: in vain they will search for Sumeru and Jambudwipa on this map and no kind of resourcefulness and no manner of jesuitism can reconcile the inconsistency between the truth and the geographical testimony of the three pitakas'. Travels in and Diaries of India and Burma, (Calcutta, 1962), p.185.

class schools and the vernacular schools were the lower class schools, catering for the masses.⁵³ Some of the former were government schools but most were mission schools aided by government grants.⁵⁴

It was the middle class schools which imbibed most of the principles of British education policy. Both government and middle classes benefitted from this. The former came to recruit most of its indigenous personnel from the middle state and high schools. The examination system, introduced into all schools in the government system, ensured that some standards were reached and as the curriculum was virtually geared to the needs of the administration, after 1879 the administration came to prefer successful examination candidates for government positions.⁵⁵ The middle class, by complying with government

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A few vernacular schools were, however, classified as middle class schools and a few Anglo-vernacular schools as primary schools. Despite British comments on 'the classlessness of Burman society', it would seem that indigenous officials, at least, were almost a class separate from the rest of society. See B.S.B.R.P., 1853, 9th Dec., No. 65. Mi Mi Khaing claimed that under the British regime the officials of the Burma Civil Service, Class II, became a type of upper middle class. Burmese Family, (London, N.Y., and Toronto, 1946), p. 18.

54 There were 37 aided secondary schools in 1885-86 as opposed to eighteen managed by the education department or local government. Alfred Croft, op.cit., p. 163.

55 B.B.A.R., 1879-80, p. 103. Arithmetic, mensuration, and geography remained the main subjects in government schools at most levels, with English important in the Anglo-vernacular schools.

educational requirements, were thus able to preserve their traditional positions of prestige and importance. Because of the greater emphasis on success in examinations and on a knowledge of English to qualify for the administration, the transfer in the 1880's to the new municipal committee of all responsibility for education in the municipalities, except for Rangoon High School, was followed by such a growth in the number of middle grade schools that there was little revenue left for improving the primary schools. This brought the intervention of the chief commissioner, Charles Crosthwaite, who commented on the folly of 'starving or leaving unimproved the primary schools' in the towns.⁵⁶

By the end of the period under review there were high schools in the four largest towns and Rangoon High School had been given collegiate status and affiliated with Calcutta University as Rangoon College under the control of an Educational Syndicate. Composed of representatives of the main educational bodies in the province, the government, the missionaries, and the hpon-gyi, this had been established in 1881 to organise and control public examinations and advise on curricula and text books. In 1886, however, it was given corporate status under Act XXI of 1860 to undertake its new role of managing Rangoon College, which was the origin of the later Rangoon University.⁵⁷ By 1886 a score

⁵⁶ B.H.P., 1884, May Index No. 16.

⁵⁷ B.B.A.R., 1881-82, p.132; L.B.A.R., 1885-86, p.68; and John Jardine, 'A University for Burma', A.Q.R., 2nd Series, Vol.VII, No.13, Jan. 1894, pp.72-73.

or so of boys, the majority Europeans, had matriculated but apparently only one received a B.A. In fact, the percentage of children at higher grade schools was low, there being at the end of the period only 0.1 per cent of pupils at schools on government lists at high schools and 1.1 per cent at middle stage schools.⁵⁸

By this time it was evident that British education policy even in the higher grade schools was not meeting with great success. This was attributed largely to the stress placed on English to the detriment of other subjects. This had also caused a decline in the quality of spoken and written Burmese.⁵⁹ Moreover, stress on success in examinations was also considered detrimental to British education efforts, as the ideal of scholarship and culture was not generally associated with English education. Possession of this was regarded only as a means of achieving material gain and positions of political and social eminence.⁶⁰

The predominance of English in the curriculum of the higher grade schools had not been accepted without some qualms by the British. John Nesfield had proposed in 1873 that English be taught only as a classic and that all European teachers in government schools should be compelled to pass both standards of the examination, in Burmese, as was required of administrative officials.⁶¹ Though

⁵⁸ Alfred Croft, op.cit., p.94.

⁵⁹ Ibid., p.168. I.P.Minayeff also noted that children preferred to take 'sanitation' to Pali, as an optional subject. Op.cit., p.180.

⁶⁰ Taw Sein Ko, Burmese Sketches, (1913), p.225 and J.S.Furnivall, Colonial Policy and Practice, (Cambridge, 1948), pp.214-26.

⁶¹ B.H.P., 1873, Feb. Index Nos. 34-36. The British had begun to examine Burmese teachers in their own language in 1873. B.B.R.P.I., 1872-73, p.16.

this rule was introduced, it seems to have been rarely observed and by 1885 few European teachers had passed the examinations. The people, in fact, preferred teachers not to know Burmese, so that their children might acquire the maximum of English.⁶²

Although some British officials were conscious of the cultural heritage of the Burmese, the heedless insistence of the people on English and their willing neglect of their own language made it easier for the government to allow education policy to drift with the tide of popular demand and with government needs. The process of training more indigenous people to take over more positions in the administration made it imperative that some principles of British cultural, social, and government traditions be acquired. The pressure of administrative work and the complexities of these traditions made translation difficult, if not impossible. Moreover, the higher up the administrative echelon indigenous officials were placed, the more necessary it was for them to know English, the common language of the Indian and British empire.

Karen education Largely for linguistic reasons education for the linguistic minorities in their mother tongues received little government support. For a large part of the period the official attitude was that two languages, English and

⁶² J.S.Furnivall, A Study of the Social and Economic History of Burma (1957), Part IV, p.62.

Burmese, were enough for the administration to cope with in the province. Though acknowledgment was made of the advantages of administrative officials knowing minority languages, it was thought there was little advantage in perpetuating linguistic differences in the government education system.⁶³ Accordingly the minority peoples received a western education only if they learned Burmese or English or were willing to receive instruction from missionaries.

Only the Karens responded in significant numbers to missionary efforts and because of them, Karen was reduced to a written language. Their work also brought peace and knowledge to the previously down-trodden but endlessly feuding hill people. This was at first appreciated by the British administration, particularly as this reduced its own responsibilities in this respect.⁶⁴ And as we have seen, Phayre advocated in his original scheme for

⁶³ B.H.P., 1873, Feb. Index No. 16(a). See also below. The government of India did in the 1870's query the wisdom of not incorporating the Mon-speaking kyaung into the vernacular education system when it became aware of the large number of Mon-speaking people in the province but no action seems to have been taken. Pali was later recognised as an examinable subject but it was not a spoken language. The government did attempt in 1875-76 to provide a department for Mohammedan education in the Rangoon High School but the scheme came to nothing. In the 1880's however Mohammedan schools became eligible for grants-in-aid.

⁶⁴ Under the Burmese the Karens had been an illiterate and backward people, mostly practising taung-ya cultivation in the hills. Such social and political organisation as they had was based on the clan and allegiance to the clan chieftain. They were divided into two main groups, the Sgau or Burmese Karens and the Pwo or Mon Karens, each having a distinct and separate dialect. Donald Mackenzie Smeaton, The Loyal Karens of Burma, (London, 1887), p.229 and Harry Ignatius Marshall, The Karen People of Burma, (Ohio, 1922), pp.297-8. See also Chapter IV, pages 240-41.

education in British Burma the continuation of the system of government grants to schools run by missionaries.

Shortly after Phayre's departure from Burma the advisability of continuing this policy was questioned. The conversion and the education of the Karens in their own language by the missionaries and the practice of holding annual meetings were welding the Karens into a strongly self-conscious and increasingly articulate community.⁶⁵ This development caused problems for the administration, for which the indigenous language was Burmese, which was the language used in most of the courts and in most rural commerce. Moreover, the emergence of a doctrinal schism among American Baptist missionaries at Taung-ngu and its bitter nurture for seven years, which undermined much of the missionaries' good work, made some British officials doubt the desirability of allowing the missionaries to have so much influence with the Karens.⁶⁶

In 1869 the government of India ruled that no schools under missionary superintendence were eligible for assistance either by grants-in-aid or from the educational cess fund and a year's grace was given to them to prepare for the change.⁶⁷

Although this rule was subsequently modified, only children

⁶⁵The missionaries had sponsored the idea of holding Karen meetings in the 1850's. I.F.P.P., 1859, 15th April, No.583. These later led to the definition of Karen nationalism by the Karen association in the 1880's.

⁶⁶Donald Mackenzie Smeaton, op.cit., p.216; I.F.P., 1875, Aug.No.250; and G.G.Pascoe, Two Hundred Years of the S.P.G., (London, 1901), p.642.

⁶⁷B.B.R.P.I., 1869-70, pp.17-18.

passing examinations in the prescribed Burmese were eligible for aid, under the payment by results system. Ashley Eden, described the new system as follows:

It is the policy of the Government to foster vernacular education in such a way that the Burmese shall become the spoken vernacular of all the indigenous or semi-indigenous races inhabiting Burma. In the interests of the people themselves, especially of the Karens, this is desirable.⁶⁸

Although he admired the education system developed by the missionaries and was sympathetic to the inconvenience changing from Karen to Burmese would cause them, he thought 'a great mistake had been committed in teaching Karen instead of the language of the country'. He gave 'strong political and social reasons' for breaking down the differences between Karens and Burmese.⁶⁹

A small minority of Karen schools began to offer syllabuses in Burmese but the majority continued unchanged and unaided. It was reported, however, that the Karens resented that their contributions to the cess fund were spent on Burmese education and not on Karen and that they were expected to be bi-lingual while the Burmese were not.⁷⁰ Only in 1879-80 was there some relaxation in government policy towards Karen education when new regulations were framed. In these, lower standards were offered to Karens to encourage and assist them to secure government aid. Karens were also admitted for the first time to the normal classes

⁶⁸B.B.A.R., 1872-73, p.177.

⁶⁹B.B.R.P.I., 1871-72, p.xxii.

⁷⁰B.B.A.R., 1873-74, p.61.

of the Rangoon High School.⁷¹ Later a Karen deputy inspector of education was appointed to replace Burmese deputy inspectors in predominantly Karen areas, as it had been found that Karen children responded better to Karen inspectors. Further concessions to the Karens came in 1881 when the education rules were again revised, so that candidates for the upper and lower primary examinations could be examined through the medium of their own language, although only the Sgau dialect of Karen was recognised.⁷²

During this period too the missionaries regained some of their favour with the authorities, as in 1884 the government consented to support mission schemes for educating the non-Christian Karens of Han-tha-wadi and Bassein.⁷³ As a result of all this, the number of Karen primary schools under inspection increased from 139 in 1881-82 to 426 in 1885-86 and the number of children at these schools from 2,562 to 10,796. There was a corresponding increase in the number of Karens passing examinations for government grants.⁷⁴

Vocational Education From the very first the education offered in schools absorbed within the British education system was vocational in the sense that boys mastering the much-stressed arithmetic and land-measuring were fitted for

⁷¹Ibid., 1879-80, p.101 and Intro., p.15.

⁷²B.H.P., 1882, Jan. Index No.14.

⁷³Ibid., 1884, June Index No.30.

⁷⁴Alfred Croft, op.cit., p.220.

service in the executive departments of the administration. Not until comparatively late in the period, however, did the government attempt to introduce technical and specialised education to provide a local supply of men with specialised knowledge to meet the growing demand caused by the proliferation of departments. Because of this the ranks of the public works, medical, and forestry departments were filled mostly by Indians.

It was the various missionary bodies who first established normal classes and schools and until 1879 the Karen Normal and Industrial Institute at Bassein was the only successful technical institution in the province.⁷⁵ Apart from its normal classes, such attempts as the government made in the 1870's to introduce specialised education - in law and medicine - came to nothing. A similar fate befell the attempt to introduce classes teaching land surveying. Although a knowledge of this was needed by every revenue collector in the province, few boys could be found with enough knowledge of arithmetic to enable them to understand the course.⁷⁶

The government had a greater measure of success in establishing vocational education after 1879 when the chief commissioner, Charles Aitchison, revised the system and standards of education. Although the art school established at Rangoon in 1881-82 and the

⁷⁵Vivian Ba, 'The Beginnings of Western Education in Burma - the Catholic Effort', Journal of the Burma Research Society, Vol. XLVII, Pt.II, Dec.1964, pp.313-16.

⁷⁶B.B.A.R., 1877-78, p.83.

law lectures introduced by the Education Syndicate in 1883 came to nothing, there was greater public response to other schemes. Veterinary classes were begun in 1880 and proved both successful and popular. Surveying classes were introduced to three of the main schools but later were replaced by field training by the land revenue settlement staff. This was more successful, especially with the sons of thagyi for whom in 1882 twenty survey scholarships were made available.⁷⁷ Scholarships were also provided for Burmans for the newly established forest school in Dehra.

Effort was also made to attract more Burmans to the work of the departments of public works and of medicine. Until 1881 a special overseas allowance had been offered to Indians in the medical department, although the cost of living was just as high for Burmans. Few were interested in a monthly salary of 25 rupees when there were better opportunities in other government departments or with the various mercantile interests in Burma.⁷⁸ Salaries for Burmans were made equal with those of Indians and arrangements were made for Burman boys to receive medical instruction at Calcutta and Madras. To promote educational opportunities for the public works department, an apprentice school for Europeans and others was established in 1882 at the Insein railway works which attracted both Europeans and Karens. An

⁷⁷Ibid., 1881-82, Intro. p.12. These classes were the main responsibility of the district officials and not of the education department.

⁷⁸B.H.P., 1881, April Index No.12.

industrial school was also established at Akyab and two scholarships were created for the Engineering College in Calcutta. Despite these efforts, there was little change in the situation and both the departments of public works and medicine remained staffed largely with Indians.⁷⁹

Education Expenditure As a result of government education policy the number of children receiving some sort of government supervision at the end of the period was over 162,000.⁸⁰ Almost 9,000 of these were at middle stage schools. The number of schools on government lists was 5,203 and there were 48 government schools, including 28 primary schools.⁸¹ By 1882 there were three normal schools in the province turning out from 50 to 70 certificated teachers a year and by 1885-86 there were ten deputy inspectors of education, graded into three classes, as well as a senior and junior inspector of secondary schools.⁸² To meet the cost of all this expenditure on education had increased from 151,780 rupees in 1870-71 to 808,480 rupees in 1884-85. A considerable part of this, however, went to paying for the costs

⁷⁹ It was thought that the general tendency of confining Burmans to working on the more limited projects financed by local funds rather than on the larger ones by provincial funds deterred Burmans from joining the public works department. B.H.P., 1881, June, Index No.25.

⁸⁰ L.B.A.R., 1885-86, p.67. Over 1590 children of European descent were included in this. After 1882 the ordinary grants-in-aid were doubled for European children to encourage their education. B.B.A.R., 1880-81, Intro.p.13. In 1883-84 over 11,000 girls were at schools under government supervision. These represented about 4.3 per cent of the total number of girls of school age in the province. B.B.A.R., 1883-84, p.92.

of inspection, of the normal schools, and of scholarships, the proportion being almost 20 per cent in 1882-83.⁸³

Although a large proportion of revenue for education expenditure came from private sources in the form of fees and donations, the bulk of education revenue came increasingly from local taxes.⁸⁴ And with the transference in the 1880's of most government schools to the care of the municipalities, the government was released from much of the burden of educational expenditure. Because of the crisis in the provincial finances at this time, local revenue was made to bear even more of the burden of education expenditure. The comparatively large increase in government education expenditure in the 1870's and early 1880's had considerably increased the demand for government grants. Consequently once the financial crisis occurred the government had to retrench in its commitments. The numbers admitted to and released from the normal schools were reduced, as was the rate of grants, and in 1886 all charges in connexion with deputy inspectors reverted to the district cess fund.⁸⁵

⁸¹ L.B.A.R., 1885-86, p.67. Included as government schools are those managed by local governments.

⁸² Ibid., p.66; B.B.A.R., 1881-82, Intr., p.12; B.H.P., 1881, May Index No.9. Deputy inspectors inspected primary schools, while the inspectors inspected secondary (middle stage) schools.

⁸³ B.B.A.R., 1882-83, p.152. A senior inspector of schools earned 916 rupees a month while the junior inspector earned 750 rupees.

⁸⁴ In 1884-85 private expenditure amounted to 224,000 rupees.

⁸⁵ L.B.A.R., 1885-86, p.67 and B.H.P., 1885, June Index No.6. To offset these retrenchments, however, the proportion of the cess fund devoted to education was doubled.

Public Works Despite the energetic start made in public works projects during the first years of British rule in Pegu, the development of the public works department and of projects thereafter was comparatively slow in British Burma, and only briefly towards the end of the period under review was there any major departure from the general policy of austerity pursued in public works.⁸⁶ This was largely due to the basic administrative priorities of the government of India, and, to a lesser extent, to the financial difficulties of the government of India in this period.⁸⁷ Such major works as were sanctioned were mainly for military and strategic purposes, commercial considerations having only secondary importance. As far as communications were concerned, the major towns and frontier posts were all linked by electric telegraph by 1863. Apart from this, until the two railways were built, the province had to be largely content with the fact that it was well-endowed by nature with water communications through its network of rivers and creeks. Although the government reclaimed large areas of land by building embankment works to increase the land available for rice cultivation along

⁸⁶ This, as explained in Chapter III, was due to the fortuitously happy results for British Burma of the financial agreement with India of 1878. Expenditure on public works between 1861-62 and 1885-86:

1861-62	15,26,404 rupees
1867-68	33,08,732 "
1873-74	21,07,620 "
1883-84	44,45,160 "
1884-85	34,07,320 "
1885-86	24,16,550 "

from B.B.A.R., 1861-62 to 1883-84 and L.B.A.R., 1885-86.

⁸⁷ See J.S.Furnivall, Colonial Policy and Practice, p.49.

the river beds, there was little provision of local roads and bridges to improve the condition of the people. Moreover, famine, which played an important role in determining public works policy in India was unknown in the province of British Burma.⁸⁸

Bruce and Temple had recommended a substantial increase in the salary of the chief engineer of Pegu once his circle was extended to all of British Burma.⁸⁹ This was in expectation of a number of important public works being implemented, but apart from the comparatively small allocations made for this, the high cost of labour also inhibited the growth of public works in the province. Except for the fact that the early British Burmese provinces had a system of extra-mural labour by which convicts did much of the drainage of the swamps and construction of roads round the major towns of Akyab/^{Rangoon} and Moulmein, the achievements by public works in the province would have been much less.⁹⁰ It was only because the finances of British Burma were briefly improved after 1878 that any considerable increase in basic public works establishments and projects was possible. A superintending engineer was then appointed, as

⁸⁸ Burma's first railroad was begun, however, to provide famine relief for the people of Bengal. See below.

⁸⁹ R. Temple and H. Bruce, Report upon British Burma, 1860, I.O.L., Elgin Papers, M.S.S. Eur. F. 83, Cat. No. 83, Docket 47, p. 36.

⁹⁰ The withdrawal of extramural labour in 1863 caused a decline in the general standards of the towns, especially in conservancy, on which convicts were also employed.

well as five additional executive engineers, seven assistant engineers, and considerably more subordinates. Furthermore, opportunity was taken to restore the special allowances for engineers in Burma which had been sanctioned in 1869 but withdrawn in 1875 following the crisis caused by the demonetisation of silver.⁹¹

Within the provincial administration there was not always complete acquiescence to the public works policy of the government of India in British Burma. Many provincial administrators believed that the successive governments of India thought that the revenue returns from British Burma increased sufficiently to warrant as little expenditure in capital investments and improvements as possible. The chief commissioner in 1868, Lieutenant Colonel Fytche, claimed the administrative policy of the public works department in India was 'of the most intensively selfish character'. He stated,

The Imperial Government will spend lakhs of money on a grand barrack or hospital for their European soldiery, fearful of the great outcry of the British people, and the small moan of the wretched ryot or cultivator who really pays the chief revenue of the country, and who wants a road here or a bund there, or a bridge in another place, is lost among the chattering cries of the Liverpool or Hull Chamber of Commerce for grand outlets to their goods as a means of making money ...⁹²

Only the embankment works had been begun at this stage and although these benefitted the people by allowing them to expand

⁹¹ B.B.A.R., 1880-81, Intro., p.32.

⁹² I.Fin.P., (Expend.), 1868, Oct.No.5.

their land holdings and ^{by} encouraging settlement, they also benefited the government by bringing in increased revenue returns.⁹³ Although there were occasions when the embankment works caused flooding, this was usually relatively small in extent and the net result was an increase of thousands of acres of paddy land.⁹⁴ By the 1880's the embankments were additionally useful in helping to meet the growing demand for rice land.⁹⁵

Similarly the construction of the railways between Rangoon and Prome and between Rangoon and Taung-ngu led to the opening of areas previously difficult of access. The former, passing through the Irrawaddy valley, had been urged since 1868. Work was begun only in 1874 when the famine in Bengal prompted the government of India to inaugurate a state immigration scheme to Burma and to order the commencement of earthworks for the railway as relief work.⁹⁶ While hopes of tapping the fabled trade and riches of western China had aroused interest and contention in the route of the first rail line, both lines were ultimately

⁹³ There were approximately 200 miles of public embankments by 1877. I.L.P., 1877, July, No. 9. In 1869 those cultivators who benefited directly from the embankments works paid an annual rate, according to the amount of benefit received per acre. It was added to the sum due as land revenue. I.F.P. (Irrigation), 1869, Oct., No. 3. See also Papers relating to a railway between Rangoon and Prome in British Burmah, (London, 1868), p. 24.

⁹⁴ It was reported in 1884 that two major embankments protected 75,377.63 acres in one area while 8,630.49 acres had been thrown out of cultivation by them. Report on Settlement Operations in Bassein and Henzada Districts, 1883-84, Review, p. 2.

⁹⁵ It was estimated in 1884 that the 205 per cent increase in the area under cultivation in nineteen years in part of the Henzada-Bassein districts was largely due to the embankments. Ibid., Resolution, p. 1.

planned for their strategic and military value, Prome being near the frontier town of Al-lan-myo and Taung-ngu being also a frontier town. The economic development of the areas thus opened up was a happy side effect. The railway to Prome was completed in 1877 and the survey of the Rangoon-Taung-ngu line in 1876. The latter was opened in July 1885, only several months before the war with Upper Burma.

The briefly happy financial circumstances of British Burma in the early 1880's allowed a considerable increase in road mileage in the province, mainly in feeder roads to the railways to facilitate the expansion of the areas newly opened by them. From at least as early as 1860, when Bruce and Temple had submitted their report, the provision of feeder roads to the navigable natural waterways had been widely recommended in the province. This was to secure its rapid development, to promote the expansion of trade, and to facilitate administrative work, particularly that of the police department. Little, however, was done towards this and by 1869 there were only 655½ miles of roadway in the province.⁹⁷ The position was not much better

⁹⁶ B.B.A.R., 1875-76, p.85.

⁹⁷ I.F.P., (Gen.), 1869, Dec.No.65 and R. Temple and H. Bruce, Report upon British Burma, 1860, I.O.L., Elgin Papers, M.S.S. Eur.F.83 Cat.No.83, Docket 47, p.35.

by 1881. Of the nineteen districts into which British Burma was then divided, there were at least eight districts which did not possess a mile of metalled or bricked road outside the head-quarter towns.⁹⁸ The discovery of laterite on the Irrawaddy railway provided a source of metal, which had been previously lacking, and together with the improved financial position of the province, enabled the road mileage to be increased to 2,264 miles by 1885. Even so, the need for roads in the province was scarcely satisfied and as late as 1913 it was reported that the roads of Burma were few and poor, being mainly 'country roads' or spaces where the jungle was cut down, so that in the rains Burma was virtually roadless.⁹⁹

Bruce and Temple had also recommended that canals be built to improve the natural system of communications and stressed the need of linking Rangoon with the Irrawaddy River.¹⁰⁰ This was

⁹⁸ B.B.A.R., 1880-81, Intro., p.29. It was reported in 1886 that outside the town of Akyab in Akyab district there were only foot tracks between the villages. Report on the Settlement Operations in Akyab District, 1885-86, p.5.

⁹⁹ Joseph Dautremer, Burma under British Rule, (London, 1913), p.14. The plight of Arakan and Tenasserim was worse even than that of Pegu and Irrawaddy, as far as public works were concerned. Although the government had attempted to link Sandoway with Prome, the project was abandoned because of the expense. W.B. Trydd, Sandoway District Gazetteer, Vol. A, (1912) p.41. In 1875 it was noted that the people of Arakan had had little opportunity of seeing 'what English engineering can do for a country': Report on the progress of Arakan under British rule, (1875), pp.10-11. A similar observation was made on Tenasserim. B.B.R.A.R., 1869-70, p.107. Among those who pointed out this comparative neglect were John Ogilvy Hay, Charles Bernard, Colonel Sladen and Dautremer.

¹⁰⁰ Op.cit., p.34.

finally done in 1883, the Pegu and Sittang Rivers having been linked in 1864-65.¹⁰¹ The main river transport in the province was conducted by the Irrawaddy Flotilla Company, to which the government had disposed the flotilla it had organised on the Irrawaddy at the time of the annexation of Pegu. It received an annual subsidy from the government, and extended its service into Upper Burma.¹⁰² Communication with India, except for the electric telegraph, was only by sea, no attempt having been made to implement Dalhousie's scheme of linking Burma with India by road.

Public Health The public health service in British Burma began with the appointment of medical officers to the various prisons and with the establishment of government dispensaries at the larger administrative centres, mainly for the treatment of British personnel. A number of lock hospitals was also established for the British troops. By the 1880's a civil surgeon was appointed to each district and the civil medical service had its own head, who was also the head of the prison service, the sanitary commissioner, and inspector of vaccination.¹⁰³ The

¹⁰¹ B.B.A.R., 1864-65, p.28 and 1882-83, p.113. The former was the Twan-tēi canal.

¹⁰² B.B.A.R., 1880-81, Intro., p.34. The company had twenty-nine steamers and forty-four river flats in 1881.

¹⁰³ Prison health and the relatively high mortality rate of prisoners caused the authorities in British Burma some concern, especially after the cessation of extra-mural labour when overcrowding became a serious problem. By 1886 there was accommodation for 7,467 prisoners with a daily average of 6,896. There was still overcrowding, however, as some jails were rarely filled while others, notably those in the Irrawaddy areas, were usually overcrowded. L.B.A.R., 1885-86, p.14.

number of dispensaries had grown between 1875 and 1886 from seventeen to thirty-two and the number of outdoor patients from 53,000 to 184,000.¹⁰⁴

By this time the dispensaries were expected to be largely self-supporting but from the first the Burmans proved unenthusiastic about western medical treatment, except for its surgery, and the government was continually disappointed that the number of and yield from private donations remained low. The Chinese were the most responsive, the Burmans mostly preferring their traditional remedies and practitioners. It was believed that the fact that most doctors could not speak Burmese prejudiced the people against British medical practice, yet, as already noted, the attempt to establish a Burman subordinate medical service by the establishment of scholarships to Madras and Calcutta met with little public response.¹⁰⁵

Similarly there was little response to the government's campaign to introduce vaccination against smallpox. The Burmese traditionally practised inoculation and proved difficult to

By this time there was also an asylum for the insane and a reformatory for juveniles, both the insane and juveniles having previously been locked indiscriminately with the adult and normal prisoners.

¹⁰⁴ B.B.A.R., 1874-75, p.25 and L.B.A.R., 1885-86, p.63.

¹⁰⁵ See below page The combination of the offices of civil surgeon and superintendent of the district jail was also perhaps an unfortunate one. See James F. Guyot, 'Bureaucratic Transformation in Burma', Asian Bureaucratic Systems Emergent from the British Imperial Tradition, (ed. Ralph Braibanti, Durham, N.C., 1966), p.363.

convince that vaccination was better, despite the efforts made by government to popularise the process. These included inducing district officials and private people of standing to use their influence, allowing vaccinators to distribute quinine and other drugs, and encouraging missionaries to train Karen vaccinators. When the inoculators were suspected of antagonising the people against vaccinations, the administration proposed to break such antagonism by instructing them in the vaccination method. It was thus as much due to official pressure as to increased public belief in the efficacy of the method that the number of vaccinations increased, the number rising from 1,970 in 1862 to 89-923 in 1885.¹⁰⁶

Indigenous suspicion against the virtues of vaccination, as carried out under government auspices was for long largely justifiable. The number of successful vaccinations was comparatively low and not infrequently unpleasant complications set in. Ignorance and inefficiency characterised many of the vaccinators, who were mostly dispensary officials, and it seems that the quality of the imported lymph was questionable as well. The administration finally heeded indigenous scepticism when the introduction of the 1880 Act to make vaccination compulsory was delayed in 1881 because of public opposition. The government also conceded that it would be unwise to introduce the Act until the quality of the

¹⁰⁶ B.B.A.R., 1861-62, p.37 and L.B.A.R., 1885-86, p.64.

lymph was more certain and the vaccination staff increased and improved.¹⁰⁷

Compared with the general standards of public health in other parts of the world, the standard of public health in British Burma was considered good. References to the healthy population and plump children were frequent and the infantile mortality rate was low compared with that in England.¹⁰⁸ Yet cholera was endemic and ignorance and carelessness abounded in matters of public hygiene and sanitation. Government attempts to remedy this were largely directed towards improving sanitary conditions and educating the public. Sanitation was introduced as a subject in the schools. But such success as the government had was confined mostly to the larger towns where there was a European population to support them and where government pressure was greatest. Even then success was limited as funds were always limited and the granting of virtual autonomy to municipal committees in municipal affairs did little to increase public interest.¹⁰⁹

¹⁰⁷ B.B.A.R., 1880-81, Intro., p.15. By 1884, however, the Act had been introduced to Akyab and Rangoon and the government seemed better satisfied with the progress made by the vaccination department. Ibid., 1883-84, pp.88-89.

¹⁰⁸ Ibid., 1872-73, p.159.

¹⁰⁹ In 1875 the funds available for essential sanitary services in Rangoon were so inadequate that the Chief Commissioner enforced the government of India to improve the situation only by pointing out that 'in the event of a cholera epidemic breaking out in the shipping season, the loss to the State would be enormous.' I.Fin.P.(Accts.), 1875, May No.21. The later Municipal Reports contain repeated references to the lack of interest by committees in hospitals, vaccination, conservancy and drainage. In Moulmein, in particular, the people objected to effecting such improvements if extra taxation had to be imposed. It was in

Agriculture Despite the heavy reliance of the government on agriculture for revenue it was not until 1882 that a formal department of agriculture was established. Prior to this, however, the government had attempted to introduce new crops to the province to diversify the economy. Besides rice, fruit, vegetables, some herbs and sugar were traditionally cultivated for home consumption, but the government attempted to encourage the cultivation of such commercial crops as tea, coffee, tobacco, and cotton and to extend the cultivation of sugar. The agricultural department was to continue this work, though this was not to be its main function.

Throughout all British India at this time provincial agricultural departments were being established under the controlling authority of a central secretariat within the government of India. The idea, first mooted in 1866 after the submission of the report on the Bengal and Orissa famine but dropped by Lord Lawrence as being premature, was revived by Lord Mayo with the establishment of a central secretariat but of only one provincial department, that of the North West Provinces. The rest of India was brought into the scheme after the submission of the famine report of 1880 when Lord Ripon urged the formation of further departments.

The promotion of this scheme rested, however, on the condition

Moulmein too where the European community held largely aloof from municipal affairs. B.B.M.A.R., 1882-83 and 1884-85. In 1883-84 it was considered that only Rangoon and Prome had good water supplies, though other towns had attempted to clean and deepen public wells. B.B.A.R., 1883-84, p.88.

that agricultural departments should give priority to administrative work; the provision of 'a more sound and accurate knowledge of agricultural facts and circumstances' was of secondary importance only. The government of India insisted on the primary importance of administrative work because

... there were very strong objections to the creation of a Department having for its sole object the improvement of agriculture, as there would be ground for suspecting that public funds were being devoted to objects of which the value was to some extent doubtful.¹¹⁰

In British Burma the main administrative task of the new department was the annual revision by supplementary survey of the village land records, first drawn up by the land settlement officers. The first director of agriculture was the settlement secretary who had been in charge of the land settlement work. While this was mainly intended to provide a complete register of land holdings and cultivation to facilitate land revenue assessments, settlement officers demarcated grazing and watering areas for stock in the course of their settlement work. These were to assist cultivators prevent the high mortality rate among their cattle and buffaloes which was largely attributed to the lack of these facilities.¹¹¹ The extensive reports compiled by the settle-

¹¹⁰ Note on the principal measures during the Viceroyalty of the Marquis of Ripon, (B.M.I.S.290/14), pp. 3, 4 and 263.

¹¹¹ The government's veterinary classes also helped combat the mortality rate of stock. Such losses were recognized as being one of the major causes of rural indebtedness.

ment officers on the condition of the people and their modes of cultivation also provided material to aid the agricultural department in its other activities.

These were largely the continuation of the government's earlier work. New agricultural implements were introduced and traditional ones improved; pamphlets were distributed among the schools; model farms were established, and experiments were continued with different crops. To encourage the cultivation of sugar advances were made to prospective cultivators and the promotion of tobacco cultivation was attempted by reductions in the land revenue.¹¹² Although the government reported some public response to and interest in its agricultural projects, rice remained the predominant crop, the cultivated area not devoted to rice-growing increased only from 10 per cent in 1866-67 to 14 per cent in 1884-85.¹¹³ Many of the new crops were suited to British Burma but conservatism combined with labour shortages to frustrate most government ambitions of diversifying the economy.

Forestry The forestry department of British Burma originated in 1855 with the appointment of Sir Dietrich Brandis as

¹¹²The government also guaranteed markets for any jute produced in the province. B.B.A.R., 1882-83, p.46.

¹¹³Ibid., 1866-67, p.77 and 1884-85, Intro., p.9. There had been a large increase in cotton cultivation in the early 1860's but with the return of American cotton to the world market, the cotton acreage declined from 11,000 acres in 1865-66 to 4,562 acres in 1868-69. B.B.A.R., 1866-67, p.77 and 1869-70, p.124.

superintendent of the forests of Pegu. His appointment marked a turning point in forest administration in the British Burmese provinces. The forests of Tenasserim had been ruined by 1850 by timber traders through the inadequacies and mismanagement of government administration. No policy of conservation had been pursued and although a forest superintendent was appointed during the 1840's, he was given no powers to enforce his position.¹¹⁴ To prevent this happening in Pegu the teak forests there had been declared the property of the state on the annexation of the province and in 1856 rules were published to regulate the killing and felling of teak trees as well as their conservation and propagation. From this time on not only the teak forests but all forests in the province were to come increasingly under government control and protection.¹¹⁵ Moreover all forest department officials were legally empowered under the terms of the forest rules to enforce the forest reservation regulations. By 1883 several hundred square miles had been planted with teak seedlings and 3,758 square miles of forest had been declared 'reserved' forest, in which government maintained strict control over all timber-cutting

¹¹⁴ cf. John Nisbet, Burma under British Rule and Before, Vol.II, (Westminster, 1901), pp.48-49 and G.E.Harvey, 'The Conquest of U.Burma, C.H.I., Vol.VI, (India, 1958), p.444.

¹¹⁵ This was especially so of Tenasserim, Irrawaddy, and Pegu divisions. Arakan was exempted from the rules applicable in the rest of the province in 1883 and subjected only to a few brief rules for the issue of licences by the deputy commissioners. RaB.Smart, Akyab District Gazetteer, Vol.A, (1917), p.135.

operations.¹¹⁶ By this time the forest department had also grown to consist of two conservators, ten deputy conservators, and seven assistant surveyors.¹¹⁷

The extension of forest reservations brought the forest department into greater contact with the hill peoples, who practised taung-ya cultivation in the forests. This practice was severely curtailed by the Forest Act of 1881 when taung-ya cultivation was restricted to specified areas. Most of these cultivators were Karens, of whom so many had worked as labourers for the forest department that forest officials were required to become familiar with Karen, as an indigenous language, rather than Burmese.¹¹⁸ To overcome hardship caused by the 1881 restrictions, government offered loans to help taung-ya cultivators willing to move to the plains to settle there and also devised a scheme to help both its plantation programme and those reluctant to move to the plains.¹¹⁹ The teak plantations already established by this time had been achieved at great cost, being planted out by hand at a rate of 60 to 90 rupees an acre. In the new

¹¹⁶ Note on the principal measures during the viceroyalty of the Marquis of Ripon, (B.M.I.S. 290/13), p.465. In 1872 the superintendent of the Arakan Hill Tracts had stimulated teak plantation by private enterprise by the distribution of seed and ordering teak plantations at police posts. R.B.Smart, op.cit., p.139.

¹¹⁷ Note on the principal measures, (B.M.I.S. 290/13), p.8.

¹¹⁸ B.H.P., 1881, May Index No.28. Chins, Shans, and Burmese also practised taung-ya cultivation but with the latter two groups especially this was mostly a transitional stage before settling to cultivation in the lowlands.

¹¹⁹ B.B.A.R., 1882-83, pp.22-123.

scheme, made possible only by the government's greater knowledge on the propagation and growth patterns of teak trees, forest taung-ya cultivators were paid to plant teak seeds with the rice in their taung-ya, which they undertook to till for one year only. By this means the cost of planting was reduced to 4 to 8 rupees an acre. In 1880-81 over 1,702 acres were planted, making a total of 7,100 acres under plantation. An annual increment of 1,200 acres was planned thereafter.¹²⁰

¹²⁰Ibid., 1880-81, Intro., p.25.

Chapter V

DEVELOPMENT OF CIVIL SERVICE AND EXECUTIVE ADMINISTRATION

1862-1885

While the development of specialist departments within British Burma led to the appointment of more department officials, the increase in population and the expansion of cultivation in this period caused such an increase in revenue and judicial work that more executive staff had to be appointed as well. The old administrative units were subdivided into smaller, more manageable ones. At the same time the economic difficulties of the Indian government made it no longer practical or possible to fill the growing number of positions of responsibility entirely with Europeans as formerly. Moreover, it was no longer politically expedient to do so, because of the growing demand among the people of India for more responsibility for and participation in government. Accordingly the process was begun of reducing the number of European personnel and allowing more indigenous people into positions from which they had previously been debarred. At the same time, attempt was made to invigorate and extend the institutions of local self-government already existing throughout the provinces of India, to develop the 'capacity for self-help', so prized by the Victorians, and incidentally to lighten the load and cost of administration.¹ British Burma, though occupying a

¹ Quoted from Note on the principal measures of administration under consideration in the Home Department of the Government of India during the viceroyalty of the Marquis of Ripon, (1884), B.M.I.S. 290/13, p. 249.

position somewhat apart from the mainstream of events which led to these developments, was inevitably swept into the current of changing ideas and practices.

Nature of executive administration Apart from the loss of the judicial responsibilities of the chief commissioner, there was little other change in his position and powers throughout this period. In 1868 he was granted the right to exercise the powers of a local government by Act I of that year. By this he could extend to British Burma legislation already enacted in India in 1868 or thereafter. Legislation enacted before that date could be introduced only with the permission of the Governor-General in Council and the chief commissioner still did not have the power to originate legislation in Burma. Legislative autonomy came only in 1897 when Burma became a lieutenant-governorship. Until 1881 the chief commissioner was aided by one secretary, usually a man of considerable rank in the Commission, but after then a separate secretary was appointed to deal with land records.²

There was more change in the position and powers of the divisional commissioners in this period. At the time of the union of the three British Burmese provinces, though subordinate to the chief commissioner, they were ex-officio sessions judges with

²He later became the director of the department of agriculture.

appellate jurisdiction over the deputy commissioners in judicial and revenue matters. They were also responsible within their divisions for the administration of revenue, medical and educational policies, municipal affairs and local funds, port affairs, and communications with Karenni, the various Shan principalities, and minor frontier tribes.³ Some responsibilities, such as public works, were, however, transferred to the charge of the chief commissioner and commissioners were empowered to intervene in police administration only when this affected their general authority over divisional affairs. Most responsibility for police administration was vested in the inspector-general of police.⁴

By 1885 the commissioners' judicial work was the heaviest of their duties. Because of this and the development of specialisation and centralisation in department heads, the commissioners' control of some fields of administration was somewhat diminished.⁵ In 1883, for instance, when commissioners were made inspectors of registration under the Registration Act of 1871, because of the

³Town affairs were usually referred to as 'municipal' affairs at this time, despite the fact that no town had municipal status. The area of the divisions of British Burma in 1862 were as follows:

Pegu	34,290	square miles
Tenasserim	38,000	" "
Arakan	17,780	" "

B.B.A.R., 1861-62, Appendix A.

⁴I.J.P., 1860, Oct., No. 34 and R. Temple and H. Bruce, Report Upon British Burma, 1860, I.O.L., Elgin Papers, M.S.S. Eur. F. 83, Cat. 83, Docket 47, p. 20 and Yaman Govind Kale, Indian Administration, (Poona, 1913), p. 217.

⁵The British Burma Manual, (comp. C.S. Cooke), (1878), Vol. I, p. 439.

rigid system of grading sub-registrars and registrars under a provincial inspector-general, commissioners were given cautionary and advisory powers only.⁶ As such developments were reducing the liaison between the regular executive officials and those of the specialist departments, partly to prevent this, commissioners were made responsible for the land settlement operations within their divisions, 'subject ... to the general guidance of the Settlement Secretary'.⁷ The divisional commissioners, however, represented the accumulation of many years of service in British Burma and thus were invaluable for their experience and knowledge of provincial affairs, especially after 1871, when the chief commissioners were men with no experience of Burma.⁸

There was little change in this period in the position of the deputy commissioner, who remained the chief authority within the district. In the 1860's he had been in practice the 'maid of all work' he was often called, being expected to supervise all judicial, revenue, and police work within the district, and, except in the most important districts, to be collector of customs, general inspector of schools, and encourager of vaccination. By the 1880's, however, while still responsible for all these activities, he had

⁶ B.H.P., 1883, Mch. Index No. 15.

⁷ Ibid., 1880, Dec. Index No. 36. The settlement secretary was in charge of all land settlement operations within the province.

⁸ Only Phayre and Fytche rose from the ranks of the British Burma Commission to become chief commissioners in the period. Their successors, familiar only with India, had to rely largely in the first years of their administration in British Burma on the advice and experience of the commissioners and other senior members of the Commission.

'many hands to help him'.⁹ Not only was there the police superintendent, first appointed in 1861, but also an executive engineer of the public works department, a civil surgeon, and in most districts, an inspector of education, and, in some districts, a deputy conservator of forests.¹⁰ Furthermore, most of these officials had subordinates at subdivisional level, so that there were assistant police superintendents, assistant engineers, and assistant surgeons, all graded in such a way as to have equivalents in status and salary in other departments.¹¹

Throughout the period deputy commissioners were also expected to control expenditure of local funds by the local hospitals and education committees. Moreover, after the two municipal bills of 1874 they were also usually the presidents of the municipal and town committees.¹² As well as this, they were expected to super-

⁹ S.M.Mitra, 'The Proposal to Separate Judicial and Executive Functions in India', A.Q.R., 3rd Series, Vol.XXV, No.49, Jan.1908, p.64.

¹⁰ Deputy commissioners in the frontier districts also had the responsibility of conducting border affairs with their Burmese counterparts. The deputy commissioner of Salween had the powers of British consul and political agent with the Siamese tributary state of Chiengmai and special responsibilities towards Karenni. I.F.P.(Pol.), 1874, Jan., No.91.

¹¹ By this time the establishments of administrative officials were also well defined and standardised according to the rank and nature of the charge. That of a deputy commissioner of a large district would normally include an extra assistant commissioner, a superintendent of land revenue, a head revenue clerk, an excise officer, a judicial head clerk, and a registration clerk.

¹² British Burma Manual, Vol.I, p.541. Assistant commissioners and civil surgeons also helped control expenditure by local committees. Only briefly in Rangoon was the municipal president, elected by the committee, a non-official.

vise the activities of the rural boards. Although these institutions of local government became increasingly autonomous throughout the period and were intended to reduce the work of the administration, the fact that executive officials still presided over their activities meant that this load was only partially lightened. And in many towns the burden on executive officials was scarcely reduced at all, as some towns refused to accept the responsibility of forming municipal committees and in others it was sometimes difficult to persuade townspeople of a desirable class to serve on the municipal committees.¹³ Town committees had proved themselves incapable of wielding the wider powers of municipalities and needed even greater supervision by the deputy commissioners.¹⁴ The rural boards came into existence only in 1884 and as there was little for them to do because local funds were scarce for local projects, their existence made very little difference to the work of the executive officials.¹⁵

The existence of specialist officials in a district led to the deputy commissioner's becoming almost as much a co-ordinator

¹³B.B.M.A.R., 1885-86 and B.H.P., 1882, Mch. Index No. 18. To encourage indigenous participation in local government and other honorary work, the government began to confer honorary titles on 'deserving persons' and to grant various insignia as well, such as gold chains and silver swords. The recipients of the first awards were mostly government officials but two were merchants, one from Rangoon and one from Moulmein. Both were honorary magistrates and members of the municipal committees. I.F.P. (Ext. Pol.), 1884, July, No. 212.

¹⁴B.B.M.A.R., 1882-83 and B.H.P., 1883, Aug. Index No. 25.

¹⁵See above, page 17.

of the different branches of the administration as an initiator of policy. For instance, the settlement officers in drawing up new revenue settlements discovered much about the general condition of the people and about ways in which their condition could be alleviated, such as by the construction of a bridge here and a road there. The decision to act on such discoveries was taken by the executive officer who would then transfer the matter to the appropriate department for implementation.¹⁶ Such a development represented an improvement in administrative performance but it also represented an increase in bureaucratisation, which did not always enhance either the efficiency or the celerity of administration. It also led to the growth of some rivalry between the executive and departmental personnel and some confusion over areas of authority, especially in police administration.¹⁷

Yet the development of departmental administration did allow the executive officials more time to devote to revenue and judicial work which grew with the increase in population and the expansion of the area under cultivation. Even then, measures had to be taken to ensure that deputy commissioners were not inundated by

¹⁶ Cf. Charles A. Elliott, 'The Separation of Judicial from Executive Power in India', A.Q.R., 3rd Series, Vol. II, No. 4, Oct. 1896, p. 240. On occasion too the reports of the settlement officers revealed inadequacies on the part of executive officials, as when it was discovered that there were parts of the Akyab district not ever visited by the deputy commissioner. Report on the Settlement Operations in Akyab, 1885-86, p. 5.

¹⁷ See further on page 264. Friction also developed between forest and executive officials over the enforcement of forest reservation regulations to the extent that provisions were made in the Forest Act of 1881 to overcome it. Note on the viceroyalty of

judicial work to the detriment of their executive duties. In 1883 to reduce the deputy commissioners' growing load of civil appellate work the Burma Courts Act of 1875 was amended to invest assistant commissioners with power to hear civil appeals, as was already done in the Central Province, and to transfer civil appellate jurisdiction to the divisional commissioners.¹⁸ Further alleviation of the deputy commissioners' judicial work came in 1885 when the judicial commissioner ruled, after a similar ruling in Calcutta, that deputy commissioners no longer had revisional jurisdiction in criminal justice over assistant commissioners with first class powers. This meant that they had then only to review the judicial work of the assistant commissioners with second and third class powers.¹⁹

Despite the necessity of introducing measures to decrease the deputy commissioners' judicial load, any idea of separating the judicial and executive branches of administration met with little favour in British Burma. In India the desirability of combining revenue and judicial powers in executive officials was being questioned, as this combination frequently made them judges in their own cause. In 1874, however, when the government of India raised the issue with the chief commissioner of British Burma, Ashley Eden, he strongly defended the existing system there and its suitability for the province. He declared,

the Marquis of Ripon, pp. 453-4.

¹⁸ B.H.P., 1883, May Index No. 6 and July Index No. 5.

¹⁹ Ibid., 1885, Mch. Index No. 8.

We have a primitive people, the majority of whom only twenty-two years ago were the subjects of an absolute monarch, to whom everything in the shape of Courts of Justice or judicial authority was entirely unknown. They have been in the habit of looking to the officers placed over them as little less absolute than the native officials whom they replaced; and, though they are no doubt beginning to understand better our more complicated system, there is no doubt that they are much puzzled at the nice distinctions we draw between executive and judicial functions; ... While it must be admitted that our judicial system in Burma does not meet the requirements of what are in themselves, unquestionably sound theories on the subject, it does seem to meet the requirements of the people - and this, after all, is surely the main point to keep in view.²⁰

Even had suitable conditions existed in British Burma, there was not at this time enough judicial work in the districts, apart from the large seaport towns, which had their own judicial agencies, to justify the complete division of executive and judiciary. Moreover, it is doubtful whether the province could have afforded the luxury of a double staff, even when the volume of judicial work had grown, especially when there was constant pressure from the government of India for the maintenance of the most stringent economy.

Increase in number of administrative units. As it was the government of India greeted the need for increasing the number of administrative units in British Burma during this period with little enthusiasm, as each new unit involved the provision of new establishments and extra

²⁰Ibid., 1874, July Appendix E.

expenditure. Sanction was frequently granted for the creation of a new administrative unit only after repeated pleas from Burma and after proposals had been mooted for several years within the province. Often consent could be elicited only after the situation had assumed emergency proportions. Sanction for the separation of the district of Han-tha-wadi into two districts was given only after an outbreak of serious crime there, although the rapid development of the district had made its administrative work too much for one deputy commissioner for some time.

Similarly the creation of a fourth division, Irrawaddy, in 1881, was virtually forced on the Indian authorities by the pressure of work accruing from the rapid development of the rich riverine division of Pegu. According to the census returns of 1872 and 1881 the population of Pegu had grown from 1,662,058 to 2,330,407, while that of Tenasserim and Arakan had grown only from 600,727 to 811,818 and from 484,363 to 555,507 respectively.²¹ While the commissioner of Pegu had been able to manage the administrative and judicial work in 1872, by 1880 he was no longer able to do so. Excise administration had got out of hand and the commissioner of Pegu could not have managed to undertake the supervision of divisional land revenue settlement operations then under consideration.²²

²¹ B.B.C.R., 1872, p.34 and ibid., 1881, p.19.

²² When the new division was formed the Irrawaddy became the natural boundary, so that there was a large seaport town, Rangoon and Bassein, in each division. Population, administrative work, and revenue were approximately equal. B.H.P., 1881, June Index No.46. The divisional commissioners were of equal rank, the salaries

In this period effective British administrative control was also extended into the peripheral hill tracts of Arakan, Taung-ngu, and Salween and the border areas were better explored and defined.²³ Inter-tribal feuds and slave raids from the tribes of the Arakan Hill Tracts into the Akyab district caused the tract to be made into a separate administrative charge under a superintendent in 1866.²⁴ Only in the southern part of the tract, however, did the British attempt to introduce some sort of order; the north was controlled only through the repression of raids by the northern tribes into the southern region.²⁵ In the south 'a few simple rules' of administration were drawn up; a police force of hill-men, mostly from Manipur, was organised; and a group of chieftains was made responsible for the arbitration of disputes and maintenance of order.²⁶

of the Arakan and Tenasserim commissioners having been equalised in 1860 on the recommendation of Bruce and Temple, op.cit., p.48.

²³ It was found in 1879 that one village practising taung-ya cultivation, which had been taxed by the British officials in Pegu, in reality lay across the border in Upper Burma. A similar discovery had been made two years earlier when it was found that a small tract of Arakan on the west of the Arakan Yoma which was taxed by the Burmese was, in fact, British territory. I.F.P., (Gen.), 1880, Mch. No. 27 and ibid., (Pol.), 1877, Aug. No. 197.

²⁴ I.J.P., 1866, June No. 80.

²⁵ I.F.P. (Pol.), 1871, Mch. No. 196; 1876, Sept., No. 139; and I.Fin.P., (Accts.), 1871, July, No. 105.

²⁶ I.F.P. (Pol.), 1873, Feb. Nos. 9 and 10; and 1874, Aug. No. 24 and B.H.P., 1879, July Index No. 4. Later Gurkhas were recruited also for the police of the Arakan Hill Tracts.

Until 1874 there was no attempt to extend effective British administrative control to the Karen Hills in the Taung-ngu district. Administrative arrangements remained much as they had in Phayre's time.²⁷ An annual tribute was levied from the tribes as a token of their allegiance to the British government. This was virtually the only contact with them, though police were later stationed in the southern part of the tract to protect the more peaceable tribes and the trade which had developed between western Karenni and Taung-ngu.

In 1874 a plague of rats reduced the mountain-bound Karens to destitution. At the same time the development of doctrinal differences among the missionaries had so weakened their influence with the Karens that they reverted to their traditional inter-tribal feuds which weakened them further. This prompted the chief commissioner to write that the existing state of affairs was 'a great reproach to our administration surrounded as we are there by Native States, to which we shall set an example'.²⁸ The area was placed under an assistant commissioner and, though it was slow to pay its way, the trappings of British administration were gradually introduced.

As a result of the expansion in the number of administrative

²⁷In 1861 Phayre had advised the deputy commissioner of Taung-ngu that any tribe beyond the 'Moung Loung' River, which was the boundary of effective British administration, wishing to pay tribute to the British was to be informed that the most desirable mark of friendship they could show the British government was to receive teachers from the American Baptist mission and have the children of the tribe educated. I.F.P.(Pol.), 1875, Aug. No. 260.

units the number of the British Burma Commission grew from forty in 1862 to sixty-three by 1880 and the number of districts grew from twelve to nineteen between 1862 and 1885.²⁹ There were also by 1883 thirty-five district sub-divisions, each containing one or more townships and extending over an area of between 800 and 2,000 square miles. Usually there were at least two sub-divisions to every district.³⁰

Difficult districts in British Burma had always been organised into sub-divisions for administrative purposes but only in the 1870's when there was a noticeable rise in the provincial crime rate did this become a regular feature of district administration. It was thought the establishment of as close a contact as possible between the European administration and the people had a deterrent

²⁸ Ibid., 1875, Aug.No.250 and B.B.A.R., 1874-75, p.5. 37,000 rupees were spent on them (mainly on paddy) as relief.

²⁹ Thayet-myo was created in 1870; Thōn-gwa had been carved from the Henzada, Rangoon, and Bassein districts in 1875 and Tha-ya-wadi had been separated again from Henzada in 1877. The urban centres of Moulmein and Rangoon were constituted as separate districts in 1879, the old district of Rangoon becoming known as Han-tha-wadi, from which Pegu was carved in 1883. Salween formerly known as the Yūn-zalīn, had been separated from the control of the deputy commissioner of Swei-gyin in 1871 because the series of almost pathless hills separating Salween from Shwei-gyin made effective administrative control from the latter difficult, if not impossible.
See also below, page

³⁰ I.F.C.P., (Accts.and Fin.), 1883, Jan.No.43 and B.B.A.R., 1882-83, pp.11-13.

effect on disturbers of the peace. Ashley Eden had urged the need of appointing European officials to at least a dozen important places that were not administrative headquarters, believing there was 'no economy so false as that which stints the number of European officers'. He also believed that 'the people are glad to have a European among them, and settle round his head-quarters at once with a full sense of the security ... thus afforded them.'³¹

Because of this and the comparative paucity of European executive numbers, the practice of appointing young European executive officials to district headquarters to gain initial administrative experience declined somewhat. More were sent to serve immediately at sub-divisional head-quarters. Sub-divisional officers were mostly assistant commissioners, though a few were extra assistant commissioners. After 1878, however, the government of India ruled that Europeans could no longer be appointed as extra assistant commissioners and were eligible for the higher administrative positions only. This was to pave the way for the appointment of Burmans as sub-divisional officers. At the time as European supervision was still apparently needed in most subdivisions and as Burmans were inexperienced and their administrative ability in positions of such responsibility unproved, only the

³¹ B.H.P., 1874, Mch.Index No.209. In 1875 the inhabitants of Danybyu petitioned the commissioner of Pegu for the continued appointment of a European assistant commissioner rather than the appointment of a Burman of the same rank. Ibid., 1875, July Index No.148.

least onerous sub-divisions were transferred to them.³²

For these reasons the creation of further sub-divisions could meet the expanding administrative needs of the province to a limited extent only. Although the provision of establishments and quarters for sub-divisional officers was less expensive than that for deputy commissioners and thus was favoured by the government of India, the placing of too much responsibility on officials of such comparative youth and inexperience was considered a false economy. Thus unlike in India, districts in British Burma became smaller but deputy commissioners tended to be younger men on lower salaries than their counterparts in India.³³ This system was not without advantages for British Burma, as is pointed out below:

There is a good deal to be said for the system of large districts with senior men as Collectors and with officers on good salaries and of considerable experience in charge of sub-divisions. But for backward provinces, where improvement is, or ought, to be rapid, and where Native officials are comparatively untrained, Mr. Bernard the chief commissioner is clearly in favour of the system of small districts with the initiative in the hands of Deputy Commissioners who are tolerably young and who can really go into matters themselves.³⁴

³²Ibid., 1881, May Index No.29 and B.B.A.R., 1880-81, p.8. The first Burmans in charge of sub-divisions were appointed in 1881. A sudden acceleration of the crime rate of Han-tha-wadi in 1883, however, was associated with the sudden replacement of Europeans by Burmans, although there was no increase in crime in one sub-division, which had been under a Burman for a year. See page 264, footnote 40.

³³Ibid., 1877, Mch. Index No.86.

³⁴Ibid., 1882, Oct. Index No.21.

The Superior civil service. The 1878 ruling reserving the lower ranks of the administration for indigenous people led to the civil service of British Burma being graded by 1885 into three classes: superior, provincial, and subordinate. The superior service included divisional commissioners, deputy commissioners, and assistant commissioners. These were either European or, occasionally, Eurasian. The provincial service was composed of the extra assistant commissioners, while the subordinate service consisted of myo-ok and their subordinates.³⁵ By 1885 entry to all ranks of the civil service was being increasingly regulated by success in competitive examinations. The guiding principle was that on which the Indian Civil Service was based in 1853.

This practice was first begun in 1859 when Phayre introduced a set of rules for examinations to ensure that assistant and extra assistant commissioners had a minimum understanding of the Burmese language as well as of the main principles of revenue administration, police management, criminal and civil justice and the ordinary rules of administrative procedure. Promotion was made dependent on officials passing the two standards of the test.³⁶ The rules were introduced to Tenasserim and after 1862 to Arakan.

³⁵ High ranking police officials, such as district and assistant superintendents, were also included in the superior provincial service. In 1862 there had been only two classes in the civil service, the superior and the subordinate, the latter then including extra assistant commissioners as well as their subordinates. See pages 261-264.

³⁶ I.F.P.P., 1859, 29th July, Nos. 118-120, and 130. The rules were based on those already in force in the Punjab.

They were first revised in 1865 when it was ruled that assistant commissioners could not draw full pay nor be entered in the Commission until they had passed the lower standard of the prescribed examination in Burmese. Promotion to a deputy commissioner depended on passing the second standard of the examination in Burmese, but cash rewards were offered to those qualifying in Burmese or Karen at the higher standards.³⁷ This revision was, however, relaxed in the following year to allow the appointment of officers 'not passed in Burmese but otherwise well qualified for employment in the Commission'. Such appointments were conditional on the officers' passing the test in Burmese after a probationary period of one year and having a knowledge of some other oriental language. This was because Phayre's successor, Fytche, felt that by making entry to the Commission dependent on a knowledge of Burmese the field of selection was so narrowed that the best available men no longer entered the Commission.³⁸

In 1874 the rules were altered again so that assistant commissioners could not draw their full salaries till both standards had been passed. The same rules applied to military officials. Covenanted civilians who had been transferred from India and who had passed both standards of the examinations of other provinces, could draw full pay as assistant commissioners but could receive

³⁷I.Fin.P., 1866, Dec.No.259. Officers were also no longer required to have a knowledge of Persian.

³⁸I.F.P.(Gen.), 1867, Sept. Nos. 17 and 18.

no promotion until passing the examination in Burmese.³⁹ The government of India was less concerned about the acquisition of Burmese by officials not in the executive service and not of gazetted rank. Police superintendents and assistant superintendents were required to pass only the lower standard of the test in Burmese and until 1885 subordinate police officials, such as inspectors, were not required to undergo examination. Members of the forestry department and medical officers in civil employment were also exempt from examination in Burmese.⁴⁰

Until the 1880's there were few members of the I.C.S. on the British Burma Commission. The 'Non-Regulation' provinces had been excluded from the provisions of the Act of 1861, which stipulated that places in the administrative service were to be held by covenanted civilians. After 1862 the practice, begun in the 1820's of appointing military men to the higher ranks of the superior service was continued as well as that of appointing uncovenanted civilians. Although no other army officers became chief commissioner after Phayre and Fytche, in 1880 the three divisional commissioners were all military officers as were eleven of the

³⁹I.Fin.P., (Expend.), 1874, Sept. No.10.

⁴⁰B.H.P., 1875, June Index No.127 and 1878, Aug. Index Nos.40 and 41. After 1878 forestry officials were required to learn Karen; medical officers were required to know only the common vernacular of India, though after 1883 the voluntary acquisition of Burmese was encouraged by offering rewards for passing the examination in Burmese. The government of India had earlier queried the necessity of encouraging police inspectors to learn Burmese. See Chapter VI, footnote 39. In 1873 only one officer had passed the examination in Karen; one assistant commissioner and one police superintendent knew a little Shan; one officer spoke Tounghthu. B.H.P., 1873, Feb. Index No.16(a). Interpreters were mostly used for the various Indian languages, such as Telagu, and also for Chinese.

eighteen deputy commissioners. Five of the remainder were uncovenanted civilians, the other two being civilians; and of six assistant commissioners of the first class four were military officers and two were uncovenanted civilians.⁴¹

Pressure from the I.C.S. and from the authorities in England led to the gradual reduction of this imbalance between military and covenanted civilians, which prevailed in most 'Non-Regulation' provinces.⁴² It was with some reluctance that the administration in British Burma yielded to such pressures, as members of the I.C.S. had received no special training for British Burma, but because of their qualifications were entitled to relatively high rank in the civil service. No longer was such significance attached to the employment of military personnel in civil administration, but most of the men in the British Burma Commission had had most of their administrative experience in Burma and thus were well acquainted with its peoples and problems. It was feared that an influx of civilians would both reduce the efficiency of administration because of their inexperience of Burma and retard the provincial

⁴¹ B.H.P., 1880, Nov. Index No. 25.

⁴² Cf. Edward Blunt, The I.C.S. - The Indian Civil Service, (London, 1939), p. 45. It was felt that the system of military appointments in 'Non-Regulation' provinces was one of patronage and interest and as such was contrary to the principles established in 1853. The 'civilians' also resented the fact that their rate of promotion in such provinces was usually very slow. L.S.O'Malley, The Indian Civil Service, 1601-1930, (London, 1931), p. 92 and I.F.C.P., 1883, Jan. No. 44. These pressures for change, however, coincided with the fact that the Indian regiments and Indian staff corps could no longer spare the large numbers of officers previously drawn off for civil employment.

promotion rate which was already slow.⁴³ Nonetheless by 1885 the superior service contained an increasing number of covenanted civilians though military officers still held the higher and better paid appointments.⁴⁴ By this time, however, provision had been made for civilians to be trained in England, especially for service in British Burma.⁴⁵

The difficulty of learning Burmese, the remoteness and difference of Burma from India, the fact that experience there was of little use elsewhere in India; the notorious expensiveness of the place, and the slow rate of promotion did not make British Burma the most attractive province of India in which to serve. Salaries always lagged behind those in other provinces, even though Bruce and Temple had pointed out the imprudence of this as early as 1860.⁴⁶ Though deputy and assistant commissioners reached their rank earlier in life, they warranted lower salaries for their more limited experience, and their prospects of further increments in salary and status were limited. Moreover, the same principle of offering lower salaries applied in the higher echelons. In 1881 the judicial

⁴³ B.H.P., 1876, Oct. Index No. 39.

⁴⁴ J.S.Furnivall, A Study of the Social and Economic History of Burma, Part IV, p.4.

⁴⁵ B.H.P., 1885, Aug. Index No.21. They were to be already familiar with Burmese when they arrived. No further uncovenanted civilians were to be appointed to the superior service.

⁴⁶ Op.cit., p.27. They were, however, responsible for the grading of deputy, assistant, and extra assistant commissioners in British Burma, as prior to 1860 there was only one grade of each of these ranks and that the lowest. This did serve to facilitate the promotion rate to some extent as well as to enhance the attraction of service in the province.

commissioner received a salary of only 2,500 rupees a month, compared with the monthly salaries of 3,000 rupees and over of the judicial commissioners of Oudh, the Central Provinces, and Mysore. It was thus difficult to secure or retain officers of suitable calibre and experience for the position, despite its importance.⁴⁷

Furthermore, though British Burma had always been an expensive province in which to live, there was no special allowance for British officials serving there, despite the Indian government's eventual acknowledgement of the need of special allowances or higher rates of pay for the lower grades. New appointments were invariably of the very lowest class in the grade and because of the straitened circumstances of the government of India establishments were kept at the barest minimum. This helped retard the promotion rate, as did the fact that the rate of retirement was also slow.⁴⁸

The generally unattractive conditions for administrative service were blamed for the various irregularities which occurred not infrequently in the British Burma Commission. Although these were not on the scale nor of the frequency of the irregularities that had filled the annals of pre-1852 Tenasserim, a significant number of scandals and anomalies continued to occur.⁴⁹ Fytche had

⁴⁷B.H.P., 1881, Apr. Index No. 3.

⁴⁸This was largely due to the expensiveness of the province as few could save enough to retire early. Ibid., 1882, Oct. Index No. 21.

⁴⁹The part of a commissioner in a timber fraud has already been noted. Many demotions and dismissals stemmed from impropriety of

attributed the poor standard of men attracted to the Commission to the difficult language tests. Ashley Eden, associating it with the practice of appointing uncovenanted civilians, claimed,

... the only object of employing Uncovenanted civilians is that their services were supposed to be cheaper than those of the trained Covenanted officers, but when they are appointed to the Commission they receive precisely the same pay and emoluments as Covenanted officers, and there is no sort of economy in their employment; while their appointment opens a road to great jobbery and the class of men depends too much on the personal disposition of the head of a local administration and his ability to remit the pressure which is brought to bear upon him from every conceivable source, local and European.⁵⁰

It was not only the uncovenanted civilians who were criticised; insinuations were also made against the civilians sent from India. According to Thirkell White, men were sent to Burma for their sins or for a term of years.⁵¹

Efforts made to strike at the root causes of the troubles included the government's provision in 1877 of quarters in subdivisions. This prevented officials making their own arrangements which, it was feared, were frequently the cause of 'the scandal ... attached to the lives of so many officers formerly in the Burma Commission'.⁵² In the 1880's the judicial commissioner, on discovering a great number of irregularities in deputy commissioners' judicial work, such as neglect of rules, the passing

conduct either in a private or public capacity, though there were instances of gross negligence and insubordination as well.

⁵⁰ B.H.P., 1873, June Index No.180.

⁵¹ A Civil Servant in Burma, (London, 1913), p.7. White added, 'A Chief Commissioner's wife is said to have told one of these young men that other Provinces sent their worst men to Burma.'

of inadequate sentences, carelessness in dealing with habitual criminals, and inadequate supervision of subordinates, suggested that these be always taken into consideration in determining promotion.⁵³ A more positive step than this, however, was taken with the reduction of European numbers at the lower levels of the administration. It was expected that this would lead to a more rapid and satisfactory rate of promotion and a consequent improvement in morale and administrative performance.⁵⁴

Provincial and Subordinate Civil Service The attempt to grant more administrative responsibility to the indigenous people was not made without meeting difficulties. Until this time a significant characteristic of British administration in Burma had been the lack of provision for the participation of the indigenous people and the firm dominance of administration by Europeans. Their wide distribution throughout the province and the close contact European officials were required to have with their administrative charges were part of the strength of the British administrative system. This had been somewhat diluted by the practice of keeping the ranks of the superior service at a minimum, making transfers frequent as

⁵²B.H.P., 1877, Mch. Index No.86.

⁵³Ibid., 1883, Sept. Index No.4. He also attributed the faults to lack of training in India for officers serving in Burma.

⁵⁴Ibid., 1880, Nov. Index No.25.

officials went on leave or were promoted, so that contact between officials and districts was weakened. Now by allowing Burmans to prove their administrative ability in important positions, it seemed administrative efficiency must suffer further as Europeans were replaced by inexperienced and unproven Burman officers.

Both the governor-general, Lord Ripon, and Charles Bernard, chief commissioner from 1880 to 1883 and from 1884 to 1887, were willing, however, to put up with some decline in efficiency for the 'national and political advantage' of giving more responsibility to Burmans.⁵⁵

It was a question of deciding how much inefficiency was permissible as, for instance, the sharp increase in crimes in the Han-tha-wadi district in 1882 had been associated with the sudden removal of European officials and their replacement by Burmans.⁵⁶ Moreover, there were few Burman officials sufficiently familiar with English even to be able to assist deputy commissioners at district head-quarters, especially with treasury work. Because of this, in smaller districts, such as Tavoy, Kyauk-hpyu, and Thōngwa, where no assistant commissioners were stationed at district head-quarters, the district civil surgeons were allowed to help the deputy commissioners when the onus of work necessitated it.⁵⁷

Until 1880 only a very small number of Burmans had occupied

⁵⁵Ibid.

⁵⁶Ibid., 1882, Oct. Index No. 10. See also page

⁵⁷Ibid., 1881, May Index No. 29.

positions of more than minor responsibility. None had been invested with the full powers of a magistrate nor had any been appointed to a sub-division except in a temporary capacity.⁵⁸ The early years of British rule had seemed to hold better prospects for Burmans. Phayre had promoted the first Burman to be an extra assistant commissioner as early as 1860; this was Maung Khaing, a former sit-kē of Rangoon.⁵⁹ In the same year Bruce and Temple had recommended that 'some superior appointments should be open to deserving' Burmans and suggested that two rather remote extra-assistant commissionerships in the Rangoon and Bassein districts be reserved for them.⁶⁰ And in 1863 of the six first class extra-assistant commissioners on 400 rupees a month one was Maung Khaing and of the three extra-assistant commissioners on 350 rupees a month there was one other Burman.⁶¹

By 1880 Burman extra-assistant commissioners could still earn no more than 400 rupees a month, although European extra-assistants could earn up to 600 rupees a month and were eligible for promotion to assistant commissionerships. As early as 1867 there had been a resolution by the government of India on the necessity of employing indigenous peoples as assistant commissioners in the 'Non-Regulation' provinces but nothing had come of it in British Burma.

⁵⁸ B.H.P., 1880, Nov. Index No.25.

⁵⁹ I.F.P.P., 1860, 3rd Feb. No.289. See also pages 84-5 footnote 80.

⁶⁰ Op.cit., p.27.

⁶¹ I.F.P., (Gen.), 1863, July, No.70. The latter was Maung Oung, later second judge of the Rangoon court of small causes. See below.

The chief commissioner, Fytche, had thought that Burmans were not qualified sufficiently to be so promoted, but had suggested that they might eventually hold one-fourth of the assistant commissionerships. He gave, however, no date for this.⁶²

The one appointment of importance open to Burmans was that of the second judge of the Rangoon court of small causes. This was sanctioned, however, more on political grounds than as a means of promoting the more able indigenous officials. The first judge of the Rangoon small cause court had understood Burmese, but when one was appointed who did not, dissatisfaction grew among the Burman community because complaints and pleading could no longer be in Burmese. To remove this cause of discontent, Ashley Eden had suggested that a Burman or someone thoroughly acquainted with Burmese be appointed also. The government of India initially rebuffed the suggestion on the grounds that Burmans did not predominate numerically in Rangoon, but eventually sanctioned it because of British fears in the previous year that the Burmese king was trying to undermine British authority by the use of agents provocateurs.⁶³ Eden had urged,

Under our present system the salary of the highest office to which a native of Burma can hope to attain is Rupees 400 per mensem. No Burmese official has ever received a higher salary than this. From a political point of view, this limit to their hopes and

⁶² I.F.P., (Gen.), 1867, Dec. Nos. 2 and 3. The government of India had stipulated that a quarter of the assistant commissionerships was the maximum to be held by Burmans.

⁶³ B.H.P., 1872, Aug. Index Nos. 30 and 41.

ambitions is ... mischievous, in so much as it leads them to compare the position of the leading Burmese officials among us with that of the leading officials in Upper Burma. This contrast is unquestionably very prominently and perseveringly presented to them by the Agents of the King, and other mischievous and intriguing persons ...

He thought also that the appointment would have the desirable effect of inducing the whole service of Burmese extra assistant commissioners to acquire greater legal knowledge. Moreover, he was of the opinion that indigenous society would benefit from the appointment, as the injection of 'some sort of social disparity and excitement' into it would relieve it from the social stagnation that came from the people being 'all too much on a dead level'.⁶⁴

The first reports on the new judge seemed to justify his appointment almost immediately. The number of cases in which Burmans were involved rose significantly and it was inferred that 'the Burmese have greater confidence in a Burman Judge than in an English one'.⁶⁵ By 1876, however, complaints were being lodged with the chief commissioner about various irregularities occurring in the court of the second judge.⁶⁶ Doubts were also being raised about the legislative basis for the appointment, despite the amendment of the Burma Courts Act in 1875. As the first incumbent retired soon after, the position of his successor was put on a more regular footing and rules were framed to prevent the recurrence of the

⁶⁴ Ibid., No.37.

⁶⁵ Ibid., 1874, May Index No.2.

⁶⁶ Ibid., 1876, Aug.Index No.56. There was also some personal antagonism between the two judges of the small cause court.

early irregularities.⁶⁷

One obstacle to be overcome in granting indigenous officials greater administrative responsibility was the differences that existed between the functions and conduct of officials under British and under Burmese rule. The system of governance under British rule rested on law, administered impartially and impersonally; whereas under Burmese rule the system rested mainly on custom and authority, which could be both personal and partial. Accordingly nepotism and 'gift-acceptance' continued into the British regime and were still embarrassingly prevalent at the end of the period, although rarely were these found to amount to indictable corruption. It was thought that the frequency of such practices might be reduced by raising the salaries of indigenous officials, but only by changing the values and customs of indigenous society could they be completely eradicated. People gave presents in the hope of influencing officials, as in the old regime. If they were not accepted by the officials themselves, their relatives and hangers-on would do so. G. D. Burgess, the secretary to the chief commissioner, believed,

that the most the Myo-oke himself will do will be to accept supplies and carriage as he travels, and such things as wood to make his house, bamboo to make his fence, grain for household use, and so on, without being too careful to see that the price is paid or that market rates

⁶⁷ B.H.P., 1877, Aug. Index No.4 and I.J.P., 1881, Nov. Index No.21. The incumbent was also required to know English. This was mainly to enable his English-speaking judicial superiors to supervise his work.

are given. He will also consent to receive small presents, particularly of eatables, such as a pig, turtle eggs, vegetables, etc. with a constancy and to an extent which are improper to his station.⁶⁸

Until 1862 the administrative role of indigenous officials had been similar to what it had been under the Burmese, in that each local official had responsibility for all affairs within his territorial charge. After 1862, following the recommendation of Bruce and Temple, the separation of powers in all administrative positions below that of extra-assistant commissioner was carried out.⁶⁹ Myo-ok and sit-kē were formally restricted to judicial work and thagyī to revenue work, but they were all still expected to maintain their interest in all other public affairs, such as police and general social affairs.⁷⁰ The judicial commissioner's emphasis on the importance of judicial work and the growing importance of revenue work for thagyī caused, however, a contraction in the public interests of officials to those to which they had been specifically confined by the administrative rules. Such a development inevitably had repercussions on the general standard of administrative efficiency in the province, and was frequently and officially deplored, especially at times of crisis. For instance, in 1883, when there was a significant increase in the crime rate, the chief

⁶⁸ B.H.P., 1881, Feb. Index No.30. See also page

⁶⁹ R. Temple and H. Bruce, op.cit., p.22.

⁷⁰ The establishment of a separate police force in the 1850's had not led to much co-operation by myo-ok, thagyī and gāung with it. In fact, considerable rivalry and even antagonism were shown towards the new officials.

commissioner declared,

There is a tendency on the part of all Magistrates ... to regard themselves as 'Courts' and to look upon 'the Bench' as their proper sphere. This feeling extends to the Myooks, who should be made to understand that they are not mere legal machines but men invested with authority and expected to obtain influence and to use it earnestly in the cause of order. The Burman Township Officer is as important a part of the administrative machine as the Deputy Magistrate of Bengal or the Tahsildar of the Central Provinces and Northern India. It is essential that he should look upon himself as an Executive as much as a Judicial Officer.⁷¹

As the organisation for the supervision of the lower courts was improved and extended, deficiencies in the judicial work of indigenous officials were increasingly brought to light. Although it was known in 1863 that the judgements of Burman judges were neither methodical nor always consistent with western logic, the British noted that they generally gave satisfaction.⁷² These defects were less tolerated later, especially as indigenous officials were noticeably lenient in sentencing. In the 1880's when the crime rate was rising steeply, this was regarded as a serious fault and great effort was expended in impressing on judicial officials the need of passing adequate sentences.

Attempts to ensure that indigenous officials understood their duties under the British administrative system and that they had the requisite qualifications, were largely concentrated on develop-

⁷¹B.H.P., 1883, Sept. Index No.12.

⁷²I.F.P.(Jud.),1863, Aug. No.43. The paucity of appeals against their judgements was viewed with some favour.

ing the system of selection by examination. Phayre had considered introducing such a system in 1865 as it was becoming more apparent that the early method of selecting indigenous officials according to their influence and general administrative ability was inadequate as far as testing their ability to administer British law.⁷³ It was Fytche, however, who began cautiously to introduce the examination system in 1867. Although he believed that this was a better method of deciding between the rival claims of candidates than relying on the discretion of the local British administrative official, he also believed that 'the class from which the Judges must be selected is restricted and time and education alone can improve that class'.⁷⁴

Until such a time, the initial effects of introducing such a system were not all good. Successful candidates were increasingly transferred to vacant positions where they had no influence over or knowledge of the people. As the commissioner of Pegu pointed out in 1871,

It is very difficult ... to suddenly disturb arrangements which have long existed, and the sudden transferring to other places of men who have no ideas beyond their own district ... would not be I think attended with immediate good results. Even the removal of some myookes lately who failed to pass their examination, I have come to believe, gave rise to a vindictive feeling.⁷⁵

⁷³I.J.P., 1865, Sept. No.19.

⁷⁴Ibid., 1870, Jan.Index No.84.

⁷⁵B.H.P., 1871, Dec. Index No.230.

By 1882 the system of selecting officials by examination, though by no means fully introduced, was coming increasingly under criticism from the divisional commissioners who thought that the calibre and prestige of indigenous officials were declining because frequently the most qualified men were too young to secure influence and were without long-standing influence in the areas to which they were appointed.⁷⁶ It was also recognised that education had 'not made sufficient progress among the mass of the people' to make selection by examination 'fair or afford a sufficient supply of the class of men wanted'. Moreover, the government could not ignore the claims of those 'who have been doing good work in the service of Government in the expectation of obtaining a reward in promotion to a Myookship'.⁷⁷

Because of this, it was then decided that candidates could be examined after they had first been selected on the basis of good character, education and knowledge of English, previous good service, local standing and influence, hereditary claims, and physical fitness for active work. No person believed to be unfit 'either by reason of youth or any other disadvantage' was to be nominated.⁷⁸ The subjects of the actual examination included English and Burmese, law, the various penal and revenue rules, arithmetic, surveying and agriculture. A pass in Burmese was

⁷⁶Ibid., 1882, Oct. Index No.10.

⁷⁷Ibid., May Index No.14.

⁷⁸Ibid., 1883, Sept. Index No.12.

obligatory. The other subjects were optional.⁷⁹

By this time qualification by examination was beginning to control the entrance to government clerkships as well, as these frequently provided an entry to the ranks of the administrative service.⁸⁰ Indeed, after 1881 they were included within it, being listed as the lowest rank of the subordinate civil service, from which promotion could be more easily and regularly facilitated.⁸¹ Prior to this, entry to a clerkship was mostly achieved after a long term of 'volunteering' in an office, a system which was regarded as being both inefficient and favourable to the development of corruption.⁸²

But although the examination system ensured a greater understanding of British administrative requirements, a knowledge of English was increasingly necessary once the way was open for Burman

⁷⁹Ibid., 1882, Sept. Index No. 18. Marks were also allotted for various educational certificates, for previous good service as a thagyi or other administrative official, hereditary claims by virtue of good service done to the British government by father, grandfathers or uncles, and physical fitness.

⁸⁰B.H.P., 1882, Mch. Index No. 24, No. 2. Clerkships to the Recorder's office and that of the comptroller, and to the Public Works Department's office were excluded from this for the time being, however.

⁸¹Until 1874 revenue accountants, still known as ahkun-wun, had been able to be promoted as sit-ke and extra assistant commissioners. It was thought judicial work suffered through promoting men without judicial experience and after 1874 ahkun-wun were still able to become extra assistant commissioners but were confined to work for the revenue department. B.H.P., 1873, July Index No. 156 and 1874, July Index No. 100.

⁸²Ibid., 1877, Nov. Appendix B and 1882, Mch. Index No. 24, No. 2.

officials to take charge of sub-divisions and ultimately of districts.⁸³ As Charles Bernard pointed out,

As the requirements of British administration grow more and more complicated, it becomes very difficult for an officer who cannot read English to discharge duties of higher responsibility than that of township officer ... Without such knowledge they must remain ignorant of many of our laws and they can never really understand our administrative system and aims.⁸⁴

To some extent, the translation department had helped to keep non-English speaking officials abreast with administrative developments. First founded during the chief commissionership of Albert Fytche, because not ten out of ninety-two extra-assistant commissioners entrusted with magisterial and revenue powers could then read English, the department had grown from the translator-interpreter of 1869 to include by 1881 a senior translator, two assistant translators, and one clerk.⁸⁵ Even though aided by external translators, the department could still not keep up with the spate of work. Not until 1882, for instance, was the Indian Stamp Act of 1879 translated, although any document executed on a wrong stamp after April 1879 was liable to be declared null and void.⁸⁶ A list of law books the judicial commissioner consid-

⁸³B.H.P., 1882, Nov. Index No. 25. The latter development was not expected to take place until 1904 or later.

⁸⁴B.B.A.R., 1880-81, p. 8.

⁸⁵I. Fin. P. (Expend.), 1869, Mch. Nos. 88 and 89. and B.H.P., 1881, July Index No. 1101. Prior to 1869 government officials had done translation in their spare time. The duties of the translation department in 1881 included translating administrative rules and legislative acts, reporting on the five vernacular newspapers, and translating petitions and notices.

⁸⁶B.H.P., 1882, May Index No. 18, No. 3.

ered essential for Burman officials was submitted to be translated into the vernacular, but the advantage of their knowing English could not be denied. Not only did English-speaking officials not have to wait on the translation department, they could resort immediately to the originals and also receive personal copies of all legislation in force in British Burma.

The granting of more responsibilities to indigenous officials caused their salaries and prospects of promotion to be reviewed. This was to ensure that they could afford to live in the style associated with officials, to place them above corruption, and to co-ordinate their salaries and grades with those of officials in the rest of British India. The salaries of myo-ok and the lower grades of extra assistant commissioners had not been revised since 1862 in spite of a substantial rise in prices since then.⁸⁷ Many were discharging duties similar to those of the tahsildars of the Punjab and the deputy collectors of Bengal and food prices and wages in British Burma were, according to the chief commissioner, at least double those in India. Yet the salaries of Burman officials were considerably below those of their Indian counterparts.⁸⁸

⁸⁷ The number of myo-ok had then been reduced from 67 to 39 and the area of townships increased. This was to raise their salaries from a minimum of 50 rupees a month to a minimum of 100 rupees. Bruce and Temple had then considered this the lowest on which myo-ok could maintain their position. Op.cit., p.28.

⁸⁸ Salaries of tahsildars ranged from 125 to 250 rupees a month while myo-ok (extra assistant commissioners of the third grade, 2nd and 3rd classes) received 100 and 125 rupees a month respectively. The maximum salary of a Burman extra assistant commissioner was 400 rupees a month. B.H.P., 1881, Feb. Index No.30. Assistant

It was decided after a general enquiry into the condition of Burman officials in 1881 that it was 'doubtful whether it is possible to live as a myo-oke on the pay of the two lower grades' which were the most numerous.⁸⁹ Myo-ok supplemented their incomes 'in one way or another'.⁹⁰ Colonel Duff, the commissioner of Pegu, thought that the existing scheme of salaries for indigenous officials was open to the reproach that the British were 'training up men who must either, as a rule, become hopelessly involved in debt, or systematically corrupt'.⁹¹ The heavy pre-dominance of the lower grades also served to frustrate hopes of promotion, which G. D. Burgess thought formed

one of the chief inducements to a Burman officer to walk in the straight and narrow path and strive to do well, as it is the position and influence of a Myo-oke, and the distinction of being addressed as Paya, which lead bad men to enter the Commission who would scorn to serve all their life as clerks on twice the pay.⁹²

commissioners' salaries ranged from 300 to 700 rupees a month while deputy commissioners' ranged between 1,000 and 1,833 rupees a month. Ibid., 1882, Oct. Index No.21.

⁸⁹ There were 65 extra assistant commissioners drawing less than 150 rupees a month in 1880 and 55 earning more.

⁹⁰ Apart from receiving 'gifts', it was widely thought that most myo-ok had a separate source of income, such as land, house property, or invested money, though often these were in the name of a relative.

⁹¹ B.H.P., 1881, Feb. Index No.30.

⁹² Ibid.

While it was believed that corruption was rare, it was thought that many irregularities might be removed, by raising the minimum salary from 100 to 150 rupees a month and by considerably increasing the number of higher grade appointments.⁹³ This also enabled a closer correspondence to be established between the grades and salaries of Burman and Indian officials, which was then the policy of the government of India.⁹⁴ The old system of classification was abandoned and myo-ok and extra assistant commissioners became two distinct categories of officials. The latter received salaries ranging between 300 and 800 rupees a month while the former were on salaries ranging from 150 to 250 rupees. They then corresponded more closely with the tahsildars and deputy collectors of India, who had also been regraded. The latter were then the equivalents of extra assistant commissioners who constituted the new provincial service while myo-ok and all other officials receiving less than 300 rupees a month remained in the subordinate service.⁹⁵

⁹³ B.H.P., 1881, Feb. Index No. 30 and 1883, Sept. Index No. 215. Five extra assistant commissioners were to receive over 500 rupees a month while 32 were to receive between 300 and 500 rupees a month. Most of these were not indigenous people. Previously only one extra assistant commissioner had received more than 500 rupees and 11 over 300 rupees a month.

⁹⁴ Bruce and Temple had recommended establishing greater parity between myo-ok and tahsildars in 1860. Op.cit., p. 28.

⁹⁵ Extra assistant commissioners of the 1st, 2nd, 3rd, and 4th grades were also known as 'wundauk' and those of the 5th and 6th grade as sit-ke. The new system of classification caused some confusion over nomenclature, legality, and jurisdiction, as the Burma Courts Act of 1875 had not been amended to include myo-ok or the new grades of extra assistant commissioner. This was overcome,

In the half decade that followed the decision to allow more administrative responsibility to Burmans, comparatively few rose to any eminence, despite British efforts to encourage a general increase in responsibility. In 1881 one Burman, Maung Ba One, who had been partly educated in England, was appointed as a probationer in the civil service under the statute of 1870, but in 1883 there were only three Burmans in charge of sub-divisions.^{95a} A few selected Burmans were given first class magisterial powers and some were handling civil cases up to the value of 3,000 rupees. As more Burmans acquired a knowledge of English, however, they were appointed as treasury officials, and the appointment of honorary magistrates led to more indigenous people participating in the administration of justice.

Although theoretically positions in the provincial and subordinate civil service were open to all Burmans, by 1885 the Burmese, Arakanese, and mons predominated in a way disproportionate to their numbers. In 1887 Donald Smeaton estimated that of the 120 extra assistant commissioners and myo-ok in Lower Burma, there were at most six Karens, although Karens formed one-fifth to one-sixth of the population.⁹⁶ This resulted largely from the integ-

however, by a ruling of the chief commissioner, sanctioned by the government of India. I.F.C.P. (Accts. and Fin.), 1883, Sept. Nos. 1330 and 1331 and B.H.P., July Index No. 3. See also page 154.

^{95a} B.B.A.R., 1880-81, p. 8.

⁹⁶ The Loyal Karens of Burma, (London, 1878), p. 229. This situation compared unfavourably with that prevailing earlier in the British regime. Of the thirteen myo-ok Fytche had appointed in Bassein in 1853, four had been Karens. In 1854 Karen agents (na-gan) were appointed to each tribe in Taung-ngu and in 1859 two of these were

ration policy Eden had attempted to introduce in the 1870's. Believing it 'inadvisable to attempt to elevate them into a separate and competing nationality' and considering it administratively inconvenient to have two vernacular languages in one province, Eden cancelled the examination rules in Karen for candidates to myo-ok ships in 1872.^{96a}

The rules were relaxed only when a Karen myo-ok 'not otherwise eligible for appointment' was needed, such as in 1881 when a Karen was appointed in the Bassein district to check Burmese money-lenders exploiting the Karens there.^{96b} Apart from their appointment in this way, entry to the civil service became more difficult for Karens in the 1880's because of their need of passing examinations in both Burmese and English.

Thagyī Effort was also being made at this time to impress upon thagyī that they should use their local knowledge and influence for the greater benefit of the administration. Ever since 1862 they had tended to restrict their official activities to the revenue duties to which they had then been formally confined. This formal restriction was due to a variety of reasons but owed much to early British distrust against leaving thagyī with too much influence and too many opportunities for taking

promoted to the status of myo-ok. E.S.L.I., 1854, Encl. 7 to Letter 7 of 18th July and I.F.P.P., 1859, 15th April, No. 583.

^{96a} B.H.P., 1872, Nov. Index No. 35 and 1873, Jan. Index No. 74.

^{96b} Ibid., 1882, Oct. Index No. 22.

advantage of their traditional position in society. Colvin had queried the prudence of granting them 'too much power' in 1853 and many of the disorders in early British Arakan and Pegu had seemed to justify such a query.⁹⁷ The later continued irregularities in thagyī's fiscal duties also roused British scepticism of their trustworthiness in dealing with revenue matters.⁹⁸

These considerations were largely responsible for Bruce and Temple's recommending in 1860 that thagyī be relieved of their police functions and that their fiscal responsibilities be reduced. The latter was to be achieved by inducing the people to accept long-term land revenue settlements and thus do away with the annual land revenue assessments conducted under the auspices of the thagyī. They also recommended that the area of thagyī's circles be enlarged so that each thagyī collected over 6,000 rupees a year. In this way the total revenue paid to thagyī by commission would be considerably reduced, as commission on collections over 6,000 rupees was only 5 per cent, compared with the 10 per cent on collections below that amount. Bruce and Temple recognised, however, the value of thagyī's influence and local knowledge to police and general administration and stressed that though deprived of police duties, they would still 'be bound to aid the Police under the General Regulations'.⁹⁹

⁹⁷ B.S.B.R.P., 1853, 3rd June, No. 3 D.

⁹⁸ In 1859 the estimated amount of revenue embezzled by the thagyī in Pegu was 11,820 rupees, almost three times the amount plundered by gang robberies after the collections had been made. I.F.P.P., 1859, 3rd June, No. 477.

These recommendations were implemented but the British still continued to find cause for dissatisfaction with thagyi. Corruption and tenacity to old ways as well as inadequacy as revenue officers were the most frequent charges made against them. For the first decade or so after 1862 most were still ignorant of the basic principles of surveying and were still reliant on the services of hired surveyors.¹⁰⁰

At that stage it was felt that the most effective way of counteracting the 'improper influence' of thagyi was by frequent tours of the circles by the deputy commissioners.¹⁰¹ It was not long, however, before some attempt was made to introduce the examination system as a method of selection. Albert Fytche had begun to insist on thagyi's being qualified in surveying and deprived thagyi of government assistance towards the cost of hiring surveyors.¹⁰² Later in 1879 it was ruled that all thagyi appointed to

⁹⁹R. Temple and H. Bruce, op.cit., pp.4, 22, and 29. Circles were to be amalgamated, however, only when vacancies occurred and when there were no hereditary successors to be considered.

¹⁰⁰Arakanese surveyors had been mostly used at first in Pegu but were later mainly replaced by Karens. This put an end to the collusion that had been developing between surveyors and thagyi to the detriment of government revenue. I.F.P.(Rev.), 1862, Dec. No.16.

¹⁰¹Ibid., No.15.

¹⁰²I.F.P.(Gen.), 1867. The temporary rule introduced by Phayre in 1856 for government's meeting the cost of surveying for thagyi collecting less than 400 rupees a year was thus abolished. As a result of Fytche's ruling, the number of thagyi qualified in the Rangoon district alone increased from two at the beginning of the year to eleven at the end, as well as seven sons and relations of thagyi. B.B.R.A.R., 1870-71, p.79.

circles of which the commission exceeded 500 rupees a year were to hold office only for a probationary period of a year. In this time they were to pass examinations in surveying, accounting, and the revenue law of the province. Hereditary claims, local influence, intelligence, and good character were also to be taken into consideration, provided candidates had equal formal qualifications.¹⁰³

By the end of the period under review the revenue work of thagyī was being more favourably reported on although much was still criticised. The examination system ensured their possessing a better knowledge of their revenue duties. Those who were unable to adapt to the changed conditions of service and who had previously relied more on the irregular perquisites of office than on their regular commission found that the need of being qualified and the increasing British vigilance made the office no longer worth retaining.¹⁰⁴ Furthermore, the amalgamation of smaller circles ensured not only that government benefitted from the smaller amount of revenue paid because of the larger commissions on every circle, but also that annual commissions were adequate to attract more suitable men to the position.¹⁰⁵ At the same

¹⁰³ B.H.P., 1879, July Index No.46.

¹⁰⁴ B.B.R.A.R., 1870-71, p.78.

¹⁰⁵ There were 930 circles in British Burma in 1883, whereas there had been 719 in Pegu alone in 1860. R. Temple and H. Bruce, op.cit., p.29 and B.B.A.R., 1882-83, p.11. Circles in Tenasserim had always been smaller than elsewhere in the province and thagyī there seemed least able. In 1853 there had been 217 thagyī in Amherst district, of whom 156 received less than 5

time the opportunities for corruption had been largely reduced as thagyi were required to submit some sort of security before taking up their appointments.¹⁰⁶

The formal restriction of thagyi to revenue work after 1862, the continued emphasis thereafter on the correct performance of their revenue duties, and the increase in revenue work caused by the larger circles and increased area under cultivation, meant that thagyi spent more time on book work and less in their circles. Frequently they had assistants for the actual collections, so that often thagyi knew nothing of their assistants' activities in their circles until they received the tax receipts for the revenue collections.¹⁰⁷ The widespread introduction of long-term land revenue settlements also caused thagyi to have less to do with their circles. Furthermore, the practice had also been begun of transferring the more efficient thagyi to circles where revenue collections yielded higher commissions, so that their hereditary and long-standing ties with areas were being weakened as well.¹⁰⁸

rupees a month. B.S.B.R.P., 1853, 9th Dec., No. 65 and Ibid., 30th Aug., No. 51. In 1868 there were 135 thagyi in the district, 70 of whom could neither read nor write. 33 could read and write but could not keep accounts or survey. Only 34 thagyi had a commission of 500 rupees a year, which was considered the minimum for attracting competent men to the position. B.B.R.A.R., 1867-68, p. 403.

¹⁰⁶ B.B.R.A.R., 1880-81, p. 21. Some thagyi stood security for each other and others submitted securities to the government.

¹⁰⁷ B.H.P., 1883, Aug. Index No. 12. The fact that the assistants preferred to regard themselves as assistants to the supplementary surveyor and not to the thagyi also tended to weaken a thagyi's knowledge of and influence in his circle. B.B.A.R., 1884-85, p. 8.

¹⁰⁸ B.B.R.A.R., 1870-71, p. 78.

By 1883 this decline in influence and knowledge of their circles by thagyī as well as their general reluctance to become involved in any administrative work other than their revenue duties was being widely deplored by the more senior members of the commission. Charles Crosthwaite, the chief commissioner then, commented,

... there is a great difference in the class of men now appointed as thoogyees. Formerly a thoogyee was generally selected from amongst those in a circle who had some influence and were respected; but now the chief point looked to is qualification in surveying; and it is almost impossible to get men who have influence and are at the same time qualified.¹⁰⁹

Phayre had been dubious about the consequences of depriving thagyī of their police responsibilities in 1862.¹¹⁰ By 1885 his doubts were justified when the advantages of the traditional system of having thagyī responsible for all matters within their circles were increasingly recalled, as it became more and more apparent that the separate police department the British had created was unable to cope with its responsibilities. But British insistence on the priority of revenue work and the evolution of an administrative structure with divided responsibilities, allowed only limited success to such efforts as were made to restore to thagyī some measure of their former influence and local prestige.¹¹¹

¹⁰⁹ B.H.P., 1883, Aug. Index No.12.

¹¹⁰ I.J.P., 1862 June No.39.

¹¹¹ The role of thagyī in police administration is discussed further in the next chapter.

Chapter VI

THE DEVELOPMENT OF POLICE ADMINISTRATION.

1862-1885

Although British Burma was not to be troubled again, at least in this period, by the disorders and 'dacoity' that had hindered the imposition of British law and order in Pegu in the 1850's, it was to be troubled by a steadily rising crime rate which grew out of all proportion to the increase in the population. And not only did petty crime and theft increase in number but also crimes of violence. In 1861 there had been 67 crimes of this nature while in 1882 there were 148 murders, 91 cases of dacoity, and 211 of robbery.¹ By 1885 it was believed that 'the province had got out of hand' and references to the 'criminality of the population' became frequent. In these circumstances police administration lost none of the importance it had had in the first difficult years of British rule in Pegu.

No adequate explanation was found for the development of such a crime rate. The frequent murders were early attributed to the passionate and impulsive nature of the Burmans and the dacoity of the post-1850's was thought to be as much a stage through which exuberant youth passed as a serious crime.² Immigrants, often itinerant workers among whom there was a high crime rate, were

¹B.B.A.R., 1861-62, p.9 and 1882-83, p.83. By 1885 juvenile delinquency was also on the increase.

²I.J.P., 1871, Mch.Index No.10.

blamed for many of the crimes in the province.³ Rises in the crime rate were also correlated with extraordinary conditions. In 1866-67, for instance, many crimes were attributed to the high prices of food and to the political turbulence in Upper Burma following a rebellion there.⁴ Later explanations were sought in the state of society.⁵ It was thought that the moral standards of the people had deteriorated following the decline in the Buddhist monasteries of British Burma. The increases in gambling and in alcohol and opium consumption were also interpreted as further symptoms of the general moral and social decline of the people.⁶ Yet as with other theories this was disproved on occasion, as in

³It was thought that for many migrants from Upper Burma residence there had been 'rendered uncomfortable by their own misdeeds' and that they were unaccustomed to 'the strict control to which our people are subjected'. B.B.A.R., 1871-72, p.83. It seemed, however, until the 1880's, at least, that there was a higher rate of conviction among the Indian community of the province than for the Burmans. In 1875, 0.39 per cent of the Buddhist population was in jail, compared with 1.78 per cent of the Hindus and 0.65 of the Mahommedans. B.B.A.R., 1876-77, p.26.

⁴Ibid., 1866-67, p.38.

⁵In 1876 it was noted that there was almost no connexion between the prevalence of theft and the dearness of food, so the reverse explanation was offered - that in times of plenty more money was about and more people were tempted to steal more of it. B.B.A.R., 1874-75, Intro. p.9.

⁶The opium and gambling dens were also regarded as breeding grounds for crime, particularly in the 1880's when a game known as the Chinese lottery or 'the thirty-six animal game', became widespread throughout the province except in Rangoon, where it had been banned from the first. Regarded as a particularly pernicious form of gambling, it was finally suppressed in 1884. I.L.P., 1884, Oct. No.184.

1881 when a crowd of between 10,000 and 30,000 assembled for three days for the Rangoon boat races, only one offence was reported to the police.⁷

Although a strong police force was maintained throughout this period, the considerable increase in crime which occurred in the 1870's and after and the apparent inability of the police to suppress or detect it caused the administration to attempt striking at the supposed social roots of the trouble.⁸ Restrictions were gradually introduced against gambling and in 1881 half the opium shops of the province were closed and the prices of both alcohol and opium increased. Effort was also made to increase public co-operation in reducing the crime problem, as there was a growing suspicion that Burmans did not always set such great store by British law and order.⁹ People were often apathetic

⁷ B.B.A.R., 1880-81, p.11. J.S.Furnivall attributed the causes of the development of crime to the economic changes stimulated by the opening of the Suez Canal and to the growing agrarian instability. Colonial Policy and Practice, (Cambridge, 1948), p.141. Dr.Kyaw Yin traced the causes to social dislocation from 'the anti-social economic and political forces that emanated from the new colonial culture'. 'The Problem of Crime and the Criminal and its Solution in Socialist Burma', J.B.R.S., June, 1964, Pt.1, Vol.XLVII, p.206. It would seem however, that this was not the first time crime had appeared in Burma, as the long reign of Bō-daw-hpayā was marred by almost a decade of violence and brigandage. G.E.Harvey, History of Burma, (London, 1925), p.272.

⁸ In 1879 it was reported there was an increase of 50 per cent in the crimes of violence in the previous five-year period and a decrease of 4 per cent in the number of convictions obtained from reported offences. B.H.P., 1879, May Appendix C.

⁹ Cf. Charles Crosthwaite, The Pacification of Burma, (London, 1912), p.23. It seems there was also a certain amount of social acceptance, if not of actual glamour, attached to a young man's being a dacoit for a while.

to lawlessness and indisposed to help in its suppression. Accordingly villagers slow in giving information on suspicious characters or in co-operating with the police in other ways, were liable to fines or to have police quartered on them punitively.¹⁰ The law requiring security for good behaviour was also invoked more frequently. The effectiveness of such measures was limited, however, and the main burden of dealing with lawlessness rested with the police.

Reorganisation of police administration Police administration in the British Burma provinces had been reorganised at the time of their union in 1862. This had been recommended by Bruce and Temple to correspond with the recommendations of the Commission of 1860 for police administration in all British India. The latter was influenced largely by the recent turmoil of the Mutiny but also by the organisation of police administration in Madras, Sind, and Bombay, which had been largely based on that of the Irish constabulary.¹¹ The main feature of this system was the separation of the police force from the executive. After 1860 each province was to have its own police force, controlled by the provincial government or chief commissioner, but headed by an inspector-general of police. There was

¹⁰ On the other hand villagers who co-operated with the police could be rewarded. Villages could receive a remittance of land revenue. B.H.P., 1883, May Index Nos. 11 and 12.

¹¹ J.C. Curry, The Indian Police, (London, 1932), p.33.

to be in each district a European district superintendent of police subject to the control of the district magistrate or deputy commissioner. To ensure that the police of India were wholly subject to the civil authority, the existing military police forces were to be disbanded. This was also because the latter were more expensive than a civil police force. The army was to be confined to purely military duties and all non-military functions formerly performed by the regular military forces, such as the guarding and escorting of treasure and prisoners, were to be performed by the civil police.¹²

Before the Mutiny corruption had been rife among the Indian police, who were underpaid and thus exposed to temptation. To eradicate this, the rule was laid down that the wages of the lowest ranks were to be superior to the current wage rates for unskilled labour. As it was decided that 'no Police system can be really effective in India which is not closely connected with the village police', they were also to be directly related to, though not incorporated in, the graded hierarchy of the regular police, so that they were ultimately responsible to the district magistrate.¹³

The implementation of these recommendations in British Burma under the first inspector-general of police, Lieutenant H. T. Duncan, led to the reduction of the rather haphazard police arrangements which had developed to meet the various crises in the past,

¹²I.J.P., 1860, Oct. No.35.

¹³Ibid, No.34.

to a system of graded hierarchies with responsibilities clearly defined. The district police battalions, the river police, the Pegu Light Infantry Battalion, and the town police were disbanded and integrated into the grades of the new civil police.¹⁴ The traditional indigenous officials below the rank of thagyī became the village constabulary, responsible no longer to the circle thagyī and township myo-ok but to the new civil police.

The village constabulary included the gāung and the kyēi-dān-gyī, the latter being literally the chief tax-payers, found in almost every hamlet, and who, for exemption from the capitulation tax, performed police duties similar to those of the village watch of India. They also aided the thagyī with their revenue duties, as did the gāung.¹⁵ The latter were appointed for the first time in Tenasserim and in Arakan rwa-gāung were no longer paid by commission but by monthly salary as were the other gāung of the province.¹⁶ Bruce and Temple had also stipulated that the village constabulary be relieved of revenue duties, but in practice only the gāung were.

¹⁴ Bruce and Temple had established both the salaries and grades for the new police force and only in Tenasserim was it necessary to adjust them because of the higher wages there. H. Bruce and R. Temple, Report upon British Burma, 1860, I.O.L., Elgin Papers, M.S.S. Eur. F. 83, p. 20 and I.J.P., 1861, 16th Aug., No. 40.

¹⁵ Kyēi-dān-gyī in Tenasserim were often referred to as deputy thagyī, presumably because of the help they gave the thagyī in their revenue collections. Their duties and status were nominally equal to those of gāung, possibly to legalise their employment according to the provisions of the 1854 code of procedure for Tenasserim in which only rwa-gāung, thagyī, and peons were cited as rural police officials.

¹⁶ I.F.P., (Gen.), 1863, June, No. 35.

The whole reorganised police system of 1862 was carefully based on securing the maximum efficiency with the maximum economy. For instance, the number of gāung were limited to the number that could be paid at 10 rupees a month each from a fund consisting of a fourth of the increased returns from the recently augmented capitation tax. They were then expected to manage considerably larger areas of jurisdiction because they no longer had revenue duties.¹⁷ Establishing the police system on this basis of economy and efficiency was to be a rather different matter, however, from maintaining it on this basis.

The rank and file The main difficulty for the authorities with the lower ranks of the police force was that of attracting men of high enough quality, integrity, and responsibility to form an efficient police force. As early as 1860 the commissioner of Tenasserim had noted,

... the fact of a Burman becoming a policeman is prima facie evidence that he is an inferior man of his class; he must be more or less idle, thriftless, wanting in energy and manly independence if he quit the illimitable field for private industry which the country offers to the humblest and poorest, for the prospects which the service of Government hold out to him.¹⁸

¹⁷ Their area of jurisdiction was about 80 square miles. The number of gāung was more than halved in most districts but in Rangoon district only 80 out of 223 were left. I.J.P., 1861, 1st May, Nos. 2 and 5. In Arakan only one-fourth of the rwa-gaung were retained.

¹⁸ T.M.A.R., 1859-60, p.9.

This was less true of the police of the 1880's, but there was still dissatisfaction with the lower ranks, especially in view of the increasing crime rate and the inability of the police to deal with it.

In British Burma with its constantly expanding economy and continuous dearth of labour throughout this period, wages for labour continued to rise, so that minimum wages for police constables always lagged behind the basic rate for coolies. Although periodic attempts at adjustment were made, these occurred with insufficient frequency and adequacy to be anything more than temporary alleviation. This was partly due to the straitened circumstances of the government of India, but also to its reluctance to accept that labour costs in British Burma were higher than elsewhere. The basic tenet laid down by the Police Act of 1861 that the minimum salary in all provincial forces should always be rather higher than what a constable could earn by his labour, so that dismissal from the police force should always be a substantial punishment thus remained largely a dead letter.

The rate of discharges was high, both by voluntary application and by dismissal. This seriously reduced police efficiency. The rate of discharges was particularly high in Tenasserim, despite the fact that the basic rate for a police constable there was higher than in Pegu or Arakan. In Tenasserim in 1867 few good men were willing to enter the lower ranks on 10 and 12 rupees a month

when 20 to 30 rupees could be earned in the forests.¹⁹ In areas such as Myan-aung where there were heavy embankment and road works in progress and where the rate of pay for labour was considerably above that offered in the lower ranks of the police force, similar difficulties were experienced in securing good men. The police force was frequently used as a convenience, with only those unable to obtain work elsewhere staying on and these were the ones prone to dismissal because of their inability and negligence.²⁰

By 1875 30 per cent of the police were recruits and the percentage stayed at that level with only minor fluctuations thereafter.²¹ Although wages were raised in 1868, 1875, 1879, and 1882, they were outpaced by the rise in wages elsewhere. By 1882 only twelve men had served long enough to be eligible for a pension.²² In some districts where opportunities for seeking casual employment were limited, such as Tavoy and Kyauk-hpyu, good police recruits always seemed available, but these districts were the less populous and less troublesome ones. In expanding districts, such as Shwei-gyin, Thon-gwa, and Han-tha-wadi, the police force had to compete with

¹⁹I.J.P., 1867, July Index No.53.

²⁰I.Fin.P.(Expend.), 1868, Aug.No.4. This impermanence of men in the ranks was also attributed to Burmans' dislike of regular discipline.

²¹B.H.P., 1876, Nov.Index No.49. This figure is slightly misleading, however, as the inspector-general of police pointed out, that though a large proportion of men resigned every year, 'the men enlisted in their places are not necessarily raw recruits, who have to learn their work before being of any use. Many of them are men who have been in the service before, who left it, tempted by higher pay offered elsewhere, angry with some of their comrades, or perhaps prompted merely by love of change.' Ibid., Index No.54.

the attractions of rice cultivation.

With this high rate of instability and inexperience in police ranks, British attempts to increase police efficiency by increasing the strength of the police force met with little success. Between 1862 and 1885 the strength of the police force rose from 5,695 to 7,218.²³ This growth paralleled, to some extent, the increase in the number of districts but it was also due to the provincial authorities' belief that only by increasing the numbers of police in relation to the area of the province could headway be made against the increase in crime.²⁴ The most noticeable return from this, however, was a considerably augmented police expenditure.

It was thought the low standards of police performance reflected not only the low rates of pay but also the few incentives to good service. Until 1882 promotion prospects were limited and there were virtually no other incentives to good service. There-

²² B.H.P., 1881, Nov. Index No. 9, and B.B.A.R., 1882-83, p. 24. The basic rate for police frequently lagged by as much as 2 or 3 rupees a month behind that for labourers.

²³ B.B.A.R., 1862-63, p. 14, and 1884-85, p. 11. The 1862 figures include a contingent of Indian police at Port Blair; by 1885 this had been severed from the jurisdiction of the chief commissioner.

²⁴ I. Fin. P., (Accts.), 1870, July, No. 30. In British Burma in 1870 there was one policeman to every 16½ square miles, while in the Punjab there was one to every 4½ square miles, and in the Central Provinces one to every 11 square miles. By 1878, however, there was a much higher proportion of policemen to population in British Burma than anywhere in India, one policeman being employed to every 428 of the population in British Burma, compared with an average of one policeman to 1,300 or 1,400 in other provinces. B.H.P., 1876, Nov. Index No. 49.

after a scheme was devised of granting good conduct stripes, each worth an extra rupee a month, and promotion prospects were considerably improved.²⁵

By 1880 greater consideration was also being given to the thought that police performance would have been better if more heed had been taken of Burmans' known dislike of being expected to serve away from the areas of their birth. Although this had been established when recruiting was underway for the first police battalions in Pegu, the British continually disregarded it by transferring men from one area to another whenever and wherever the public interest required it. Men frequently left the force once transfers were proposed and it was known that Burman wives were even more strongly attached to the area of their birth. Most divisional commissioners considered police performance was better when men served in the area of their recruitment, although the commissioner of Irrawaddy reported that the deputy commissioner of Bassein thought the almost entirely local enlistment there had 'become almost an evil by tending to make the police clannish'. There was, moreover, no greater permanency in it.²⁶

²⁵Ibid., 1882, Sept. Index No.8, No.3.

²⁶Ibid.

Because of the difficulty of keeping men in the police force, there could be no thought of establishing an examination system similar to that in the executive service to select men, but there was no basic and regular system for police training at all. Police schools had been maintained intermittently since 1868 but they were by no means a regular introduction to police work, as their existence and functioning depended on the police superintendents' 'having enough time'. As this rarely happened, the only police who had any proper police drilling were the quasi-military police of the Salween and Arakan Hill Tracts. The usual method of recruiting police constables consisted of a sergeant enlisting villagers to fill vacancies. Although appointments were subject to the confirmation of the district police superintendents and deputy commissioners, before confirmation was given the recruits were usually equipped with arms and other accoutrements and immediately put on duty. Even when their positions were confirmed, they were left to pick up a knowledge of their duties as best they could.

As the inspector-general of police pointed out in 1883, this haphazard method allowed recruits to acquire erroneous ideas of their powers and duties. He added, 'The sergeant is supposed to impart instructions to recruits, but as he has been brought up in the same slipshod manner, I do not see how he is competent to do so, and as a matter of fact he rarely attempts to ... '. He proposed

remedying this by establishing a police training depot.²⁷ Although as an experimental measure a depot for training thirty men was sanctioned in September, little was reported of the scheme, and in 1886 after the outbreak of widespread violence, the whole police force was reorganised.²⁸

Superior appointments As in the executive service the opportunities for the promotion of indigenous people from the lower ranks of the police force were limited. Higher appointments, as in other administrative departments, were reserved for Europeans, the necessity of having adequate European police supervision of the districts having been stressed by the Commission of 1860. As in the executive service, however, more and higher appointments were gradually opened to indigenous people, in response to the political and other pressures gathering momentum in India in the 1870's and after.²⁹ There seems, however, to have been no anticipation of Burmans becoming district and assistant superintendents. These positions remained reserved for Europeans.

²⁷Ibid., 1883, Feb. Index No.5.

²⁸Ibid., Sept. Index No.15 and L.B.A.R., 1885-86, p.11.

²⁹In 1872 there were 556 men classified as officers in British Burma, as opposed to 5,820 constables. Of the former 400 were Burmese and Karens, 45 were Europeans and 18 Eurasians. The rest were mainly Indians. Only 74, including 51 Europeans and Eurasians, received over 100 rupees a month. By 1885 the number of officers had grown to 704, as compared with the constabulary of 6,456. Of the officers, 498 were Burmese, 30 were Karen, 7 were Shan, and 12 from other hill tribes. Almost 600 still received less than 100 rupees a month and of the remaining hundred receiving more 64 were European or Eurasian. J.S.Furnivall, A Study of the Social and Economic History of Burma, Pt.IV, Statistical Appendix, p.2 and

There had been some attempt to increase the incentives and promotion rate for deserving indigenous officers in the 1870's. A few new and higher grades were created then and at least on one occasion an inspector 'who had done remarkably good service' was promoted to the gazetted ranks. It was also made possible for inspectors and head constables to be promoted by transferring them to the executive service as extra assistant commissioners.³⁰

The prospects of promotion for indigenous officers were still comparatively few, however, and at the end of the 1870's when the European numbers in the executive service were being reduced, the chief commissioner embarked on a similar course in the police department. The prospects of promotion from the ranks were viewed with some scepticism, however, by the inspector-general of police and many district superintendents. The former believed that sergeants should be men of good family, recruited in any part of the province, and that they should be given rank without ever serving as constables. Notwithstanding these views, promotion from the ranks remained the rule rather than the exception and the number of European inspectors was considerably reduced, as Burmans were promoted to their place.³¹ Basic salaries were also raised for inspectors, the lowest commissioned officers, from 120 rupees a

B.B.P.R., 1885, Appendix F, p.xvii.

³⁰ B.H.P., 1871, Nov. Index No.33; 1876 Aug. Index No.33; and 1879, May, Appendix B.

³¹ B.H.P., 1881, Aug. Index No.14 and Herbert Thirkell White, A Civil Servant in Burma, (London, 1913), p.6.

month and a more regular rule was developed for allowing the promotion of Burmans, eligible except for their race to be assistant superintendents, to the executive service. There it had already been established that good Burman police officers often made efficient extra assistant commissioners and township officers.³²

The inability of the police to check the rising crime rate in the province caused the administration to become somewhat critical of the Europeans' filling the highest echelons of the police force. By the 1880's it seemed that these had come to suffer many of the disadvantages that prevented the rank and file being filled by more able men. Salaries were lower and the rate of promotion slower than in India. This was especially so after 1869 when the financial crisis of the government of India necessitated the abolition of two district superintendentships and two assistant superintendentships.³³ Despite the creation of new districts after that date, by 1881 the pre-1869 numerical strength had not been restored. There were only 14 district superintendentships and at least five districts were always under assistant superintendents or inspectors. As there were frequently as many as two district superintendents absent on leave in a year, there were often as many as seven districts officered by men of inadequate rank and experience.³⁴ The rule of 1860 stressing adequate supervision by European police

³² B.H.P., 1882, May Index No. 8 and 1881, Nov. Index No.9.

³³ I.Fin.P.(Expend.), 1870, Feb. No.65.

³⁴ B.H.P., 1881, Dec. Index. No.8.

officers was thus falling into abeyance.

There was also an apparent decline in the quality of Europeans who had recently entered the police service. According to the chief commissioner, Charles Bernard,

The average stamp of younger officers in the police is below the average of the same class in India. This can hardly be otherwise when the India recruit enters the police on a salary of Rs.250 or Rs.200, while the Burman recruit, in a province where living is much dearer than in India, enters as an Inspector on Rs.120, and takes six to eight years to become an Assistant District Superintendent. Police officers who are to be District Superintendents ought to be men of good education; and they ought to be able to obtain a competent salary within a few years of entering the service. Of late years in Burma some of the recruits for the Police Department have not had these advantages.³⁵

To some extent, this was a reflection of a general trend in Indian police administration at this time. With the rather limited scope of police work, the more ambitious and able men went either into the army or into the Indian Civil Service and few from either of these were given police postings in the 1880's.³⁶ In 1883 there were only four military men in the British Burmese police force, including the inspector-general of police. Of the remaining three, the most junior had joined the police service some twenty years before.³⁷

To improve morale and efficiency among the higher police officers the chief commissioner proposed increasing the number of

³⁵Ibid., 1882, May Index No.8.

³⁶See J. C. Curry, op.cit., p.55.

³⁷B.H.P., 1883, July Index No.24.

district superintendents and assistant superintendents and bringing the salaries of first class superintendents up to the same level as those in India, i.e. from 900 to 1,000 rupees a month. It was not felt there was any necessity for providing any special incentives for increasing the number of military personnel to improve police administration. The government of India disagreed with this, believing a society such as that of British Burma had a special need of military men. Accordingly only the salaries of military officers were raised but sanction was given to all the other recommendations.³⁸

As a further effort to improve the performance of European officials in police administration, it became compulsory in 1885 for all non-Burman officers to pass the police test in Burmese.³⁹ Although there had been some criticism in the past that the standard of this test was too elementary, at least it ensured some knowledge of the vernacular. And a more widespread knowledge of the vernacular by European police officers would ensure improved contact between police and people and counteract, to some extent, the effects of the reductions in the numbers of European

³⁸ Ibid., 1882, May Index No.8; 1883, Aug. Index No.13; Sept. Index No.77; and I.F.C.P. (Accts. and Fin.), 1882, Nos.1591 and 1492.

³⁹ B.H.B., 1885, Mch. Index No.16. These included inspectors. In 1866 the government of India had queried the necessity of encouraging police inspectors, who voluntarily passed both standards of the examination in Burmese, by granting them the same awards as were allowed to superintendents and assistant superintendents. Phayre replied, 'There are so few Officers who really study the Burmese language, and comparatively few who learn it at all, that I consider it highly desirable to encourage the acquisition of it as much as possible. I.Fin.P., (Expend.), 1866, Dec. Nos.265 and 266.

officials, occurring throughout executive as well as police administration, and of the relatively frequent transfers.⁴⁰ These made it difficult for district officers to become as familiar with their districts as the administration would have liked.

Role of executive in police administration There was also greater insistence by the chief commissioner on deputy commissioners' retaining complete control of their districts as well as greater emphasis on their responsibility for the condition of them. As early as 1871 deputy commissioners had been threatened with removal from their districts for failing to keep control of them, but the fault lay not only with the deputy commissioners.⁴¹ In 1876 there were instances of police officials' not recognising the authority of deputy commissioners.⁴²

The official view was that the superintendent of police was no more than

the assistant of the District Officer in the Police Department, just as the Assistant Commissioner is in general business; and in the important duties connected with Police administration, it is absolutely necessary that the larger experience of the Deputy Commissioner should be brought to bear upon them...⁴³

⁴⁰ In 1882 when there was a sudden increase in the crime rate in Hantawadi, the sub-divisional officers, all of senior rank, had suddenly all been promoted. Other Europeans were not immediately available to replace them and the Burmans who took over temporarily were unable to manage. The chief commissioner commented, 'It is difficult to see how this could have been avoided without depriving deserving officers of the promotion they had earned.' B.H.P., 1882, Oct. Index No.10.

⁴¹ Ibid., 1871, Oct. Index No.30.

⁴² Ibid., 1876, Oct. Index No.20.

⁴³ Ibid.

Deputy commissioners were urged to supervise police administration more fully though in such a way as not to undermine the position and prestige of police officers. Their supervision was to include the confirmation of all police enlistments, promotions, and dismissals, and keeping to a minimum the number of transfers of Burmese police from their home districts.⁴⁴

At the same time the judicial work of the executive was made to assume greater importance in police administration. In 1885 it was thought,

... it is difficult to define in general terms where the responsibility of the police ends and that of the Magistrate and Judge begins. It is the business of all alike to work together for the suppression of crime and the maintenance of justice and good order. ... If the village police officials fail to work well with the regular police, if cases are badly got up and acquittals at Sessions are unduly numerous, the District Magistrate should feel that a direct slur is cast upon his personal efficiency.⁴⁵

The punitive powers of the courts were looked upon as having a potentially preventative effect on crime and from 1875 on there was steady pressure not only from the local administration but also from the government of India for increasing the number of long term sentences and checking the apparent leniency of the courts, especially

⁴⁴ Ibid., B.H.P., 1881, Nov. Index No.9 and 1883, Sept., Index No.12. In differences of opinion on these subjects between deputy commissioners and district superintendents, the decision of the inspector-general of police was final. The British Burma Manual, (Comp.C.S.Cooke), Vol.I, 1878, p.438.

⁴⁵ B.H.P., 1885, Aug. Index No.5.

the lower ones.⁴⁶ Sentences to whipping were officially preferred to fines, although the latter were by no means inconsiderable.⁴⁷

Special police measures It was in 1883 when gang robberies were becoming increasingly prevalent and violent, that a special appointment for a superintendent of dacoity was made.⁴⁸ He was also to be in charge of police administration in Rangoon. The appointment had been decided on because of the success similar officers had had in suppressing dacoity and thuggee in Bengal, the North West Provinces, and central India. The superintendent of dacoity was to proceed to districts where dacoity was particularly rife. He could temporarily take charge of a district or could act in concert with police officers of the tract to which he was deputed. Because of his duties in Rangoon and because cases of dacoity were particularly numerous and violent around Rangoon and the surrounding district of Han-tha-wadi, his base was to be in Rangoon.⁴⁹ The appointment was not intended as a permanent one and no extra appointment was made, as the superin-

⁴⁶ Ibid. and I.J.P., 1875, Sept. Index No.19.

⁴⁷ In 1880 the average fine was 17 rupees which was equal to a month's salary for a labouring man. B.B.A.R., 1880-81, Intro., p.13.

⁴⁸ Other special police forces were the railway police, organised in 1877, and a separate prison guard, organised in 1884.

⁴⁹ B.H.P., 1883, Jan. Index No.1, No.13. His Rangoon duties were, in fact, to receive priority. See below.

tendent of Thayet-myo, Mr. Jameson, received the appointment and Thayet-myo was left in the charge of an assistant superintendent.

The appointment proved so successful that the inspector-general of police urged that his appointment be continued for at least two or three years more and the special title of assistant inspector-general of police was also created for him, so long as he retained his special office.⁵⁰ There had been some fears that Jameson's position would cause friction with deputy commissioners and district superintendents but Jameson's powers helped bridge the gulf in co-operation between the police of Rangoon and those of the neighbouring districts of Han-tha-wadi and Pegu.⁵¹ As Rangoon was the centre to which a large number of bad characters was drawn and as the outlying districts and villages were the objects of their attacks, this co-operation was essential. It was in this area that Jameson's efforts as superintendent of dacoity were most successful.

Police administration in Rangoon In conjunction with Jameson's work as superintendent of dacoity, the police administration of Rangoon was also reorganised. The need for this had been urged from at least as early as 1869, as the increasingly cosmopolitan and commercial nature of the city bred

⁵⁰Ibid., Oct. Index No.10 and Dec. Index No.12.

⁵¹Ibid., June Index No. 7.

social complexities, which made effective police administration beyond the capabilities of the police establishment set up in the 1860's.⁵² There was a large floating population, continually augmented by arrivals of up-country Burmans seeking temporary or seasonal employment, and constantly swollen by other immigrants. The fact that Rangoon was the largest shipping port also meant that the difficulties of police administration were increased by the presence in the town of transient sailors. Police administration in Rangoon was further complicated by the fact that crimes were committed by the people not only of the town but also of the surrounding district.

The defects found in the rest of the provincial police were also present in the Rangoon police, though perhaps to a greater degree. Rangoon, as the administrative headquarters of the province and the chief rice port and commercial centre, was the most affluent area in British Burma, so that the police, on their comparatively low wages, were more exposed to bribery and temptation there than elsewhere. There was also much more opportunity for the more enterprising and able men, so that the men who filled the ranks of the Rangoon police force tended to be less able than the district police.⁵³ This was also due to the fact that it was a

⁵² I.J.P., 1870, Oct. Index No.85.

⁵³ Ibid., The recorder of Rangoon had called in 1869 for the need of entrusting a 'different class of men altogether ... with the protection of life and property in Rangoon'. In 1873 the town magistrate of Rangoon also spoke of the 'inferior morals' of the police. B.H.P., 1874, Feb. Index. No.143 and I.J.P., 1870, Oct. Index No.85.

predominantly Indian force, possessing little knowledge of Burmese. Such a situation had arisen from the fact that from the earliest years of British rule, Indians had been employed in most subordinate capacities in Rangoon and all the major seaport towns. This was mainly due to the fact that Burmans did not take kindly to menial labour and, moreover, were unfamiliar with English and European ways, and were expensive to employ. In this way, Indians came to fill the ranks of the police forces in the larger towns. By 1883 there were 2,000 Indians in the provincial police, constituting almost a third of it.⁵⁴ While some were employed throughout the province as jail and treasury guards, the majority were in the police forces of Rangoon, Moulmein, and Akyab.

Some attempt had been made to remedy the defects of the Rangoon police in the 1870's when both their numbers and pay were increased. And in 1876 when charges of corruption were made against both rank and file and inspectors and superior officers, transfers away from the town became more frequent, as it was thought,

Men should have a chance of escaping corruption in the town by being sent up country after a certain service, for it is putting human nature, and particularly 20 Rupees a month human nature, to too severe a test to expect the men, to withstand such temptation for any length of time.⁵⁵

When Jameson was appointed superintendent of dacoity in 1883, the situation in Rangoon had deteriorated sharply. The increases

⁵⁴B.H.P., 1883, Jan. Index No.13.

⁵⁵B.H.P., 1874, Feb. Index No.143 and 1876, Feb. Index Nos.33 and 34.

in the crime rate in the town and Han-tha-wadi and in the number of cases of violence and gang robbery were outpacing those in the rest of the province. Public alarm was growing and confidence in the police at an all-time low. A letter from the secretary of the local chamber of commerce to the chief commissioner expressed the concern of the commercial and largely European population of the city for the prevalence of crime, particularly in the rice season when there were large sums of money about. It also queried the policy of paying police constables wages lower than those of a coolie and expressed unease at the growing trend of placing 'so many Native officials to posts of importance throughout the province and in connexion with the police force.'⁵⁶

Because of this public anxiety and the deteriorating situation, special temporary measures were resorted to, until Jameson had time to consider the situation and submit a scheme to remedy it. This included the ordering of extra reserves from Akyab and Thayet-myo; the issuing of additional arms to the Rangoon police; the establishment of an extra police station; and the detailing of twenty armed and mounted police to patrol the roads and suburbs of Rangoon. A reserve of military guards from the Rangoon cantonment was also placed at the disposal of the civil authorities to

⁵⁶ Ibid., 1883, Jan. Index No.4. There was by this time a higher rate of wages in Rangoon than elsewhere because of the high cost of living.

restore public confidence.⁵⁷

Jameson's main reform was not the usual remedy of increases in wages and police numbers but a reduction in the number of Indians in the police force.⁵⁸ He decided that police administration had suffered from the fact that the majority of the police did not understand Burmese. Because of the largely non-Burman character of Rangoon he could not dispense, however, with all Indian and European police.⁵⁹ A European assistant superintendent was appointed as well as a Burman detective inspector to assist Jameson. The number of European inspectors was reduced to allow greater opportunities for the non-Europeans in the lower ranks but a special European guard was organised to quell the nightly disturbance by drunken sailors and soldiers, who could be handled only by Europeans. This was under the charge of the one remaining European inspector who was responsible for the central division of the town.⁶⁰

⁵⁷ Ibid., Index No.2, No.5.

⁵⁸ In fact it was not really possible to consider further pay rises in the existing system because police wages in Rangoon had risen from 40 to 50 per cent in the previous four years.

⁵⁹ B.H.P., 1883, Feb. Index No.7. Jameson noted that some Indians who had been in the police force for eight to ten years 'had not the faintest notion of the language of the country.' He was optimistic that the recently enhanced rates of pay and the better prospects of promotion would be sufficient to attract a better class of Burmans to the police. B.H.P., 1883, May Index No.11.

⁶⁰ Ibid. Previously the police authorities had been embarrassed that the European constables were frequently in no better condition to carry out their duties than the sailors they were employed to restrain. Ibid., 1875, July Index No.52.

By the end of 1885-86, largely as a result of Jameson's work, the situation was greatly improved. There was a decrease of almost 50 per cent in the number of crimes of violence and an appreciable increase in the number of crimes detected and brought to conviction.⁶¹ This was also due partly to the success of the executive in securing greater public participation in the suppression of crime. An instance of this lay in the fact that the lu-gyi of several Burmese suburbs organised civilians to patrol the streets on dark nights.⁶² They were later emulated by members of the Chinese community.

Frontier police Police administration in the frontier districts, while similar in its routine tasks to police administration elsewhere in the province, was compounded by the proximity of the frontier. Crime in these districts was frequently caused or influenced by events and circumstances beyond it. Rebellions and political and economic troubles there were usually followed by a corresponding rise in the number of border infringements and disturbances in the frontier districts.⁶³ The increased

⁶¹ L.B.A.R., 1885-86, p.11.

⁶² B.H.P., 1884, Jan. Index No.27 and 1885, Dec. Index No.2. The lu-gyi had been prompted to do this by the Burmese members of the municipal committee. They were later to be recommended by the government as an example to lu-gyi elsewhere in the province.

⁶³ When, for instance, large numbers of men were thrown out of work in 1864 by slackness in the timber trade in British Burma and across the border, there was a sudden increase in crime in Martaban. I.Fin.P., 1866, Jan. No. 553.

trading and commercial activities that developed after British occupation of lower Burma also provided many opportunities for dacoity, theft, and murder. Predatory hill men took advantage of the large annual caravans of Shan and Karenni traders who passed to and from Moulmein.⁶⁴

Although these situations were often dealt with by negotiation with the relevant authorities in Upper Burma, Siam, and Karenni, the effectiveness of negotiation was limited by the good will of the central authorities and the amenability of the frontier officials. Agreements to extradite criminals helped police administration to some extent, but they were observed only fitfully by both sides. The most effective way of dealing with these problems then was by maintaining a strong and permanent police force in the frontier districts. This was especially so after the death of Mīn-dōn when Anglo-Burman relations deteriorated.⁶⁵

The usual problems of attracting reliable men to the police force existed on the frontier as in the rest of the province but were enhanced by the relative remoteness of the frontier areas, the higher costs of living there compared with other districts, and the unhealthy nature of the terrain.⁶⁶ Burmese were only

⁶⁴ I.F.P., (Pol.), 1871, Nov. No.231.

⁶⁵ D.P.Singhal, The Annexation of Upper Burma, (Singapore, 1960), p.35 et seq. Rumours of Burmese invasions into British Burma also increased the desire of the administration for adequate frontier policing. I.F.P., 1880, Dec. No.17.

⁶⁶ Special incentives had been offered to secure the services of better men for the frontier police as early as 1859. These included exemption from capitation tax, limitation of duty to one

readily available for police service in the riverine district of Thayet-myo. In the harsher, hilly, jungle areas of Taung-ngu and Salween, reliance had to be placed on the hill people but only the Karens proved themselves as police men. Few, however, stayed in the police force for more than five or six years.⁶⁷ Gurkhas were popular in the frontier police and did not fall ill there, but they were difficult to recruit and more expensive to employ than the Burmans, especially as there was the added expense of recruiting parties. In 1884 it was therefore decided to make police service more attractive to the Karens by raising their wages to parity with those of the Gurkhas.⁶⁸

Increasing reliance was also placed on the people themselves to co-operate with the police and to provide their own protection. Frontier villages were issued in 1882 with muskets and those villagers who stockaded themselves well were exempted from taxation. Special allowances were also given to the kyēi-dān-gyī of frontier villages.⁶⁹

frontier post, the assignment of plots of land tax-free in the vicinity of the posts, and release from land revenue obligations on land owned in the villages of origin. I.F.P.P., 1859, 27th May, Nos. 449 and 454.

⁶⁷ Shans and Karennis were found to be too unreliable for police work; Karen women were known to dislike having policemen for husbands. B.H.P., 1885, Mch. Index No. 22.

⁶⁸ Ibid., 1884, Sept. Index No. 17. Gurkhas were employed mostly in the Arakan Hill and Salween Hill Tracts. Panthays adapted well to police service in Shwei-gyin.

⁶⁹ B.H.P., 1882, Mch. Index No. 8 and 1885, Nov. Index No. 3, No. 4. Kyēi-dān-gyī were also frequently referred to as village headmen.

Rural police By this time it was becoming more apparent that the rationalisation of the traditional rural police system, first begun in the 1860's, had not led to greater efficiency in the conduct of police duties by gāung and kyēi-dān-gyī. In fact, there was a considerable decline. In view of the inability of the regular police to cope with the rising crime rate in the province, this development was regarded with growing concern by the authorities and considerable effort was expended in attempting to check it.

Although gāung had lost some of their traditional authority and social prestige in 1860 with the loss of their revenue duties, by 1870 they were still regarded as 'the cheapest and ... the most efficient portion of our Police force.' It was thought,

A man will readily become a village gOUNG for Rupees 10 per mensem; the same man would probably not become a policeman for Rupees 50 or even Rupees 100 per mensem. By employing village gOUNGS on Rupees 10 per mensem we actually get a higher and more respectable class of men to assist us than we could do in the Regular Police force for five times the money ...⁷⁰

Yet their numbers were steadily reduced throughout this period, largely because the administration could not afford to maintain them. In 1869, for instance, when the government of India ruled that the cost of rural police be transferred to the local cess on land revenue, the administration was forced to declare almost 100

⁷⁰ B.H.P., 1870, Nov. Index No. 24. Gāung were also exempt from capit-
ation tax.

of the 945 gāung in the province redundant.⁷¹ This caused their area of jurisdiction to be enlarged and also diminished the close contact and local influence gāung were expected to have with the people. Moreover, by 1879 the salary of gāung was still at the level it had been in 1854 in Pegu and although most gāung were also landowners, 10 rupees a month was no longer sufficient to attract men of the same standard as formerly.⁷²

Traditionally kyēi-dān-gyī as the chief tax-payers of the villages and hamlets had considerable local prestige and acted as arbiters in petty disputes and as official witnesses at marriages and divorces, for which they received nominal fees.⁷³ Only in the absence of the rwa-gāung did they have minor police duties in the Burmese regime.⁷⁴ The British initially regarded them as the representative men of their villages and pressed them into their service by delegating to them the responsibility of reporting all misdemeanours and heinous crimes in their villages and accompanying the thagyi on their rounds through their villages. Their duties were restricted to the limits of their own village.⁷⁵

Gradually these duties were augmented and changed until in 1874 it was reported that kyēi-dān-gyī performed little work of a

⁷¹ Ibid., Index No.32. By 1883 there were 711 gāung and 7,714 kyēi-dān-gyī. B.B.A.R., 1882-83, Intro.p.21.

⁷² B.H.P., 1879, Mch. Appendix A.

⁷³ Sladen to Commissioner of Tenasserim, 18th Nov., 1874. Sladen Papers, (I.O.L., M.S.S., Eur. E.290/6.)

⁷⁴ Ma Mya Sein, Administration of Burma, (Rangoon, 1938), pp.109 and 112.

⁷⁵ B.H.P. 1875, June Appendix A.

legitimate nature but were constantly harassed by the police and sent on missions away from their villages. Moreover, it was a constant temptation on the part of the British district officials to develop the apparent potential that lay in kyēi-dān-gyī into an unpaid agency for detecting dacoity, illicit distilling, evasion of revenue payments, and the checking of fraudulent and inaccurate tax returns. An ambiguity in the revenue rules seemed to justify this, and despite attempts to define the functions of kyēi-dān-gyī in 1864, 1875, 1881, and 1884, their functions varied from district to district.⁷⁶

Because of this it was found that kyēi-dān-gyī were no longer the chief tax-payers nor the representative men of the village. There was no prestige attached to the position any more and it was no longer regarded as a punishment to deprive a kyēi-dān-gyī of his office for neglect of duty. In some districts it was impossible to find a person willing to accept the position.⁷⁷

This and the obvious inability of the regular police to check the rising crime rate led to the framing of the Bill for Rural

⁷⁶ Ibid., 1874, July Appendix H. Charles Crosthwaite defined the duties of gaung and kyēi-dān-gyī as being essentially the same, except that the gaung was 'primarily a government officer, though he may ... be also a village notable and a landholder ...; secondly that the gaung is peripatetic, while the headman is stationary. The headman is in fact a representative villager who lives within his "beat" ...' B.H.P., 1884, Apr. Index No.8.

⁷⁷ Ibid., 1875, No.24. Fytche had reported as early as 1861 that it was difficult to persuade men to fill the position of kyēi-dān-gyī in Tenasserim. I.J.P., 1861, Aug. Nos. 51 and 52.

Police and District Cess in 1879 to attempt to reform the rural police.⁷⁸ It was thought that mere exemption from the capitation tax was no longer sufficient for kyēi-dān-gyī, as it had been originally, when holding the position had seemed honour enough, especially as most kyēi-dān-gyī were ^{then}/already landholders in no real need of government salaries. The main proposal was to increase the emoluments of rural police so that they could live wholly or mainly on them. The funds for this were to come mostly from a 5 per cent increase in the local cess on land revenue. As these were not so great as were anticipated, the reforms intended were only partly implemented.⁷⁹

All rural police were arranged into grades with fixed emoluments. Within the limited funds available the salaries for gāung were increased, however, and salaries were introduced for kyēi-dān-gyī. For the former these ranged between 10 and 30 rupees a month and for the latter between 10 and 120 rupees a year.⁸⁰ At the same time plans were made for gradually reducing the number of gāung. This was because they were so much more expensive to employ than

⁷⁸ It was also to make better provision for the postal service, public works and education.

⁷⁹ B.H.P., 1879 Mch. Appendix A and ibid., 1880, Nov. Index No.9 It had also been proposed that land be granted free of tax to rural police, a scheme first suggested by Ashley Eden in 1875. B.H.P., 1875, June Appendix H. This was sanctioned by the government of India provided that the provincial government made up any loss of land revenue accruing from such exemptions.

⁸⁰ B.H.P., 1880, Oct. Index No.5. They could still be exempt from payment of land revenue in lieu of a money award. In Arakan, however, kyēi-dān-gyī remained unpaid. B.B.A.R., 1882-83, Intro., p.24.

the kyēi-dān-gyī and because there were so many regular police officials. In some districts too not much use was made of gāung and it was also thought that kyēi-dān-gyī would be so much improved that there would be less need for gāung. Charles Bernard, in fact, envisaged dispensing eventually with gāung altogether. He believed,

the village headman is the back-bone of the system; it is he who has to bear the brunt of rural police work, and it is in order to make him content to undertake and bear this burden that the whole scheme or rural police has been devised. To leave him the burden without bettering his position, and to place over him a well-paid gaung with a roving commission, might end in making the present unsatisfactory state of things worse instead of better.⁸¹

Bernard's successor, Charles Crosthwaite, continued his work by attempting to strengthen what he believed was the foundation of the rural police, the village elders, (the lu-gyī). Assuming that each kyēi-dān-gyī was formerly a lu-gyī of the village, Crosthwaite enunciated a policy of according greater government recognition to the influence and position of lu-gyī by bringing them into closer association with the officials of the administration.⁸² He decided also that future appointments of kyēi-dān-gyī were to be made by deputy commissioners in consultation with the Village lu-gyī and that no kyēi-dān-gyī was to be permitted to remain as such without a

⁸¹ B.H.P., 1881, July Index No.5. Redundant gāung were frequently reduced in rank to kyēi-dān-gyī. Bernard was later persuaded that such an old indigenous institution as the gāung could not be dispensed with entirely.

⁸² lu-gyī were also expected to co-operate with the police by giving information.

majority of lūgyī voting in favour.⁸³

The results of these efforts were disappointing. In many instances it was found that the 'reforms' of the preceding years had had the effect of making the position of kyēi-dān-gyī even more unpopular as respectable men declined to take on appointments with the small pittances that were all the funds of most districts could afford.⁸⁴ Crosthwaite decided that the thagyi were the indigenous officials who had held the local influence and respect which the government had tried to fasten on the gāung and kyēi-dān-gyī. He pointed out,

In Burma, there are no village communities with their recognised headmen, and no landowners of power and influence. But there are the thugyis ... who under the indigenous system still in force in Upper Burma are responsible for all matters within their circles. In British Burma the tendency, arising naturally from our system of dividing labour is to disassociate them from all duties except those of a purely revenue nature. This tendency must be checked.⁸⁵

In 1860 Phayre had regarded the thagyi as the keystone of the police system, defining him as

... all in all; he is generally or ought to be the man of influence in the circle both by official position and family connection. If he does not know the whole ins and outs of his circle he is no more fit to be a thoogyee than a cab driver

⁸³ B.H.P., 1883, Sept. Index No. 12. He also suggested exempting lūgyī from the capitation tax, the consulting of lūgyī by deputy commissioners on tour about the state of the district, and the holding of durbars for the reception of the principle men of the district when the chief commissioner was on tour.

⁸⁴ B.H.P., 1884, Feb. Index No. 8.

⁸⁵ Ibid., 1883, Sept. Index No. 12.

is to command a man of war. The thoogyee is to the Police of the Circle what the main spring is to the watch ... the goungs are merely his subordinates, wheels which he puts into motion and regulates.⁸⁶

In the succeeding years their potential for aiding police administration was frequently sacrificed, in the efforts by the administration to improve their revenue abilities, although periodically thagyī were reminded that they did have police responsibilities.⁸⁷

During the attempts to reform the rural police system in the 1880's, Bernard had permitted some thagyī to undertake the police duties of gāung in sparsely populated districts where their revenue duties were comparatively light.⁸⁸ Crosthwaite attempted to increase the participation of all thagyī in police administration. He considered thagyī had been denigrated and undervalued too much in the past and so tried to impress on police and other officials the need of showing greater courtesy to thagyī in order to ensure their co-operation. Deputy commissioners were requested to order township officials to assemble all the thagyī in their township and explain their legal responsibilities in giving active aid in preventing and detecting crime, and to warn them that they were to be penalised as severely for failure in these duties as in their purely

⁸⁶ I.F.P.P., 1860, 20th Jan. No.216.

⁸⁷ Ashley Eden, for instance, had had printed notices issued to each thagyī to inform them exactly what the British government expected of them. Deprivation of office was among the penalties for failing to carry out police duties. B.H.P., 1872, Mch.Index Nos. 46 and 47 and April Index No.47.

⁸⁸ B.H.P., 1880, Nov. Index No.9.

revenue duties. Deputy commissioners were also required to submit half-yearly reports on the most helpful and the most negligent thagyi in police matters.⁸⁹ The latter were to be referred to the inspector-general of police but those specially recommended for good service were to be presented with a revolver.⁹⁰

These efforts brought some improvement but it was apparent that the enlargement of thagyi's circles and their heavy revenue responsibilities disqualified them from resuming their old importance in police administration.⁹¹

⁸⁹Ibid., 1883, Aug. Index No.12 and Sept. Index No.12. Crosthwaite also ordered that no one was to build or occupy a house without securing the permission of the thagyi, which was to be dependent on the consent of the village elders. This was to check the movement of bad characters from place to place.

⁹⁰B.H.P., 1884, July Index No.18.

⁹¹Charles Crosthwaite, op.cit., p.22.

RETROSPECT

By the time of the outbreak of the third Anglo-Burmese war in 1885, the basic administrative objectives of the British in the province had largely been achieved. The province had prospered; the people had multiplied; and revenue had increased on such a scale that administrative costs were more than paid for. Although the increase in crime meant that there was less order in the province than the British would have liked, there was more order than there had been in 1852 and, indeed, for many years prior to that.

Yet many administrative objectives, other than these basic ones, were attained only with qualified success. Efficiency and economy were largely achieved but had there been less economy there may have been more efficiency. For this the connexion with the Indian government was largely responsible both by its fiscal and legislative superiority and by its imposition of Indian moulds of government on the administrative structure. At the higher levels these contributed largely to the efficiency of administration but at the lower levels they tended to inhibit efficiency.

Although indigenous officials were gradually assuming wider powers and responsibilities, the limited success of British education policy and the lack of widespread acceptance or appreciation of British political and social ideals ensured only partial success

for British efforts to foster local self government.¹ But the people had responded to the introduction of a laissez-faire economy and by their efforts, partly aided by British public works, British hopes for the development of the province into a great rice-producing area were realised.² There had been little response, however, to British attempts to develop other commercial crops and the development of a rice-exporting economy merely caused the decline of other local industries.

British efforts to introduce greater permanence into land occupation were more successful. 'Abandonment of lands' was no longer reported by 1870 and the demand for land grew so great that land, considered virtually valueless in 1852, was selling at 10 rupees an acre in 1885.³ The increase in price and demand for

¹ The lack of appreciation of municipal bye-laws to improve the sanitation of the towns was one aspect of this. The people of Shwe-daung had objected to the town being declared a municipality for fear that municipal bye-laws would prevent them from tying up their goats under their houses. B.B.A.R., 1880-81, Intro., p.26.

² Although much significance had been attached to the opening of the Suez Canal for its stimulus on rice production in British Burma and although rice production undoubtedly increased after 1870, the boom was already underway before then. The effects of removing the restrictions on rice imports and on establishing greater social security can be seen in the increase in rice cultivation in Arakan between 1830 and 1852 and later in Pegu, where the acreage under rice almost trebled between 1854-55 and 1868-69. P.A.R., 1856-57, Appendix F and B.B.A.R., 1868-69, Appendix p.cxiv. It had doubled again by 1885. See also Aye Hlaing, 'Trends of Economic Growth and Income Distribution in Burma 1870-1940', J.B.R.S., Vol.LXVII, Pt.i, June 1964, p.94.

³ This was in Han-tha-wadi. Report on Settlement Operations in the Hanthawaddy and Pegu Districts, 1883-84, Resolution, p.2. Prices ranged there between 10 and 2 rupees an acre. Mortgage rates in another tract ranged between 24.44 and 1.69 rupees an acre. Ibid.

land led, however, to a growing incidence of tenancy and of absentee landlordism and there was no legislation to protect tenants' occupation or to control the rate of rent.

Between 1861 and 1885 the area under cultivation grew from 1,552,563 acres to 4,210,000 acres, of which 2,657,000 acres were in the Pegu-Irrawaddy area and in the same period, as a result of natural increase and migration, the population grew from 1,897,897 to 3,736,644.⁴ By swelling the labour supply, this population growth facilitated the increase in land holdings to 30 acres or so in the areas where cheap labour was available and land readily cultivable. Cultivators in Han-tha-wadi could draw on the large pool of cheap labour in Rangoon and those in Akyab relied on seasonal labourers from Bengal. In areas where these conditions did not apply, holdings frequently remained at the subsistence size of 5 acres or so.⁵

Migration, the quest for land, and the increasing use of hired labour caused great social mobility within the province.

1882-83, p.26. Land prices in the Prome-Henzada districts ranged between 50 and 11 rupees an acre. Report on Settlement Operations in the Prome District, 1884-85, Resolution and Report on the Settlement Operations in the Henzada District, 1885-86, p.25.

⁴ B.B.A.R., 1861-62, p.32, B.B.C.R., 1881, pp.26-27 and 73-74, and L.B.A.R., 1885-86, Appendix No.7.

⁵ Saw Siok Hwa, The Rice Industry of Burma, 1852-1940, (unpublished Ph.D.thesis, 1963), pp.97-98 and B.B.C.R., 1881, p.96. In one tract of Han-tha-wadi of 6,024 cultivators, 1,099 had holdings of 50 acres or more; and 129 had holdings of more than 100 acres. Report on the Settlement Operations in the Hanthawaddy District, 1880-81, Resolution.

People moved from the older areas where little further economic development was possible to areas opened in the delta and by the railways. Many migrants settled there as well.⁶ While this social mobility was apparently connected with the rising crime rate, it also weakened further the influence of both traditional and European administrative officials, already being weakened by the exigencies of British administrative policy. This, the intrusion of British influences, and the development of schisms and sects among the hpōn-gyī prevented the development of the solid social mores that typified Upper Burma and weakened further such traditional life as had existed on the advent of British rule.⁷

The development of a commercial economy and of comparative general prosperity in the province led to an overall increase in the size of towns and villages but, more significantly, to the urban development of the main administrative and commercial centres of Rangoon, Moulmein, and Akyab.⁸ In such urban centres, the way of life was least traditional, these being where the Anglo-vernacular schools predominated and where people came when seeking

⁶In Han-tha-wadi in 1881 only 68 per cent of its population were born within its limits. Most of the others came from Upper Burma. B.B.C.R., 1881, pp.26-27.

⁷Settlement officers noted the influence of public works department styles on indigenous architecture, so that kyaung sometimes looked more like 'police stations than anything else'. Report on Settlement Operations in Pegu and Hanthawaddy Districts, 1882-83, p.11. A growing taste for imported goods and styles of living was also noted.

⁸By 1881 Moulmein and Akyab had both developed from obscure fishing villages in 1826 to towns with populations of 53,107 and 33,989 respectively while the population of Rangoon had grown from an estimated 10,000 at the turn of the century to 134,176. B.B.C.R.

advancement under the new regime.⁹ Moreover, in the towns there there was a high concentration of non-indigenous people. At the time of the 1881 census 64 per cent of the inhabitants of Rangoon were born outside its limits and almost 38 per cent were from India.¹⁰

The development of the larger towns into largely foreign enclaves was part of the emerging pattern of occupational specialisation that J.S.Furnivall was later to describe as the 'plural society'.¹¹ The Burmese, Mons and Arakanese were increasingly confined to rice cultivation and other rural occupations. They predominated in the executive, revenue, and judicial branches of the administration but in departments such as public works and medicine Indians were employed almost exclusively. And though the Karens were revealing different aptitudes from those of the major ethnic groups, many increasingly shared the latter's rural occupations. In the towns and villages, the less industrious Burmans were being displaced by the more energetic and enterprising Indians and Chinese.

1881, p.29 and D.G.E.Hall, Europe and Burma, (London, 1945), p.84.

⁹ Although there was still much evidence in the towns of popular support for Buddhist institutions and monks, there was growing laxity in the observation of traditional Buddhist obligations. U Kaung comments on the growing number of people there who discarded the ancient custom of sending their sons for three years to the kyauung. 'A Survey of the History of Education in Burma before the British Conquest and After', J.B.R.S. Vol.XLVI, Pt.ii, Dec., 1963, p.76 and I.P.Minayeff, Travels in and Diaries of India and Burma, (Calcutta, 1962), p.183.

¹⁰ B.B.C.R., 1881, p.73. In 1881 3,195,000 people had been born within the province; 316,018 had been born in Upper Burma; 11,801 in the Shan States and Siam; 11,314 in China; and 184,748 in India.

¹¹ Colonial Policy and Practice - a comparative study of Burma and India. (Cambridge, 1948), pp.303-12.

By 1885 growing numbers of Indians were not returning to India at the end of each season but only a small percentage of them took to rice cultivation. The Indians who had most conspicuous connexions with the rice industry were the Chettyars of Madras who were already assuming significance as money lenders, financing the Burmese in their scramble for land. Most Indians remained in the urban centres, providing labour for the rice mills and working as coolies on the wharves and at the railway stations. The gharry drivers were mostly from Madras and the retail piecegoods trade was chiefly in the hands of Suratis and Chinese.¹² The Chinese were, in fact, mainly general traders and artisans but also controlled the main outlets of opium and alcohol as well as the major gambling dens of the province. The comparatively large Chinese population in Mergui and Tavoy were mostly involved in tin-mining.¹³

Apart from its emphasis on the English and Burmese languages in administration and in education, the British made no other efforts to encourage integration and in many ways actively promoted the maintenance of ethnic and linguistic differences. From the first years of British rule in Pegu, the British had exploited

¹² B.B.A.R., 1884-85, p.63. As early as 1857 Christopher T. Winter had noted in Moulmein that the boatmen, washermen, and domestic servants were all foreigners, the latter being mostly from Madras. Six Months in British Burma: or, India beyond the Ganges in 1857, (London, 1858), p.39.

¹³ Very little was known of the Chinese as a community and as no one in the administration understood Chinese, reliance had to be placed on the advice of the Protector of Chinese in the Straits Settlements and on the experience and advice of the Hong Kong administration. B.H.P., 1885, Mch. Index Nos. 25-27.

for their own benefit the ethnic differences that had been one of the weaknesses of the Burmese regime. Later when Rangoon was divided into electoral constituencies for municipal administration, these were based on 'interests' rather than on areas, and as 'interests' coincided with race, the various ethnic divisions of the community became the electoral constituencies.¹⁴

Despite British linguistic policy towards the Karens, the work of the missionaries ensured there was no decline in Karen nationalism. Nor was there much appreciable lessening in traditional Burmese-Karen antipathy. The usage of Mon received no encouragement from the administration but neither was there any restraint upon it as there had been in the Burmese regime, and for a time its usage increased.¹⁵ Later it declined through increasing Mon-Burmese intermarriage and presumably because of British linguistic preferences.¹⁶ Yet there was evidence that traditional Mon-Burmese antagonism had not been entirely forgotten. When the Burmese King, Mīn-dōn, expressed an interest in renovating a pagoda in the town of Pegu, the predominantly Mon population of the town refused the offer because Mīn-dōn represented 'the heredit-

¹⁴ Hugh Tinker, The Foundations of Local Self-Government in India, Pakistan, and Burma, (London, 1954), p.49.

¹⁵ B.B.R.P.I., 1872-73, p.79. This increase was mainly round Moulmein.

¹⁶ The Mon-speaking population had declined from 181,603 in 1872 to 154,553 in 1881. B.B.C.R., 1881, p.70. Many British officials by this time considered it was no longer necessary to maintain any distinction between Mons, Burmese, and Shans.

ary enemy of the Talain people'.¹⁷

The people in general may not have been enthusiastic about British rule but they appreciated the stability and prosperity it had brought them. The currency was of fixed and unvarying value and taxation, though heavy, was stabilised and certain. The British administration may have lacked the glamour and excitement of the court of Mān-dalēi but that was still visible, if from a distance, and the people themselves were no longer restricted by the sumptuary laws of the Burmese regime, so that they could blossom into silks and jewels.¹⁸ Nor were they liable any longer to debt bondage or to forced and unpaid labour.¹⁹

Compared with its predecessor and with other colonial administrations in South East Asia, the British administrative system in Burma pressed but lightly on the people. Founded as it was on concepts of impartial law, it was also a relatively humane system. And with its comparatively negative administrative objectives, such changes as occurred in society during this period were mainly

¹⁷ I.F.P., (Pol.), 1871, Jan. No.136 and Feb. No.191.

¹⁸ G.E.Harvey, British Rule in Burma, (London, 1946), p.38; Mi Mi Khaing, Burmese Family, (London, N.Y., and Toronto, 1946), p.118; and Archibald Ross Colquhoun, Burma and the Burmans, (London, 1884), p.51. Only officials had been able to wear finery in the Burmese regime; the mass of the people were restricted to the wearing of coarse cloth.

¹⁹ Because of the chronic shortage of labour in the province, deputy commissioners were empowered to call on the inhabitants of an area to maintain the embankments there. Such labour, though pressed, was paid. I.J.P., 1877, Mch. Index No.3, 33, and 54; I.L.P., 1881, Jan. Appendix V; and B.H.P., 1883, Dec. Index No.24.

either side effects of the realisation of these objectives or due to non-intervention. A direct administrative connexion with London such as the Straits Settlements had, may have been preferable to the subordination of the provincial administration to the Indian government but this was a far happier and more efficient administrative arrangement than that which existed between French Indo-China and Paris. And although the imposition of Indian moulds of government on indigenous administrative offices may have inhibited their most efficient functioning, they were incorporated into a general administrative structure much more efficient than the one the British replaced. Moreover the foundations had been laid for the future.

LIST OF OLD AND MODERN SPELLING OF BURMESE WORDS*

Akyab	Sit-twei	Myat Tun	Myat Htūn
Allanmyo	A-lan-myo	Pegu	Pagō
Amherst	Kyaik-hkanri	Prome	Pyei
Arakan	Yahkaing-pyei	Ramree	Yān-byē
Ava	Īn-wa	Rangoon	Yan-gon
Bassein	Pathein	Salween	Than-lwin
Beeling	Bī-līn	Sadoway	Than-dwē
Cheduba	Man-aung	Sarawah	Tha-rawāw
Donabew	Danu-byu	Sittang	Sit-tāung
Engapo	In-gabu	Tavoy	Dawe
Henzada	Hīn-thada	Tenasserim	Tanīn-tha-yi
Irrawaddy	Ei-ya-wadi	Tharrawaddy	Tha-ya-wadi
Karennee	Kayin-ni	Thonegwa	Thōn-gwa
Lugyi	lu-gyī	thugyi	thugyī
Martaban	Mok-tama	Toungoo	Taung-ngu
Meday	Myei-dē	Twankay (Twante)	Twan-tēi
Meng Loun	Mīn-lāung	Yandoon	Myaung-dōn
Mergui	Beik	Yoonzaleen	Yūn-zalīn
Moulmein	Maw-lamyaing		

* This is not intended to be a complete list of all Burmese words used in the thesis. It is intended only to eliminate any confusion the use of the modern spelling may have caused and to give the modern spelling for words of which the old spelling or names have been used in the text.

LIST OF ABBREVIATIONS

<u>A.Q.R.</u>	<u>The Asiatic Quarterly Review</u>
<u>B.A.R.</u>	<u>Bengal Administration Report</u>
<u>B.B.A.R.</u>	<u>British Burma Administration Report</u>
<u>B.B.C.J.R.</u>	<u>British Burma Criminal Justice Report</u>
<u>B.B.C.R.</u>	<u>British Burma Census Report</u>
<u>B.B.M.A.R.</u>	<u>British Burma Municipal Administration Report</u>
<u>B.B.P.R.</u>	<u>British Burma Police Report</u>
<u>B.B.R.A.R.</u>	<u>British Burma Revenue Administration Report</u>
<u>B.B.R.P.I.</u>	<u>British Burma Report on Public Instruction</u>
<u>B.H.P.</u>	<u>Burma Home Proceedings</u>
<u>B.M.</u>	<u>British Museum</u>
<u>B.P.P.</u>	<u>Bengal Public Proceedings</u>
<u>B.R.P.</u>	<u>Bengal Revenue Proceedings</u>
<u>B.S.B.R.P.</u>	<u>Bengal Sudder Board of Revenue Proceedings</u>
<u>B.S.P.P.</u>	<u>Bengal Secret and Political Proceedings</u>
<u>C.H.I.</u>	<u>Cambridge History of India.</u>
<u>E.S.L.I.</u>	<u>Enclosures to Secret Letters from India</u>
<u>I.C.S.</u>	<u>India Civil Service</u>
<u>I.F.C.P.</u>	<u>India Finance and Commerce Proceedings</u>
<u>I.Fin.P.</u>	<u>India Finance Proceedings</u>
<u>I.F.P.</u>	<u>India Foreign Proceedings</u>
<u>I.F.P.P.</u>	<u>India Foreign and Political Proceedings</u>
<u>I.J.P.</u>	<u>India Judicial Proceedings</u>
<u>I.L.P.</u>	<u>India Legal Proceedings</u>
<u>I.O.L.</u>	<u>India Office Library</u>
<u>I.S.P.</u>	<u>India Secret Proceedings</u>
<u>J.B.R.S.</u>	<u>Journal of the Burma Research Society</u>
<u>L.B.A.R.</u>	<u>Lower Burma Administration Report</u>
<u>L.B.M.A.R.</u>	<u>Lower Burma Municipal Administration Report</u>
<u>L.B.R.A.R.</u>	<u>Lower Burma Revenue Administration Report</u>
<u>P.A.R.</u>	<u>Pegu Administration Report</u>
<u>T.M.A.R.</u>	<u>Tenasserim and Martaban Administration Report</u>

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