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PUBLIC ADMINISTRATION IN BURMA

A STUDY OF DEVELOPMENT
DURING THE BRITISH CONNEXION

by
F. S. V. DONNISON

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Prefatory Note

THIS study of the administrative system in Burma during the period of the British connexion is a contribution towards a further study of the requirements of efficient public administration in the countries of Eastern Asia which has been projected in the international research programme of the Institute of Pacific Relations, and in which Chatham House is collaborating.

My general indebtedness to the work of Mr G. E. Harvey and Mr J. S. Furnivall is extensive and also obvious, although many of the views expressed by me are repugnant to the latter. In acknowledging this I wish also to thank the former very warmly for particular suggestions generously given: I am extremely conscious of the defects of this study which was begun when I expected more leisure than I now command; these defects would have been greater still but for Mr Harvey's valuable help. I also thank Mr B. W. Swithinbank and Mr B. R. Pearn for comments on my manuscript. But I alone am responsible for views expressed in the study.

F. S. V. D.

June 1952

CHAPTER I

Introduction

THIS study is in no sense a history of Burma; its strictly limited purpose is to examine the system of administration established and developed by the British during the period of their connexion with that country and to place on record and to attempt some estimate of the results achieved by this system. To attempt any such appraisal it will be necessary to consider what policy it was that the system was intended to subserve; for it is no valid criticism of any system to accuse it of failure to achieve something for which it was never designed. With the merits of the underlying policy we are here but little concerned—that would open up a far wider field than it is now proposed to explore; it is with the success of the system of administration as an instrument of declared policy that this study will seek to deal.

Many topics that would find a place in a history of Burma are omitted. There is, for example, little or no reference to the relations between the British administration in India and the Kingdom of Burma, or to the causes and events that led up to the three wars in the course of which this territory was progressively brought within the British Empire in India. There is, again, little or no reference to the economic development of the country during the British connexion for it does not appear that this exerted any marked influence upon the form and methods of administration evolved—apart from the fact that it was the increase in the wealth of the country under the protection of the administration, and the play of economic forces, that made possible the development of the form and functions of government which will be described.

As it was from India that Burma was annexed and from India that the first British administrators of the country drew their knowledge and experience, it will be necessary to under-

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take first a brief examination of the administrative system set up by the British in India. This will be followed by a description of the physical features of Burma and some reference to the earlier indigenous system of administration found in the country on the arrival of the British. It will then be convenient to deal with the development of British administration in Burma in six periods. The first of these is also the longest, covering the period from 1824, the date of the beginning of the First Burmese War, to 1862, the year when a separate province of Burma was first established, under a Chief Commissioner. For all but the first few of these thirty-eight years Burma was governed in effect as a part of the presidency of Bengal. The second period covers the thirty-five years from 1862 to 1897 during which the province of British Burma was governed by a Chief Commissioner responsible direct to the Governor-General; during this period, although a provincial government had been established, no legislative powers were in practice devolved upon this government. The third period begins in 1897 when the Chief Commissioner was elevated to the rank of Lieutenant-Governor and a Legislative Council was set up; the period ends in 1923 with the conferment of a real, if limited, instalment of self-government. The fourth covers the period of this constitutional experiment, the so-called 'diarchy', from 1923 to 1937. The fifth begins in 1937 with the separation of Burma from India and the great simultaneous increase in the extent of self-government conferred: it ends abruptly with the occupation of Burma by the Japanese in 1942. The last period covers the period of Japanese occupation and the brief restoration of British rule during the years 1945, 1946, and 1947. It ends with the grant of independence to Burma on 4 January 1948.

A chapter will be devoted to the problems arising out of the defence of Burma, and in a concluding chapter some attempt will be made at an assessment of the results achieved by the British administration. And since for the last thirty years or more the ultimate grant of self-government has been

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implicit in British policy this will involve more particular consideration of the question whether, and to what extent, the system prepared Burma and her civil servants for self-government and what assets the system was able to bequeath to the new independent government.

CHAPTER II

The Indian System

IT was from and by India, and still more particularly from Bengal, that Burma was annexed. It is well to consider first, therefore, what conception of administration it was that lay in the minds of those who undertook the first annexation in Burma after the war which began in 1824 and what system the authorities in India would seek to set up in the newly acquired territories. There was naturally variety in a country the size of India, but certain generalizations may safely be made.

THE EAST INDIA COMPANY

This is not the place to recapitulate the early history of the East India Company as a great monopolist trading corporation, nor to trace in detail from 1773 onwards, when the Regulating Act was passed, the increasing assumption by Parliament of control of the administration of India by the Company. By 1824, although the Company was still permitted to continue the administration of its territories in India, Parliament had deprived it of its monopoly of the India trade and had unmistakably asserted the ultimate sovereignty of the British Crown. In 1833 the Company's trading activities were entirely abolished, although it was permitted to continue its administrative activities for another period of twenty years, after which the matter would come up for review again; but Parliament had insisted that the Company must improve the machinery of its administration, and began to show its intention of controlling the patronage which was such a source of power to the Company. In 1853 Parliament broke down this patronage by insisting that recruitment to the service of the Company must be made on the result of open competitive examinations to be conducted by the Civil

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Service Commissioners in England. The Indian Mutiny in 1857 hastened the last step in this long process of assimilation and in the following year the Crown assumed full direct responsibility for the government of the Company's territories in India and Burma.

Nor is this the place for any study of the relations between the Company's Directors in London and its representatives in India. It is sufficient to begin with some account of the administrative organization of the Company's government in India over the period covered by the three Burmese Wars.

The Company's territories were then constituted into the three 'presidencies' of Bombay, Madras, and Bengal.¹ The first two were in the charge of a Governor; the last was administered by a Governor-General, so called because he had also certain powers of superintendence in respect of the presidencies of Bombay and Madras. It is with the Governor-General, both as the Central Government of India and as the Government of Bengal, and later with the Lieutenant-Governor of Bengal, when this office was created to relieve the Governor-General of responsibility for the affairs of Bengal, that we are mostly concerned. Madras had little concern with Burma, and Bombay none.

The Governor-General at Calcutta governed with the advice of a small Executive Council of officials. Legislation was enacted for the whole of the possessions of the East India Company by the Governor-General aided by his Legislative Council—which was in fact at this time his Executive Council with the addition only of one law member. It is true that the Governors of the presidencies of Bombay and Madras had also enjoyed legislative power in their own areas but, under the centralizing tendency that now began to prevail, their powers were withdrawn for a time and restored only in a limited form. Not until 1861 were non-officials appointed to the Governor-General's Legislative Council and even then they were his own nominees until thirty years later.

In 1853 the Government of Bengal was separated from the

¹ There was for a time a fourth presidency in Penang.

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Government of India and placed under a Lieutenant-Governor. This allowed the Governor-General to concentrate on his steadily increasing all-India functions and gave Bengal a much needed government of her own. The administration of the revenue system of Bengal was, under the Governor-General and later under the Lieutenant-Governor, in the hands of a Board of Revenue, whose members were normally senior officials of the Company's civil services. Until the appointment of a Lieutenant-Governor the demands made upon the Governor-General by his all-India responsibilities led to his leaving the general administration of the Bengal presidency to be handled very largely by the Board of Revenue. At the time of the First Burmese War justice was administered through two almost entirely separate judicial systems; the one formed by the jurisdiction of the Supreme Courts in Calcutta, Madras, and Bombay under which, speaking very generally, English law was administered in the three capital cities mentioned, and for Europeans outside those cities; the other formed by the jurisdiction of the Sadr Courts under which, again speaking very generally, was administered the customary law of the parties concerned, modified where necessary in the interest of justice, equity, and good conscience. It was not until 1862 that these two jurisdictions were amalgamated and the High Courts of Calcutta, Madras, and Bombay were set up, with judges appointed by the Crown. Small secretariats of officials advised the Governor-General, the Governors, and the Lieutenant-Governor, and gave effect to their decisions.

The basic functions of any administration are to keep order, administer justice, and collect revenue, and at the time of the First Burmese War the governments of the East India Company attempted, and were expected to attempt, little beyond these basic functions, although the need for the development of education was being recognized, and also the need for the development of some form of local government, both rural and urban.

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LOCAL ADMINISTRATION

The high degree of executive and legislative centralization at headquarters was matched by a very considerable concentration of administrative and judicial responsibilities in the standard local administrative unit, i.e. the 'district', an area of varying size and importance. In the older and more fully established districts of Bengal there were normally three heads to the administration, the Judge-Magistrate, the Collector, and the District Magistrate, each being mainly concerned with one of the three basic functions of administration. The fact that no one of these three officers had the overall responsibility for the control of government business and policy within the district was a source of weakness to the administration in Bengal. The District Magistrate was primarily responsible for the preservation of order and the day-to-day administration of the police (through a Superintendent of Police), and of the criminal courts, though other duties of an executive nature were frequently laid upon him in addition. The Judge-Magistrate was concerned with the administration of justice, including both civil judicial matters, and the trial of important criminal cases, and also the less detailed supervision of the administration of criminal justice by the courts under the District Magistrate. The Collector was mainly responsible, as his name would suggest, for the assessment and collection of all government revenues, these consisting mainly of a tax on land representing a share in the produce of agriculture. In some districts the functions of the Collector and the District Magistrate would be combined in a Collector-Magistrate. In less developed districts there might be only a single head to the administration, known either as the Collector or as the District Magistrate. In freshly annexed territory, such as the Punjab, the administration might be entrusted to a 'Commission', a body of men recruited largely from outside the normal civil services, mostly from officers of the military services of the East India Company, in which case all aspects of the administration of a

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district would be entrusted to a Deputy Commissioner, thus avoiding the weakness which resulted in Bengal from the lack of any such officer with general responsibility. The heads of the district administration were aided by Assistant or Deputy Collectors or Magistrates, and a sufficient number of subordinate magistrates and judges.

Looking upwards from the district authorities there was in Bengal, at the time of the First Burmese War, ordinarily no permanent authority intermediate between the district administration and the provincial or presidency government, although a few years later Commissioners of Revenue and Circuit were appointed to supervise the work of the Collectors, on behalf of the Board of Revenue, and of the rest of the district administration, on behalf of the government. By the time of the Second Burmese War Commissioners of Territorial Divisions had been established in Bengal as a permanent intermediary between the district administrations and the government, each Commissioner being given permanent charge of, say, three to five districts, over which he exercised general supervision and inspection and in which he had certain well defined judicial appellate functions. Until the establishment of the High Court in 1862 the final authority for judicial matters in the districts was the Court of Sadr Diwanni Adalat which until 1805 had consisted of the Governor-General in Council but thereafter was composed of judges specially appointed to that court.

Looking downwards from the district administration there was in Bengal virtually no authority between this administration and the village or town communities in which the people of the country lived. In most other parts of India there were established *tahsils* or townships in the charge of native officers, probably half a dozen or so to each district. In their smaller charges and on a smaller scale the *tahsildars* (or other comparable officers) discharged varying functions similar or comparable to those discharged by the heads of the administration at district headquarters, each officer usually being responsible for the discharge of all the basic functions of government within his jurisdiction.

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Between the Second and Third Burmese Wars, in administrations which made use of *tahsildars* or comparable officers, there was interpolated between the *tahsildars* and the district authorities an intermediate authority, much in the same way as Commissioners of Divisions had earlier been placed between the district authorities and the government above. These joint magistrates or subdivisional officers, as they came to be known, exercised general powers of supervision and inspection in relation to the *tahsildars* in their charge, and also exercised certain well-defined judicial powers.

The complete standard hierarchy by this time, then, was the Governor-General, the Governor or Lieutenant-Governor, the Board of Revenue, the Commissioner, the heads of the district administration, the subdivisional officer, and the *tahsildar*—though, for example, Bengal did without subdivisional officers, and Madras did without commissioners.

It remains to consider the arrangements that were usually made by the general administration of the country to divest itself of some of the many duties that are ordinarily, in the West, discharged by local authorities, such as sanitation, water supply, control of markets, and so forth. In the villages, in which dwelt the great majority of the people, little or nothing was done to relieve the district authorities of their responsibilities in this respect; and very little more (it must be added) was done by those authorities themselves to discharge the duties laid upon them by these responsibilities. Village communities were left, in fact, to live their own lives much as they had always done, the inactivity of the central administration being justified by reference to a policy of minimum interference with native social and political institutions—a policy, be it added, that had a great deal to commend it and that was more in harmony with the *laissez-faire* conceptions of government of the period than it would have been with the more exacting conceptions of the duties of government that were later to become current.

In the towns, municipal government was bestowed first on the European communities of the presidency towns of

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Calcutta, Madras, and Bombay. Later, municipal institutions were conferred also upon other large towns but these were not organic growths from below, being imposed from above; and although the corporations were early constituted on a representative, and as far as possible elective, basis, the pattern of municipal government in India was that of an official, whose local-government functions might or might not be a whole-time occupation, anxious to introduce improvements that were mainly Western in conception and usually suggested from above. He would act in consultation with, but often in the face of opposition from, a local committee unconvinced of the benefit of the measures proposed and often deeply and resentfully interested in maintaining the existing state of affairs and in opposing its improvement. The English conception of a body of local representatives charged with the duty of ordering municipal life, who might ordinarily be expected to be anxious to do this in a reasonable and satisfactory manner, and who would employ an official servant of the corporation as their executive, was never realized.

After this brief survey of the administrative system in force in India over the period of the annexations of Burma, we can turn to examine the system that the men brought up in this tradition found in Burma on arrival in the newly annexed territory.

CHAPTER III

Burma and the Indigenous System

BURMA lies beyond the eastern frontier of India and East Pakistan. It is divided from these countries by lofty mountain ranges which reach northwards to form the eastern buttress of the Himalayas. The Burmese proper, as opposed to the racially-distinct hill tribes, inhabit the valley systems of the Irrawaddy and its tributary the Chindwin, and of the much shorter river the Sittang. To the east of these rivers rise further mountain ranges and highlands, which also rise northwards to the Himalayas, joining ultimately the mountain system dividing Burma from India. Beyond the eastern hills lie Siam, Indo-China, and China.

The horseshoe of mountains on west, north, and east, is inhabited by hill tribes among which are included Karens, Shans, Chins, and others, different in race, language, and religion from the Burmans.¹ With the notable exception of the Karens, these hill people have shown little inclination to forsake their remote homes in the hills for the plains of Burma. And it is essential to realize that they occupy no less than 43 per cent of the country's total area. They may constitute only 16 per cent of the population, they may be politically backward, occupying the less fertile or developed areas, but many are attractive and virile peoples, with their own way of life. This study is necessarily concerned with the more modernized half of the country but the reader must bear in mind throughout that there is another Burma even though it is seldom mentioned.

At the open end of the horseshoe, to the south, the great rivers of Burma, grown muddy in their long courses, empty

¹ For the purpose of this study the term 'Burman' is used for the Burmans as opposed to the Karens, Shans, and other races of Burma, and 'Burmese' for all the indigenous races of the country. This convention is now generally accepted.

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themselves through the now fertile delta area, into the Bay of Bengal. Here are to be found the great port of Rangoon and the smaller ports of Bassein and Moulmein. Outside the enclosing hills to the west lies Arakan which, though physically a southern extension of the coastal strip of Chittagong, had not long before the First Burmese War been conquered by Burma, and had become politically a part of that country. It is inhabited by the Arakanese, a people of Indo-Burmese descent but considering themselves a distinct race, no mere half-caste community, and by Indian Muslims of the racial type to be found in the neighbouring Indian territory of Chittagong. To the south east of the main delta of Burma there is a somewhat similar coastal extension of the Burma plains, but in this case within, not beyond, the hills separating Burma from Siam, and inhabited by Mons, Karens, Shans, and Malays, Burmans often being in a minority.

The total population of Burma in 1941 was roughly 17 millions. At the time of the First Burmese War it was probably under 4 millions. In area Burma is approximately equal to eastern and western Bengal with the addition of Assam, Bihar, and Orissa. The population of this part of India at the time of the First Burmese War may well have been of the order of 35 millions, although no exact figures became available until the taking of the first census in 1872. The population of the two provinces of Arakan and Tenasserim annexed after the first war was probably about 300,000. It was indeed an inconsiderable and sparsely populated territory that was then added to Bengal.

The early history of Burma had been one of successive migrations out of the north down the mountain ranges and into the plains. The kingdom of Pagan was established in central Burma from A.D. 1044 to 1287. It was then broken up by incursions of Shans from the eastern hills, who set up various smaller kingdoms between 1287 and 1531. Two further Burmese dynasties were then established, the first at Pegu in Lower Burma, from 1531 to 1752, and the second in Upper Burma, from 1752 to 1885.

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Throughout this period Burma was a self-sufficient agricultural community, organized partly on a territorial, partly on a tribal or occupational basis, in which the most enduring units were the village or the township under a local or tribal headman. The Burmans were Buddhists practically without exception; the hill peoples were Buddhists or Animists.

GOVERNMENT UNDER AN ORIENTAL MONARCHY

Before the annexation of Burma by the British, the Burmese were governed, or at times merely presided over, by a monarch whose absolutism was checked in theory by custom, and in practice by his inability to enforce rule over a country of thin population and poor communications.

At the centre was the king surrounded by his court and advised by his royal council. But as the council was appointed by the king and its members held office during his somewhat uncertain pleasure the check applied by this body was not a serious obstacle to the often wayward desires of the monarch. There was no regular administrative framework, there were no organized civil services as these are now known to us in the West and as they were already beginning to take shape in British India, there was no regular police force through which the king could impose his will on the country, and there was only an inconsiderable standing army. At the circumference the British found an organization so lacking in uniformity that they experienced great difficulty in understanding it; to the Burmese themselves it may be assumed to have presented an engaging variety, ascribable to the gradual and imperfectly controlled growth of the organization. Not only were most local officials hereditary but their jurisdiction was often occupational rather than territorial; or sometimes a combination of both. There would, for example, be headmen in charge of fishermen, or boatmen, or salt boilers, of an area. But at the same time there would be headmen with territorial jurisdictions having authority over those not already under the charge of an occupational headman. All these headmen with their sometimes overlapping and conflicting charges would

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be responsible for the collection of taxes, for the keeping of the peace, and for general supervision and control in regard to their respective communities. They would in varying degree come under the control of a superior headman, the *myothugyi* (or headman of a township), enjoying a hereditary right to his office although subject in the last resort to deposition by the king.

The link between the king and the *myothugyi*s was provided by governors of districts or occasionally provinces; these, like the ministers, were not hereditary but held office during the royal pleasure. As agents of the central government their authority was considerable but, being liable to transfer, they had little local following, and they knew they could be reported to the palace by local personages whom they had offended; consequently a *myothugyi* who had the support of his people was often free to obey the orders of the central government only as much as he liked or as little as he dared. In the event of war each *myothugyi* was responsible for furnishing a quota of men to the royal army. To facilitate this, certain lands were held from the crown on a tenure that required the furnishing of a certain number of armed men on demand by the king.

Until the reign of King Mindon (1853-78) no public servant was remunerated by a salary. Commission on taxes collected, or fees for services rendered, was theoretically the basis of remuneration. In practice the local headman collected as much revenue as local custom and public opinion allowed and remitted this through the *myothugyi* or other appropriate official to the royal treasury. A third to a quarter, more or less, was retained as remuneration by the local officials.

The main source of revenue was customary, a tithe on all produce, e.g. crops, salt, fish, cutch, beeswax, etc., in addition to innumerable tolls on the movement of goods and, at such ports as existed, customs duties. Save in special emergencies or in war-time few of these taxes reached or were required to reach the central treasury.

CHAPTER IV

Burma and Bengal, 1824-62

THIS first part of the British connexion with Burma covers the long period from 1824 to 1862 when for the first time a separate administration was set up for British Burma. For the whole of this period Burma was administered from India. As some account of the higher administrative framework in India has already been given in Chapter II, the present chapter will be devoted mainly to a description of the nature and functions of the district administration established on the ground in Burma itself; the administrative organization at higher levels will be more fully considered in later chapters when a provincial government had been established and Burma was no longer merely a part of an Indian province.

It is well that we should remind ourselves of the very narrow sphere of activity to which it was at this period considered proper that government should be confined. *Laissez-faire* still influenced political thought in the West and governments were expected to do little more than maintain order, administer the law, and collect their revenues. The rest was left to individual enterprise under the operation of natural economic laws. And if these were the standards applied to the national governments of the time, it would not be proper to expect more of the government of the East India Company. Although trade had been the primary object of the Company, it had found itself increasingly driven to assume the responsibilities of a government and to maintain order and administer the law, if it was to be able to carry on the trade for which it had been formed.

FIRST AND SECOND BURMESE WARS

By the time of the Burmese War of 1824-6 the responsibilities of the East India Company differed little from those

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of any other sovereign political authority, such as the Government of the Crown in India after 1858. They were certainly no greater. To judge the administration it set up by any other standards would be unrealistic.

The Burmese at this period, not for the first time in their history, were bent on conquest. Having annexed Arakan in 1784-5, and the Assam plains in 1816-19, they proceeded to invade Bengal in 1824. Even the Governor-General's personal protests were unavailing and he was driven to act in—incredible as it may seem today—self defence. The result of the operations was never in doubt but the climate of Burma and the defective organization of the Company's forces made of the expedition a much more costly and troublesome affair than had been expected. The conclusion of the war came with the forces of the East India Company in occupation of Assam and of what later became known as Lower Burma, i.e. Arakan, Pegu, Martaban, and Tenasserim. By the treaty of peace Assam, Arakan, and Tenasserim were annexed to the territories of the Company, the rest of the occupied area being returned to the Burmese, not, it may be added, without compunction prompted by anticipation of the probable treatment of inhabitants of the area who had co-operated with the occupying forces. With the administration of Assam we need not concern ourselves further for, although it was at first treated in similar fashion to the rest of the territory annexed, it never ultimately became a part of the province of Burma. The primary object of the annexation appears to have been the preservation of order and peace along the eastern frontier of India. After annexation local trade was naturally to be encouraged to yield enough revenue to cover the cost of the administration set up.

Arakan and Tenasserim were at first placed under the direct control of the Governor-General. But Arakan adjoined Bengal and was, as we have seen, geographically a prolongation of the coastal strip of Chittagong and therefore physically a part of India. It was early transferred to the care of the Government of the presidency of Bengal, the Superintendent

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of Arakan being placed under the control of the Commissioner of Chittagong, and the net of the existing administrative system of Bengal being thrown out over the new territory. A little later the officer in charge of the administration of Arakan was elevated to the rank of Commissioner and Arakan was excluded from the charge of the Commissioner of Chittagong and placed under the direct control of the Bengal Government at Calcutta, as one of the territorial divisions of Bengal. This new division was at first divided into the five districts of Akyab, An, Ramree, Sandoway, and Akyab Town, with Assistant Commissioners in charge of each.

The province of Tenasserim, although it was ultimately to be treated in much the same fashion as Arakan, was at first accorded different treatment. It lay on the other side of the Irrawaddy delta from Arakan and the rest of India, and the provinces of Pegu and Martaban, which might have connected the two territories annexed, had been handed back to the Burmese. Tenasserim was therefore at no point contiguous with any part of the East India Company's territories. It was accordingly not such a simple process merely to cast the net of the Indian administrative system a little further in order to include this province. There was here an opportunity, in fact it was in some ways necessary, to build afresh from the start. The newly annexed territory continued under the direct administration of the Governor-General while Arakan was first assimilated to the Bengal administrative system. And it was convenient to draw upon the province of Penang (or Prince of Wales Island) for the earliest administrative staff for Tenasserim, rather than to find these from India. Penang it will be remembered was at this time under the control of the Governor-General of India, though it fell somewhat outside the full rigour of the Indian administrative system. A Commissioner was appointed to Tenasserim from Penang. After a brief period of control by the Governor of Prince of Wales Island, during which the Civil Commissioner ran in double harness with the Commander of the British Forces in Burma (who for this purpose was known as the Senior

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or Political Commissioner), the Commissioner and his administration were placed under the direct control of the Governor-General. His charge was at first divided into the four districts of Amherst, Ye, Tavoy, and Mergui, each with an Assistant Commissioner in charge. Two of these, Ye and Tavoy, were amalgamated not long after, the Tenasserim division then consisting of three districts corresponding very closely to the later districts of Amherst, Tavoy, and Mergui. The officers in this territory began with less experience of, and less loyalty to, the Indian system, and as they were separated from direct contact with it, it is here that we might look for some attempt at original development on the foundations of the indigenous system. Unfortunately these attempts at originality were not very successful; and still more unfortunately the newly arrived civil officers in Tenasserim, at a comfortable distance from control and inspection, displayed an even more alarming originality, not to say irregularity, in their conduct of public affairs. It was clear to those in authority in India that the stock pattern of administration evolved in India, however unimaginative, was safer and more competent. In due course therefore, in 1834, Tenasserim was brought at least partly into line with Arakan by being placed under the control of Bengal in judicial and revenue matters. In regard to general administration it remained under the Governor-General. We shall come back shortly to a more detailed examination of the local administration evolved in Arakan and Tenasserim but must first complete the political history of this period.

In 1852 the Second Burmese War was carried to a much quicker and more decisive conclusion, and the East India Company annexed the Burmese provinces of Pegu and Martaban, which had been returned to the Burmese after the previous war, and in doing so pushed the Kingdom of Burma back, denying it all access to the sea, and linking up the two provinces annexed in 1826. A separate Commissioner was placed in charge of Pegu, and the province of Martaban was added to the charge of the Commissioner of Tenasserim. The

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Commissioner of Pegu, whose division contained six districts, Rangoon, Bassein, Henzada, Tharrawaddy, Prome, and Toungoo, each with an Assistant Commissioner in charge, was placed under the direct control of the Governor-General as had been done with Arakan and Tenasserim immediately after the First Burmese War. The whole of what later came to be known as Lower Burma had therefore become a part of India, under three Commissioners; but each of these Commissioners held a different constitutional position; while the Commissioner of Arakan was under the full control of the Government of Bengal and the Commissioner of Pegu was under the full control of the Government of India, the Commissioner of Tenasserim was in a middle position under both these governments for different purposes.

DIVISIONS AND DISTRICTS

We have seen the stages by which and the extent to which the territories annexed after the Burmese Wars of 1824-6 and of 1852 were incorporated into the great and uniform framework of Indian administration during this first period of the British connexion with Burma. We can now look in more detail at what this administration meant on the ground. In India, as we have seen, the basic unit of administration was the district; the first step therefore in the various territories of Burma, after placing an officer in general charge of the civil administration, was to parcel out the Commissioners' provinces or divisions into areas which might be considered to correspond roughly to Indian districts, and to place in charge of these, officers, known as Assistant Commissioners, who were drawn sometimes from the ranks of the covenanted civil service in India, most probably from Bengal, or, and this was more usual in the early stages, were seconded from the military forces that had effected the annexation. (The Services will be further considered later in this chapter).

As we have seen in our survey of the indigenous system, there had been district and provincial governors; but they all disappeared at the annexation. They were officers of the

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central government and they remained loyal to that government, falling back on the capital as the British advanced. And with their disappearance the provinces and districts tended to disintegrate, being artificial units without roots in the soil; in any case they seldom coincided with the needs of the new system. The British had to look lower for the largest vital political and social unit of the Burmese community, which was, we know, the township under its *myothugyi*. These townships were on too small a scale however to permit of their being utilized as districts; there would have been neither the staff to man so many districts, nor the population to yield revenue sufficient for such a heavy administration. At once, therefore, with the creation of administrative districts on the Indian scale, danger arose of the establishment of an artificial political unit. But historical, economic, geographical, and social conditions were given all possible weight, and generally speaking the districts established were natural and potentially organic divisions of the country. Administrative convenience was occasionally allowed to override other considerations but more usually their requirements coincided.

The basic, and at this period almost the exclusive, functions of government were to preserve order, to administer justice, and to collect the revenue. The officers established on the ground, that is to say, the Commissioners in their divisions, and the Assistant Commissioners in their several districts, were each responsible for the discharge of each of these triple functions within their charges; each officer was at the same time a tax-collector, an executive officer, and a magistrate or judge. We shall see how in the course of time there was separation of these functions, at least at the higher levels, and division of responsibility; but in the early stages there was complete unity of responsibility at all levels for these three basic functions. It may be noted in passing that these triple functions of the officer in charge of a district were reflected and expressed in later development by the three most important departments of the standard district office in Burma, namely the General Department, the Judicial

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Department, and the Revenue Department. Other departments came to be added in due course, but these were the three basic departments.

In Tenasserim during the early 'independent' period there was little or no division of these functions; in regard to the preservation of order, the civil officers, after an initial period during which the main agency for this purpose was the British-Indian troops not yet withdrawn to India after the war, did what was unavoidably necessary by reviving the very rough-and-ready indigenous organization for watch and ward; in regard to the collection of revenue, modified forms of the taxes levied by the Burmese Government were continued, consisting in the main of a tax on the produce of rice and other land, of the sale of fishery leases, of bazaar taxes, of taxes on salt-boiling and various forest produce, and, in regard to certain tribes, of a poll tax; in regard to the administration of justice, the civil officers, guided by the precedent of the justice administered in the provincial or Sadr courts in India, sought to administer what they conceived to be the laws of the people, tempered where necessary in the light of Western conceptions.

In Arakan, which was brought immediately within the scope of the Indian system, matters were conducted in a somewhat more regular fashion. Bengal legislation was extended at once to Arakan. The administration was expected and required to bring itself early into line with practice in adjoining Bengal. Police stations and a police force were established. An excellent system for collection of the land-revenue, the tax on the produce of land, was evolved with the result that 'by 1831 rates fell three-quarters and extortion ceased, for each cultivator had his annual tax bill, and in Burma each cultivator can read; the circle headman submitted the assessment roll, the *myothugyi* checked it, and the assistant issued a tax bill, initialled by himself, for each villager by name.'¹ And this tax was calculated at

¹ *Cambridge History of India* (London, Cambridge University Press, 1929) vol. v. p. 563.

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varying acre rates according to the crop grown, the fertility of the soil worked, and the accessibility of markets to the cultivator.

In 1834 as we have already seen, the Governor-General grew weary of the originalities and eccentricities of the administration in Tenasserim and ordered its partial assimilation to the system in force in India and Arakan, placing the Judicial and the Revenue Departments under the direct control of the judges and of the Board of Revenue at Calcutta.

By the later part of this period conditions were becoming somewhat more standardized, and it is probably true to say that in every district, the Assistant Commissioner was aided by an officer whose responsibility it was to establish, recruit, and train a native police force for the preservation of order and the investigation of crime. The Assistant Commissioner was probably also furnished with the assistance of two or three junior colleagues brought over from India to aid him in the general administration of his district. In the earliest stages he had enlisted the services of the local Burmese officials, of whom most were usually found ready to throw in their lot with the new administration. These were given appointments in a native service¹ and employed as revenue assistants, magistrates, native judges, or placed in general administrative charge of portions of the district.

The Indian system had indeed been introduced in its entirety. But as its framework really began with its newly created districts, above the level at which the old Burmese social and political organization (apart from the monarchy) left off, it did not necessarily displace or destroy any of the local Burmese social or political organizations. The central administration it destroyed entirely. We have now to look at what the new government made of the old indigenous political system which lay below the new district level and how it integrated this with the larger-scale organization superimposed.

¹ Referred to in more detail at p. 26.

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TOWNSHIPS AND VILLAGES

The officers of the occupying forces knew little or nothing about Burma and the fabric of her society and clearly one of their greatest difficulties was to make sense of the inconsistencies of Burmese administrative arrangements: most difficult of all did they find the personal jurisdictions which existed alongside, or rather woven through, the more intelligible, though still unstereotyped, territorial jurisdictions. As far as possible they recognized the already existing political units but this involved them in the recognition of headmen of townships, circles, and village groups, and looked like involving them in recognition of personal jurisdictions which it was felt impossible to reconcile with the much more uniform arrangements with which they had been familiar in India. And while some of the circle and group headmen admitted that they were subordinate to the township headmen, others were, or claimed to be, independent. In size, authority, conditions of tenure, in fact in every respect, it was hard to find two charges alike. Some degree of standardization was felt to be essential in the circumstances of the time. This began to take the pattern of recognizing, on the one hand, townships or circles with a higher-grade headman in charge (a circle probably tended to be smaller than a township, but at first the terms appear to have been more or less interchangeable) and, on the other hand, village groups with lower-grade headmen in charge but placed always in subordination to a circle or township headman.

At first there was no clear distinction between the headman in charge of a township (*myothugyi*), the headman in charge of a circle (*taikthugyi*), and the local administrative officer (who might originally have been a *myothugyi*) recruited into a native service and made a township officer (*myo-ok*). But by 1862 usage and nomenclature had become clearer. The *myo-ok* was now a salaried officer of the government liable to transfer anywhere in the country, and he was already beginning to speak English, whereas the *myothugyi* or

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taikthugyi remained a local headman rooted in his village, speaking only Burmese, and remunerated by a commission on the taxes he collected. The indigenous system was being deprived of its colour and individuality and gradually being pressed into the standard British-Indian mould.

After the annexation of Rangoon the Town Magistrate at first dealt with municipal affairs, in addition to his normal duties. Later development followed closely the Indian lines already described. A year later in fourteen other towns a municipal tax was imposed, but no municipal committees were created and the administration of the funds so raised was left in the hands of the government officers responsible for the general administration of the towns. The position reached in regard to towns by the end of this stage was, roughly speaking, that while there was the beginning of municipal government in Rangoon, at every headquarters of a district where any number of European officers was likely to be stationed, the central government through its local representative continued or began to organize a bare minimum of services, such as a market, conservancy, and sometimes the supply of water. In other towns and in the villages little or nothing was done at all, beyond encouraging the local headmen to continue exacting from their villagers or townsfolk such assistance as had been customary to keep their villages and towns in a reasonable state of cleanliness and security.

CIVIL SERVICE OFFICERS

We have looked at the administrative machine set up in Burma. What of the men who had to work it during this earliest period? In India, at the time of the First Burmese War, there was, first, the covenanted civil service, which later, after a far-reaching transformation in 1855, came to be known as the Indian civil service. The covenanted civil service was then recruited by nomination, in England; the right to nominate rested with the directors of the East India Company, a very close corporation; no native of India could gain admission. This service was designed to fill the higher

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posts in the Company's administrations in India, i.e. two-thirds of the High Court judgeships, nearly all seats on the Executive Councils, all superior posts in the secretariats, all superior administrative posts or judgeships in the interior down to and including the heads of the district administration, together with such junior posts as were necessary for the training of young officers before reaching the rank of District Magistrate, Collector, or Judge-Magistrate.

The three older provinces, Bengal, Bombay, and Madras, more correctly known as presidencies, were administered exclusively by members of this covenanted civil service. But in the newer provinces on the expanding frontier, the non-regulation provinces, for instance Burma or the Punjab, they held only two-thirds of the posts in the cadre, the remaining third being filled by army officers and others who aspired to a civilian career; one-third of the cadre continued to be filled in this way until 1922.

By 1853 as a result of the measures taken to break down patronage both in the United Kingdom and in India, admission to the covenanted civil service was thrown open to a competitive examination for which natives of India were eligible. But the examination was held only in London and it required candidates of honours-degree calibre. Since India did not even begin to have universities of her own till some years later, and Rangoon had none till 1920, it is hardly surprising that the service never came to include more than 5 per cent Indians. No Burman ever succeeded in passing the examination.

Nevertheless the vast majority of posts were outside this covenanted service, and they were filled by Indians. The heads of the district administration needed the assistance of Native Judges, Deputy Collectors, and Deputy Magistrates. Most of these officers were natives of India, though occasionally Anglo-Indians or Europeans (usually 'domiciled' Europeans, i.e. Europeans born and brought up in India) were appointed. They were nominated by the presidency governments, though occasionally they might be required to

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pass a qualifying examination. Where *tahsildars* were interposed between the district administration and the village communities, these were similarly appointed and formed the lower grades of the native service.

In course of time admission to the native services (or the provincial civil services as they came to be known when the covenanted service became known as the Indian civil service) became more closely regulated and was more and more limited either to promotion from the clerical services or to recruitment by examination from the Indian universities.

CHAPTER V

The Chief Commissioners, 1862-97

UNTIL 1862 the history of the administration of Burma is the story of the attempts made to deal with the problem of governing the Burmese by the treatment of Burma as an integral part of Bengal or India. But in 1862 it was decided to remove the inconsistencies of administration in the several Commissioners' charges and to confer upon the country an administration of her own, albeit within the India system. In 1862 therefore the territories annexed after the two Burmese Wars, administered by the three Commissioners of Arakan, Pegu, and Tenasserim, each responsible independently and by different channels to the Governor-General in Calcutta, were constituted into the new province of British Burma, the three Commissioners being subordinated to a Chief Commissioner, responsible directly to the Governor-General. No legislative power was conferred upon the Chief Commissioner, however, and legislation still required to be enacted 800 miles away in Calcutta by the Governor-General and his Legislative Council. The main body of the law to be administered remained the Indian legislation already extended to the territories of Burma.

THIRD BURMESE WAR

Two-thirds of the way through the period covered by this chapter, the province of British Burma was more than doubled in area by the annexation of the kingdom of Burma. The Third Burmese War which brought about this result took place in 1885. The underlying cause was mainly jealousy of the extension of French influence from Indo-China into central and northern Burma, but the immediate excuse was a dispute with the Burmese Government over the treatment accorded by them to a British firm engaged in the

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extraction of timber from the king's territories. There was virtually no fighting, and the kingdom of Burma was annexed on 1 January 1886, together with its subordinate states in the Shan mountains to the east. After a slight flirtation with the idea that the Burmese monarchy should be restored under British guidance and protection, it was decided to incorporate the new territories into the province of British Burma. The Chief Commissioner's area of responsibility was thus more than doubled. The new territories which came to be known as Upper Burma were parcelled out into four Commissioner's charges covering seventeen districts. Meanwhile in Lower Burma the Pegu division had grown too bulky and had been subdivided in 1881 into the Pegu and Irrawaddy divisions, with the result that there were in Lower Burma, at the time of the Third Burmese War, four Commissioners' divisions and twenty districts. These territorial divisions suffered few later changes of importance, though redistribution of districts occurred between the various Commissioners' divisions. On the ground, the administrative framework had virtually reached its final shape.

There was during this period little fundamental change in the conception of the functions and responsibilities of the officer in charge of the basic administrative unit, the district. After 1862 he became known as the Deputy Commissioner, not the Assistant Commissioner, the latter designation being reserved for junior members of the service who were normally employed as subdivisinal officers in charge of a subdivision of a district, consisting of two or three townships. A Superintendent of Police was normally a part of the district headquarters staff, and relieved the Deputy Commissioner of the detailed responsibility for raising and training a police force. An Inspector General of Police similarly relieved the Chief Commissioner of direct responsibility for the police administration of the country.

The interest during this period lies therefore not so much in the organization and functions of the district administration on the ground as in the growth and constitution of the head-

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quarters of the new province, that is of the government and of the secretariat. Two other matters merit closer attention, both resulting from the annexation of Upper Burma. The first of these is the policy enforced throughout Burma proper, that is in Burma other than the tribal areas in the hills, regarding village administration: the second is the system of administration that was evolved in the tribal areas to meet the problem of the states which, although they had owed little more than nominal allegiance to the Burmese kings, were annexed together with the kingdom of Burma.

INCREASE IN CHIEF COMMISSIONER'S FUNCTIONS

When the Chief Commissioner was first appointed in 1862 he had, as we have seen, no legislative functions whatever. There was combined in him, however, with unimportant exceptions, the ultimate responsibility in the province of British Burma for the maintenance of order, for the collection of the revenue, and, sitting as the Court of the Chief Commissioner, for the administration of justice. For these purposes he was furnished with the assistance of a general administrative secretariat consisting of a secretary and an assistant secretary, and the necessary clerical and subordinate staff. In addition there were established at the headquarters of this government a number of departments each under its own head but operating under the general direction of the Chief Commissioner, e.g. the Police Department with an Inspector General at its head, Public Works under a Chief Engineer, and the Accounts, Medical, Jail, Ecclesiastical (Chaplains), Marine, and Customs Departments. These relieved the Chief Commissioner of all but general control.

In 1868 some recognition, more theoretical than real, of the new status of Burma was accorded by the decision to give to the Chief Commissioner the power to extend to Burma legislation already enacted in India, although the power to originate legislation in Burma was not conferred upon him. It was to be nearly thirty years before this further delegation was made, and then only with extreme caution. The very

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modest beginnings in 1868 were largely academic in as much as all government in India was strongly centralized and it is improbable that the Chief Commissioner would have exercised even the slight power conferred upon him without reference to, and prior approval of, the Governor-General. However it constituted a first if small advance towards the recognition of a separate administration for Burma.

In 1872 the appointment of a Judicial Commissioner relieved the Chief Commissioner of his judicial functions. It seems a small step, with all other executive officers continuing to exercise theirs, but actually it was the beginning of the High Court system in Burma and it was made, not in response to any local demand, but in accordance with the general tendency to establish Chief Courts in non-regulation provinces at this period. The mere volume of work would, in due course, have necessitated some separation between judicial and executive powers, but theoretical considerations were already beginning to prevail, and the results were not entirely beneficial. District officers now learned to distinguish between law and justice.¹

The annexation of Upper Burma brought a sudden great increase in the responsibilities and labours of the Chief Commissioner over and above the normal rate of increase of governmental functions. This was met first by the appointment for some three or four years of a separate Chief Secretary for Upper Burma and then by the appointment in 1888 of a Financial Commissioner, who, just as the Judicial Commissioner had earlier relieved the Chief Commissioner of his judicial functions, now relieved him of all his functions in regard to the collection of the revenue, although in this respect the Chief Commissioner retained a general control not present in his relations with the Judicial Commissioner. Lastly, in 1890, a Judicial Commissioner was appointed for Upper Burma.

¹ For an illuminating account of what follows the establishment of a Chief Court, see S. S. Thorburn, *The Punjab in Peace and War* (Edinburgh, Blackwood, 1904) pp. 242-59.

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By the close of this period the government in Burma, which had originally consisted of the Chief Commissioner alone, had come to consist of the Chief Commissioner with an expanded secretariat consisting of a Chief Secretary and three other secretaries—one of them responsible for revenue matters and another for public works; of a Financial Commissioner with a secretary and assistant secretary of his own; and of Judicial Commissioners for Lower and Upper Burma. The technical departments had been increased by the creation of a Land Records Department, an Education Department, a Forest Department, and appointment of a Deputy Postmaster-General.

ADMINISTRATION OF VILLAGES AND HILL COUNTRY

It has been said that there was no important change in the functions and organization of the administration at the district level. Nor was there any great change in regard to the township officers or subdivisional officers. At the lowest level, however, in regard to village administration, a sustained and largely successful effort to achieve uniformity was initiated by the Chief Commissioner of Burma just after the annexation of Upper Burma in 1886. The process of standardization already begun in Lower was now applied to Upper Burma, where indeed it received fresh impetus during the disorders that followed the annexation. It proceeded on the assumption that the village, or group of hamlets within sight or hail of each other, was in Burma, as in India, the basic social and political unit; and it had two objects in view, the first to maintain and strengthen this unit and the second to use this unit in the restoration of order by enforcing the joint responsibility of the village community for crimes committed within the village tract. It admitted the existence of *myothugyis*, *taikthugyis*, and other such officers but they were considered, on the basis of Indian experience, to have overshadowed and usurped the rightful power of the village headman. In fact later research makes it appear that the

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myothugyis were an institution at least as vital and important as that of the village headman. However, *myothugyis* and the like were gradually eliminated first in Lower and then in Upper Burma, in order to strengthen and popularize the position of the village headman. In doing so the largest indigenous social and political unit was destroyed. Later still action was initiated to equalize headmen's charges as far as possible, in order to ensure a reasonably uniform standard of remuneration, and to place them all uniformly under the charge of a *myo-ok* or township officer; further violence was often caused to indigenous institutions in the process.

What has been said above does not apply to the hill country, which forms no part of Burma proper. The annexation of the Burmese kingdom in 1886 gave the British not only the kingdom but also the tribal areas which though less populous were larger than the kingdom itself.

To the east, in the valleys and hills of the great Shan plateau, were numerous peoples, mostly Shans, ruled by their own *sawbwas* (princes). The suzerainty of the Burmese kings had been acknowledged by these princes, at least nominally, in accordance with the strength of the kingdom from time to time. With the annexation of the kingdom, the constitutional position of the monarchy with regard to the Shan princes was inherited by the British government of Burma. Similarly, in the hills to the north and west were even more numerous tribes—whose names, Chins, Kachins, etc., are mere group names—ruled by their own tribal chiefs. With trifling exceptions these had never been even nominally subject to the king of Burma.

In none of these hill areas could the standard form of direct administration be applied. This was not due so much to any theoretical preference for indirect administration as to their remoteness, and to the historical accident that these people, while admitting the light and sometimes merely nominal overlordship of the Burmese before the British annexation, had their own vital and flourishing social and political organizations, and had in fact been administered by

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the Burmese indirectly, so far as they could be said to have been administered by them at all. In time it became established that while the communities of the hill peoples were unquestionably subject to the British government in Burma, that government would recognize and continue their native rulers in authority, subject to good behaviour and to their administration reaching a certain minimum level of competence and justice. The undermining and destruction of indigenous social and political institutions which resulted from the stereotyped direct administration imposed on Burma proper were thus to a great extent avoided. Life in these areas remained always more colourful and individual, and less disrupted by the Indianized form of Western influence, than the rest of Burma; a fact reflected in the greater stability of these societies and their comparative freedom from crime. Nor would it be true to say that the position of the people in relation to their rulers was weakened by the advent of the British. Most of these rulers were petty and even the greatest had none of the wealth and power wielded by the princes of India. It is true that rebellions were no longer possible, but rebellions had usually been due to faction and intrigue, and the chiefs, now that they no longer lived in fear, were not driven to cruelty and oppression.

LOCAL GOVERNMENT

Before proceeding to developments in regard to local government it is desirable to make clear the sense in which this expression is used in the present study. In Indian administrative terminology the expression 'local government' came to be applied to the governments of the provinces, as contrasted with the Government of India which was the 'central government'. While 'central government' could hardly be taken to mean anything but the Government of India, and will throughout be used in this sense, it will be convenient to employ the expression 'provincial government' where necessary in referring to the governments of the provinces. The expression 'local government' will be reserved

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for use in the more usual Western sense, i.e. it will apply to those functions of government which are concerned mostly with urban and rural services and are, in the British Isles, commonly discharged by local bodies.

Employing the term in this sense, the period covered by the present chapter shows considerable development in the local government of urban areas. In 1874 the British Burma Municipal Act was passed and seven towns were immediately constituted municipalities, with municipal committees whose members, however, were all nominated by the provincial government. In 1882 the elective principle was introduced in regard to these seven municipalities, although a proportion of the members was still nominated. In addition twenty-four Town Funds were constituted and administered by local officers of the provincial government with the help of advisory committees. It is of interest that the people of these towns at the time strenuously objected to their towns being declared municipalities as they feared that this would lead to the imposition of new and heavy taxes. Early public reactions in India would appear to have been identical.

The functions of these local authorities included the provision of education up to a certain level, the making of a contribution towards medical services, the provision of markets and slaughter-houses, the construction and maintenance of minor roads, the licensing of pawnshops, sometimes the provision of a water supply, and the sanitation of the towns. Their revenues were mostly derived from taxes on house property, market-stall rents, and fees for the issue of various licenses, e.g. for vehicles.

In those parts of districts which were not included in any municipal areas some of these services were provided, but under the control of the Deputy Commissioner who administered funds raised for the purpose by market-stall rents, the sale of ferry and other rights, the issue of licenses, and, in Lower Burma, by a contribution from the provincial government proportionate to the land revenue collected in the area.

At a lower level, in the villages, matters remained much as

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ever before. The authority of the village headman was recognized to require villagers to aid in clearing and maintaining paths, in looking after wells, and in providing burial grounds; and he was made responsible for reporting cases of disease. In fact life in the villages went on much as it had ever done, with an occasional tidying-up for the visits of European or other officers passing through on tours of inspection.

GROWTH OF CRIME

One problem that first appeared in Lower Burma in about 1875 requires to be noticed. It was natural enough that the annexation both of Arakan and Tenasserim, and of Pegu and Martaban, should be followed by some years of disorder. But thereafter for a considerable period the people of the country, especially the Burmese themselves, were reported to be a peaceful and law-abiding people, crime being noticeable by its absence. From 1875 onwards however there was a change in this happy situation and by 1880 reports were mentioning the serious growth of all kinds of violent crime, more especially dacoity, robbery, and murder. The police force was increased, vigorous action was taken by executive officers to prevent crime, but still the increases continued. A similar deterioration was to be experienced in Upper Burma from about 1911 onwards. In each case this occurred about a generation after the annexation of the territory concerned, that is at the time when the generation which still remembered the annexation and conditions before annexation was passing away or was growing old and losing its influence, and when a new generation with memories only of British rule was coming to maturity.

Such a period was also sufficient¹ for the economic forces, loosed upon Burma by the external contacts resulting from its incorporation in British India, and uncontrolled by the habits and customs of an earlier form of society, to undermine and disintegrate the social framework within which the

¹ See J. S. Furnivall's *Colonial Policy and Practice* (Cambridge University Press, 1948) for a full study of the process.

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Burmese had hitherto lived their remote lives. The result was to weaken many of the moral and social forces that had till then governed the behaviour of the Burmese. It is true that the machinery of government was becoming more efficient or at least more complex but the results of this efficiency may sometimes have been the reverse of what was intended. Thus until 1872, the year in which, as we have seen, a Judicial Commissioner was first appointed, the number of criminal appeals to reach the Chief Commissioner sitting as a chief court had never exceeded a dozen a year; this was probably a natural rate of appeal—it was much the same rate as in England—and the people showed no desire to exercise their right more frequently. But the Judicial Commissioner, a whole-time specialist unacquainted with conditions in the interior, was already hearing 255 appeals in his third year, and not content with that, he was calling for another 1,613 on his own motion and actually revising a third of the sentences, often in the direction of leniency. These were to be the lines on which the judicial system was henceforward to operate, and they may not be entirely unconnected with the prevalence of violent crime for which Burma ended by becoming notorious.¹ There was a strong tendency to imitate this practice in revenue and administrative matters with the result that all authority was weakened and almost no order was ever looked upon as final.

THE BURMA COMMISSION

In regard to the Services this period was one of reorganization and systematization. On the establishment of the province of British Burma the British officers charged with the responsibility for the administration of the country were formed into a cadre known as the Burma Commission on the precedent of similar commissions already found in other non-regulation provinces. As has already been explained, two-

¹ The rate of criminal appeal finally rose to between fifteen and twenty times the rate in England, see G. E. Harvey, *British Rule in Burma: 1824-1942* (London, Faber, 1946) pp. 34, 35, 40.

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thirds of the commission were members of the Indian civil service, a service recruited by competitive examination; the remaining third were appointed by nomination from other services such as the army, police, public works, or non-officials.¹ Indeed at the annexation of Upper Burma when the cadre had to be almost doubled at short notice, an even more extensive use was made of nomination, especially of Englishmen already in the country, as there was no time to import and train young men from England.

The Burma Commission continued till 1922 when the whole cadre was reserved for the Indian civil service save for a few posts filled by promotion of officers from the provincial service, nearly all Burmans.

The provincial service was locally recruited by a system of nomination, sometimes after a preliminary qualifying examination. In the early stages after annexation, recruitment was made largely from Europeans domiciled in India or Burma or from amongst Burmese, generally from those who had been officials under the Burmese Government. This service fell into two grades, the lower consisting of *myo-oks* or township officers, the higher consisting of Extra Assistant Commissioners. Members of the Burma Commission were Assistant Commissioners on first joining and became Deputy Commissioners when they were placed in charge of a district. Next above the Deputy Commissioners came the Commissioners, of whom, after the annexation of Upper Burma, there were eight.

¹ Some were gifted men but others, though as junior officers more malleable than their 'competition' colleagues and admirable dacoit-hunters during the annexation, were less satisfactory when they rose to selection posts which test a man's mental grasp. For the I.C.S. generally, see L. S. S. O'Malley, *The Indian Civil Service* (London, Murray, 1931).

CHAPTER VI

The Lieutenant-Governors, 1897-1922

THE main interest in this period lies in the growing elaboration of administration and in the growth of the specialist departments to undertake the many new functions that the government came to be required to discharge. There was little significant change in the system of the district administration, except for the multiplication of its functions. It is probably true that the British colonial administration in Burma reached its hey-day in the middle of this period. Although tending to the bureaucratic, remote, and impersonal, it was well-established, vigorous, still sure of itself, and undertook (with somewhat varying degrees of success) a far greater variety of functions than in the past.

ELABORATION OF ADMINISTRATION

In 1897 the Chief Commissioner was elevated to the rank of Lieutenant-Governor. This was not, in itself, a momentous change, but it brought with it a change that was important. The Lieutenant-Governor was furnished with a Legislative Council; for the first time since the British connexion with Burma it was possible to legislate for Burma in Burma. True, the council consisted of four officials and five nominated non-officials, there were no elected members at all, and its powers were strictly circumscribed, e.g. any legislation touching the important matter of finance was reserved to the central government: but it was a beginning. In 1909 as the result of the 'Morley-Minto' reforms, the Lieutenant-Governor's Legislative Council was enlarged from nine to seventeen, and amongst these were included two elected members. But as these were elected by the Burma Chamber of Commerce, the representative organization of European business in Burma, and by the Rangoon Trades Association, the organization of

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the European retail trade, this went nowhere towards giving the people of the country any real share in legislation. In 1915 the size of the council was increased again to thirty but there was no increase in the elected membership. It is clear therefore that, although the Burmese members of the council might occasionally display signs of independence or restiveness, in the last resort the Lieutenant-Governor had a very firm control of legislative activity in the country. Furthermore he was in most respects closely controlled by the central government, while the latter, although naturally enjoying much freedom in matters of detail, was in its turn under the control of the Secretary of State for India, and ultimately of Parliament. Throughout this period ultimate responsibility for the government of India and Burma rested undividedly with Parliament. And in 1909 Lord Morley, the author of the reforms of that year could and did say 'If it could be said that this chapter of reforms led directly or indirectly to the establishment of a parliamentary system in India, I for one would have nothing at all to do with it'. We can now see that whether Lord Morley intended it or not, the first steps had been taken along a road that was bound sooner or later to lead to self-government: but this was not what the authors of the reforms thought, and it is neither stated nor implied in the declarations of policy made at the time. It is not yet a valid criticism of the British system that it did not prepare Burma for self-government.

The promotion of the Chief Commissioner to the status of Lieutenant-Governor brought with it little or no change in the secretariat of the government; although in due course, as we shall see, there was a great increase in the specialist departments at the headquarters of the government.

There was during this period no fundamental change in the duties and position of the Deputy Commissioner in charge of an administrative district, but a considerable expansion of the functions of government was given expression in the multiplication of departments concerned with various aspects of the welfare of the people of the country.

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In 1900 the Judicial Commissioner, Lower Burma, whose bench had often been occupied by two judges, was replaced by a Chief Court consisting of two barristers and two civil service judges. The difference between a Chief and a High Court, apart from dignity and expense, is that High Court Judges are appointed by His Majesty and are irremovable, whereas Chief Court Judges are appointed by the Governor-General and in theory he can also remove them. In practice, however, they and even humbler judges cannot be removed: the independence of the Judiciary is a fundamental principle in all British administration.

In 1905 the first step was taken to separate judicial from executive functions in the districts, at least in parts of Lower Burma. For many years not only senior, but junior executive officers had been largely relieved of court work in the heavier districts, where all civil and many criminal cases had been tried by whole-time officers from the rank of *myo-ok* upwards. These whole-time officers were now formally transferred, in their respective grades, from the executive to the newly created judicial branch of the civil service; thus, the criminal or Sessions Judge was always, and the civil or District Judge usually, a European, a member of the Indian civil service (judicial branch). Divisional Commissioners ceased to have judicial powers and district officers, from Deputy Commissioner down to township officer, need now try only such criminal cases as they chose. But these changes affected only the heavier districts in Lower Burma. They were not applied to Upper Burma where work was still light and Divisional Commissioners continued to sit as Sessions Judges, while even Deputy Commissioners tried not only criminal but, in the remoter districts, civil cases as well.

This separation of the Judiciary from the Executive was undertaken partly in deference to Western principles, but partly also in response to a growing political demand in India and Burma. This demand was itself based partly on Western theory, but at the same time it sprang from a desire to get the administration of justice out of the hands of the Executive,

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with its desire for speed and effective police action, and into the hands of the more meticulous but slower-moving Judiciary, which was more ready to allow full, sometimes too full, play to the ingenuity of the litigious in protracting proceedings. Further adoption of this principle of separation was kept in check by two considerations. The first was the simple one of expense: in many places where the volume of business was not great it would have meant appointing two officers to do work that could be undertaken quite satisfactorily by one. The second was of a different order. In the East there is a tradition of personal authority which enables the ordinary citizen to make his not-very-complicated contacts with one local head and representative of the government. Not only is this convenient to him, but any other arrangement is illogical and unrealistic to the mind of one who looks upon the law, not as an abstract conception governing both himself and the government of the country, but merely as one of the weapons which the government may employ against himself.¹ For the executive head of the district and representative of the government to disclaim responsibility for, or authority to interfere in, a considerable portion of the official business of his district appeared to the Burman as disingenuous, or at the best as a device of the government to make things more difficult for him, and to make it possible for the government to avoid action by playing off one functionary against the other. Furthermore, in a society where peace and orderly administration depended so much upon the authority and respect enjoyed by the government (which in most parts meant the Deputy Commissioner of the district) it was preferable to concentrate rather than to disperse authority and to arm the representative of government in a district with as much power and as many sources of influence as possible. The greatest possible share in the judicial administration was one of the most valuable of these powers.

¹ There was considerable respect later, however, for the High Court, as it was increasingly realized that its judges were wholly independent of the Executive, and perfectly ready to give decisions against it.

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GROWTH OF SPECIALIST DEPARTMENTS

The main feature of this period, however, was the increase in the variety of functions undertaken by the government and the increase in the technical departments which was necessitated by this, both to relieve the officers of the general administration of the great increase in mere bulk of work and to meet the increasing need for specialized knowledge. The conception of the Welfare State was beginning to take shape, and its development was becoming possible as a result of a great expansion in the revenues of the country resulting mainly from the growth of the export trade in rice which had followed the opening of the Suez Canal in 1869.

The basic triple functions of government continued, in fact they are basic to the existence of any State; but there is little that can usefully be added to the account already given of the discharge of these responsibilities. Crime and general lawlessness continued to increase. The accepted treatment was to strengthen that part of the administration whose task it was to combat the criminal, but this proved no cure for the disease—it was scarcely a palliative.¹ The progressive creation of the specialist departments which has been mentioned and will be further considered in the following paragraphs, was due partly to the considerations already mentioned, but very largely also to the need for setting free the general administrative officers to give their undivided attention to the campaign against the criminal.

In 1899 the Inspector-General of Civil Hospitals was relieved of his responsibility for the administration of the prisons of the country by the appointment of an Inspector-General of Prisons. In 1900 a more direct interest began to be taken in education. In the same year a Commissioner of Settlements and Land Records was appointed, responsible for supervision of the settlement parties concerned with the

¹ A sympathetic and penetrating study of the reasons why these remedies did not touch the root of the disease is to be found in J. S. Furnivall's *Colonial Policy and Practice: a Comparative Study of Burma and Netherlands India*. (London, Cambridge University Press, 1948).

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assessment of the land revenue and the preparation and care of a cadastral survey and records relating to the land. In 1904 a Co-operative Credit Department was created. In 1905 a Chief Conservator of Forests was appointed to take charge of the Forest Department, and in 1906 a Director of Agriculture. At the same time distinct Agricultural, Veterinary, and Fishery Departments¹ were created. In 1908 the Inspector-General of Civil Hospitals was relieved of a further portion of his responsibilities by the appointment of a Sanitary Commissioner whose organization later grew into the Public Health Department, distinct from its parent the Medical Department.

At the headquarters of the government, the heads of these technical departments relieved the government, and more particularly its secretariat, of routine work connected with their departments. Communication between them and the government was through the appropriate department of the secretariat. On the ground, the creation of the new technical departments was sometimes followed by the appointment of corresponding specialist officers who relieved the general administrative officers of their responsibility for technical administration in their districts—responsibilities which, it must be conceded, many of these officers had neither the time nor the training satisfactorily to undertake. The relations of the specialist officers in the districts with the Deputy Commissioner were in some respects comparable to those of the heads of their departments with the government; while the former were responsible for the technical administration of their departments, the Deputy Commissioner nevertheless retained a general policy control, as no activity of government was irrelevant to his position as the local representative of the government.

In some cases staff already employed by the Deputy Commissioner would be transferred to the control of the new specialist officers, in other cases entirely new staff would be appointed.

¹ The Fishery Department does not appear to have continued long as an independent department.

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The creation of a department at the headquarters of government was not always followed by the removal from the Deputy Commissioner of the special responsibilities for which it was created. At the district level it was often found convenient to leave responsibility with the Deputy Commissioner, who then in respect of these particular functions would find himself subordinate to the head of the department and not to the Commissioner who was his superior officer in the general administrative chain of command.

Within the several departments the general pattern of the organization of the new specialist services tended to conform with that of the general administrative service. An All-India or Class I service, recruited at first exclusively in the United Kingdom, but later in part from Burma, corresponded to the Indian civil service. Below this there would be established a provincial or Class II service, recruited in Burma for service anywhere in Burma; and below this again a subordinate service similarly recruited but with lower qualifications. The latter service was frequently recruited by promotion from the clerical grades, but also increasingly, towards the end of this period, by the nomination of young university graduates. Clerical staff would be recruited locally in a given district for service in that district only.

There is no space within the limits of this study to give any detailed account of the work of the new technical departments but some brief reference to the nature and value of their work needs to be included.

PUBLIC HEALTH AND PUBLIC WORKS

The Medical Department and the Public Health Department did little more than touch the surface of the life of the people of Burma. They brought benefits to the European community, to the more educated Burmese, and to a considerable number of town-dwellers of all kinds. In rural areas vaccination came ultimately to be fairly generally accepted as a benefit, and quinine for the treatment of malaria. Otherwise these departments probably made but a very slight con-

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tribution to the welfare of the majority of the people of Burma, dwellers in village communities. Both departments were really engaged on a crusade to spread a conception of medicine and hygiene that was quite alien to the people of the country and in most cases quite unacceptable to them. And in this crusade they suffered two handicaps: the large proportion of their staff that was Indian and not Burmese, and the widespread prevalence of corruption amongst that staff, from the lowest menials who would extort their few annas before bringing a bed-pan to the bedridden, to the doctors who would reserve the more sought-after drugs for their private paying patients. An additional handicap was the fact that, owing to limitation of funds, the hospitals were unable, except in special circumstances, to provide free diet; patients were required either to make arrangements to have their own food supplied, or to pay for meals supplied by the hospital. And many of these doctors were administering a system of medicine of the validity of which they were themselves imperfectly convinced.

The Agricultural and Veterinary Departments were also greatly limited by the funds which it was possible to make available to them, but, in spite of mistakes, some success was achieved in the improvement of methods of cultivation, in the distribution of pure seed, and in the discovery and popularization of new varieties. The early prejudice against the inoculation of cattle to avert epidemic disease was gradually overcome.

The work of the Irrigation Department was one of the most satisfactory activities of the British government. But then irrigation was something known and practised in Burma before the British period and which therefore made an appeal to the people. The department was also fortunate in being far more highly Burmanized in the lower ranks than most. Improved methods and larger-scale works made a quick appeal to the Burmese—and in any case irrigation produces quickly visible results, the benefit of which cannot so easily become a mere matter of opinion.

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The extent to which other public works such as roads and railways benefited the people of the country is more debatable. But the introduction of improved transport was a natural and inevitable result of the contact of Burma with the outside world and an integral part of the new economic system that grew up as a result of this contact. As in the case of the Medical and Public Health Departments, Indians, Anglo-Indians, and Anglo-Burmans predominated in the Public Works and Railway Departments. The development of the roads brought with it a great increase in road transport which was largely operated by Burmans. Of far greater benefit to the country at large was the good inland water transport service operated not by the government but by the Irrawaddy Flotilla Company.

The activities of the Forest Department although conceived in the interests of the people and of the State and although yielding considerable revenue to the country were always felt by the villager to be burdensome and irritating, and Forest Department subordinates were a frequent target for complaints of corruption.

EDUCATION

At an early stage the government had recognized their duty to provide for the education of European children or children of partly European parentage, but for a long time they were content to leave the education of the people of the country to the indigenous monastic schools and to the missionary schools which were started soon after or even, in some cases, before the annexation. The government first entered the field of education in order to build up a supply of English-speaking clerks for employment in the rapidly expanding government departments. By 1871 the establishment of a real High School in Rangoon was being urged by the Government of Burma to the Government of India and also the fixing of a local standard that should take the place of the Calcutta University entrance standard. By 1884 the Rangoon High School had not only been established but had

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been affiliated to the Calcutta University, and converted into the Rangoon College. After the First World War, with the advent of the diarchical form of constitution to Burma, this college together with the Missionary College in Rangoon was constituted the University of Rangoon.

How far was the original aim of training English-speaking clerks satisfactorily achieved? The teaching of English was on the whole very successful when allowance is made for the fact that the language is structurally and tonally as different from Burmese as it could well be, and that neither the pupils nor, with rare exceptions, the teachers, had ever been to England or even heard English spoken around them by English people. In the development of the mental qualities desired the system was not so successful. While rural Burmese displayed robust commonsense in regard to matters with which they were familiar, education was apt to drain the sense and resolution out of them; a not uncommon first fruit of education elsewhere. But this was not the whole difficulty in Burma. The education imparted was an alien affair imposed from above, not an indigenous growth developed to meet modern needs; consequently the ideas presented to pupils were artificial conceptions, to be played with according to the conventions of a game that bore only a slight resemblance to life as they could see it; they did not grow out of the experience and inheritance of the people. Education became a matter of memorizing the rules, rather than of learning to build an argument upon experience. It is doubtful whether in any but some of the mission schools there was any effective moral education or character training that might make any real contribution towards raising the standard of public life.

REVENUE ADMINISTRATION

Passing reference has been made earlier to the revenue administration of the country. It will be convenient to give a somewhat fuller account of the system in this period, a period which probably witnessed its fullest development.

Throughout India and the Far East, from time immem-

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orial, the most important, or one of the most important, of the sources of government revenue has been a share in the produce of the land. When the East India Company took over the government of Bengal, it inherited this source of revenue. It also inherited a system of collection of this revenue under which the right of collection from the occupier of the land was farmed out to *zamindars*, who were neither landlords nor mere revenue agents but something between the two. The company found it quite impossible to force the closed corporation of *zamindars* to disclose what amounts were actually collected from the occupiers of land and it gradually became clear that if the government wished to safeguard for itself a fair proportion of the land revenue, and at the same time to protect the peasant from the exploitation of the *zamindars*, it must go far more minutely into the matter of the land revenue. More particularly it must: (1) make a cadastral survey of the land: (2) compile a record of all landed rights and interests; (3) assess land-revenue at moderate rates after adequate local inquiry; (4) recognize and protect tenants right.

It was just at the time of the First Burmese War that these views had come to be generally accepted in India, although in Bengal itself, from which province the annexation derived most of its colour, a permanent settlement of long standing with the *zamindars* was still in force.

Very early after the first annexation, steps were therefore taken in Arakan, which as we have seen was much more thoroughly incorporated into the Indian system than was Tenasserim, to apply to the land revenue the principles set out above. It was much longer before any comparable steps were taken in Tenasserim. By 1872 principles were laid down for the guidance of the Settlement Officer and his assistants. They were required primarily to demarcate and map holdings; rates of assessment, if possible uniform throughout a given locality, were then determined on their investigations by the revenue authorities, that is the Deputy Commissioner and the Commissioner. It was not until 1900 that a separate Settlement Department was created with a

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Commissioner in charge. The intention had originally been that 'settlements' should be made with individuals or corporate groups on the Indian system, but in fact this was never done in Burma. Instead acre rates of land tax were fixed, at first piecemeal, later for districts as a whole, which varied according to soil and crop and distance from markets. Once fixed these remained basically unchanged until a revision 'settlement' of the district was undertaken, probably after a period of twenty or thirty years, or when any marked change in prices made revision necessary.

Another departure from Indian practice was the provision made for annual re-measurement of areas cultivated, a provision that was originally necessitated by the rapid expansion of rice cultivation in Lower Burma but was continued long after it had any justification. The Indian system in general also provided for a Record of Rights, but none was made in Burma. The resultant tax was payable by the occupier of land. The maps and registers prepared by the settlement parties were handed over to the Land Records Department, a branch of the general administration of the country under the control of the Deputy Commissioner, which then became responsible for keeping these up to date until a revision settlement took place, and also for the preparation and issue of demand notices for the land revenue. Actual collection of the tax and recovery of arrears were effected by another branch of the general administration, namely, by the village headmen, township officers, and the staff of the Deputy Commissioner in his capacity of collector. A very great proportion of the land revenue was derived from rice land.

Other sources of revenue were a capitation tax in Lower Burma, an equivalent tax on property in Upper Burma, royalties on timber and minerals, excise duties on opium and alcohol, stamp duties, and customs duties. It was not till much later, however, that most of these forms of revenue became at all important, or that a tax on income was imposed which gradually increased until it yielded almost half as much as the land revenue.

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This system distributed the burden of taxation with considerable accuracy for rice-growing land and with meticulous inaccuracy for other crops. It involved the collection of taxes in cash, displacing the old Burmese system in which money played little or no part and which was based on payments in kind or by personal service. Accuracy and justice and a great increase in the revenue were gained without placing oppressive burdens upon any portion of the community. On the other hand the destruction of the old-established, indigenous, social fabric based on well-known customary duties and payments in kind, was a loss that may be held to have out-balanced the gains.

To summarize developments in the period covered by this chapter, it seems then, that although technically a very fair level of efficiency was reached in most departments, there was nevertheless a very general failure to enlist the interest and active support of the people of the country. This was due partly to the new and alien conceptions which the British administration was bound to introduce, partly to lack of imagination in the way these unfamiliar ideas were presented, and partly to apathy on the side of the Burmese, a characteristic which while not universal in the people was nevertheless very widespread, and may be ascribed partly to the Buddhist religion, partly to climatic conditions, and partly to the general health of the people. But against many shortcomings, the British administration had to its credit the introduction to Burma of two new conceptions: the conception of the rule of law as against the earlier Burmese idea of arbitrary and capricious punishments with civil justice seen merely as a compromise between two claims; and the conception of an impartial and incorruptible administration. To this, however, there is a necessary addendum: the incorruptible administration remained very largely an ideal throughout the British connexion as will be realized when the matter is more closely considered in Chapter VIII.

CHAPTER VII

Self-Government, 1922-37

THE First World War had little direct effect upon Burma, but in India, which was of great importance in connexion with the prosecution of the war, a very critical political situation developed. In order to steady, and if possible hold, India the British Government made promises of political advancement; in August 1917 the Secretary of State for India, the Rt Hon. E. S. Montagu, announced that 'the policy of His Majesty's Government, with which the Government of India are in complete accord, is that of the increasing association of Indians in every branch of the administration, and the gradual development of self-governing institutions, with a view to the progressive realization of responsible government in India as an integral part of the British Empire'.¹ From this time on there was no doubt as to the ultimate goal of British policy in India and Burma and from this time onwards it is fair to ask whether, and to what extent, the British system of administration prepared Burma and her administration for self-government, and we may ask what assets in this connexion the British system was able to bequeath to its successors.

The change in policy sprang from no fundamental change in ideas as to the scope and functions of the State; rather did it involve a change as to the conception of ultimate responsibility for the government of India and Burma. Significant developments during the period here covered are to be found therefore in the constitutional field rather than in the modification or intensification of administration. The cardinal mistake of policy here was the failure to recognize that administration must reflect economic facts and the attempt to introduce political and economic reforms without readjusting the social and economic background.

¹ *Hansard, Commons*, 20 August 1917, col. 1695.

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CONSTITUTIONAL AND ADMINISTRATIVE REFORMS

The constitutional changes were brought to Burma by the application in January 1923 of the general provisions already applied to India by the Government of India Act, 1919. Burma had been omitted from the scope of this Act and the problem of her future had been reserved for separate consideration later because, in the words of the Montagu-Chelmsford Report, the people of Burma are of 'another race in another stage of political development, and its problems are altogether different'. In June 1919 the Government of Burma placed proposals for dealing with the problem of the future of Burma before the Government of India. The proposals had been publicly discussed and criticized; they involved a considerable extension of local self-government by the creation of Circle Boards and District Councils and other measures, a greatly enlarged Legislative Council with a majority of elected members (but with certain overriding powers for the Governor), and an unusual arrangement of four Executive Boards under non-official chairmen which should deal with the administration of groups of subjects but without owing any responsibility to the Legislature.

Until this time there had been little or no interest in politics on the part of the Burmese. The reforms granted to India and the prospect of comparable reforms for Burma rapidly stimulated an interest which could hardly help being uninformed and somewhat irresponsible. It sprang not so much from any deep political consciousness in the people of the country, as from the self-interest of the vocal section of the population, which realized that they might be offered not unprofitable political opportunities, and that the more they made themselves heard, the greater were these likely to be. A political deputation was sent to England. This deputation asked that Burma should be given the same reforms as India, although her original aspirations had not gone so far. In the meanwhile consultation between the Governments of India and of Burma led to the submission to the Secretary of State of a

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modified form of the original scheme prepared by the Government of Burma. The proposal for Executive Boards was dropped. An Executive Council was now proposed, but still without responsibility to the Legislature. A second political deputation was sent to England to ask again for the reforms already granted to India. The British Government decided to grant this request and the Government of India Act, 1919, was applied to Burma, leaving much detail regarding the franchise and Constitution to be inquired into by a committee to be set up for the purpose (the Whyte Committee).

This decision was open to criticism from two aspects. On the one hand it attempted to introduce to Burma, virtually without experience of self-governing institutions even in local government, the same real if limited measure of self-government as had just been conferred on India, which was not without experience in this respect. On the other, it attempted to introduce political reforms without readjusting the social and economic background, failing to recognize that administration must reflect economic facts.

The constitutional arrangements ultimately devised for Burma made provision first for the devolution of authority by the central Government of India to the Government of Burma in respect of certain functions of government, to be known as 'provincial subjects'; the remaining functions were termed 'central subjects', and continued to be dealt with by the Government of India. This was free from any popular control although in practice heed was paid as far as possible to the views expressed in the Indian Legislature which was largely a popularly elected body. But as Burma was represented in this Legislature, which had a total membership of 145, by only five members of whom one was an official nominee and one was elected by the European community in Burma, it is clear that popular opinion in Burma could have little influence in regard to central subjects. In any case Burma lay far away from India and her problems were very different.

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It was in the field of the provincial subjects that a measure of popular control was conceded. These subjects were in their turn divided into 'reserved subjects' and 'transferred subjects'. In regard to the former the Governor acted in consultation with an Executive Council of official members, subject to the general control of the central Government. In regard to the latter he was required to act on the advice of Ministers popularly elected to the Legislative Council 'unless he sees sufficient cause to dissent from their opinion, in which case he may require action to be taken otherwise than in accordance with that advice'. But in practice it was a rare and difficult thing for the Governor to act in this way: it would have provoked a political crisis and amounted to a confession of failure in the experiment to which the British Government was committed by the Act of 1919, which was, in the words of the preamble to the Act, 'the increasing association of Indians in every branch of Indian administration, and for the gradual development of self-governing institutions . . .' And frequent utilization of his powers would inevitably retard further progress with the experiment since, again in the words of the preamble, 'the time and manner of each advance can be determined only by Parliament' which ' . . . must be guided by the co-operation received from those on whom new opportunities of service will be conferred, and by the extent to which it is found that confidence can be reposed in their sense of responsibility'. Cautious and hesitant though these words may seem, the spirit in which they were applied was altogether different, and the grant of self-government in regard to the transferred subjects, though not complete, was very real. In the words of one who helped as an official in the working of the experiment, 'The reader may think the system was only a façade. But nobody who was there and witnessed the change, especially if he were on the inside of the machine, is likely to forget it. The year 1923 was the parting of the ways'.¹ It should be added, however, that

¹ G. E. Harvey, *British Rule in Burma: 1824-1942* (London, Faber, 1946), p. 78.

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popular control was limited by the fact that the reserved subjects had first call on the available revenue.

An inevitable but somewhat unsettling air of impermanence was thrown over the whole of this period by the fact that the Constitution was declared to be but the first step in a process of constitutional advancement and that the provisions of Section 41 of the Act required that after ten years a Statutory Commission should be appointed to consider what further instalments of self-government might then be introduced.

The important transferred subjects of government were education, public health, agriculture, forests, excise, public works, and local self-governing institutions. The main subjects reserved were finance and revenue, the maintenance of law and order, and the administration of justice and the police.

The administration of justice was not affected. It was a mere coincidence that the constitutional changes were accompanied by the creation, in December 1922, of a High Court (to replace the Chief Court in Lower, and the Judicial Commissioner in Upper, Burma) and by an extension of the separate judicial service in the districts. Divisional Commissioners in Upper Burma ceased, as they had long ceased in Lower Burma, to hold Sessions. The Sessions Judge for criminal cases, and the District Judges for civil, were combined in a single person, and not only most of the remaining districts in Lower but several in Upper Burma were each given its District and Sessions Judge; he was only infrequently a European. Yet, at any rate in Upper Burma, District Magistrates still continued to try criminal cases occasionally.

And of course the hill regions, nearly half the country, remained as before: all these changes affected only the areas under direct administration, and the hills remained outside the jurisdiction of the High Court just as they remained outside the Constitution.

The criminal law administered was Western law as codified in India, with the addition of Burma legislation to strengthen

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the hand of the administration against the increase in crime which developed a generation after annexation. In civil litigation the original intention was to administer the law or custom of the parties. In regard to the Burmese this meant administration of the Burmese customary law, so far as this could be ascertained by judges, most of whom had been trained in the West and who looked through Western eyes, and all of whom were required to follow Western procedure, again as codified in India. In practice Western law was increasingly applied in preference to the customary law, one great encroachment being in regard to the law of property.

Failures of justice have often been alleged between European and Asian; but in the vast majority of cases arising there was never even any allegation of partiality: the very few cases in which injustice may be suspected were among those where imprisonment for a European was in question; European juries were reluctant to do their duty in this respect.

The volume of general work increased. The secretariat, in addition to its normal administrative duties, had now to meet the daily demands of Ministers even when the Legislature was not in session. Furthermore, a certain number of officials at headquarters were nominated to be members of the Legislature: they had to sit in the House, speak and vote in addition to dealing with their ordinary administrative work, and this new work was quite outside the scope of their training and experience. Then a considerable increase of centralization was inevitable, since the government had to be prepared to defend itself in the Legislature with little warning. Although only parts of the budget became votable, almost any question could be raised in a debate on finance, the number of questions tended to increase, and the labour involved in preparing answers was often in inverse ratio to the value of the question. Lastly, political considerations were now likely to enter into the decisions of the ministerial side of the government where previously the criteria had been purely administrative.

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In the districts, the greater centralization was felt in a vexatious increase in demands for reports and returns; and the possibility of interference from above on political grounds began to undermine the position and confidence of the district officers. Where previously there had been only an official hierarchy, there was now a political hierarchy as well, and an amateurish one at that.

It was a part of the experiment in democracy that there should be a great increase in self-governing local bodies, as a training ground for national democracy. Only thirteen municipal committees had included any elected members. The majority of members of all committees were now to be elected. The official presidents, survivals from an earlier period, disappeared, and, subject to the general control and supervision of the appropriate department of the government, there was in regard to these municipal committees, a very real degree of self-government.¹

In rural areas completely fresh ground had to be broken. Rural services had previously been administered at two levels, the lower by the village headman, the higher by the officers of the provincial government operating local funds. The local-fund organization was replaced, in all but remote areas, by Rural District Councils charged with a general responsibility for rural self-government. The main functions for which these councils became responsible were the maintenance of roads other than main roads, public health, sanitation, the maintenance of hospitals, the health of cattle, the provision and regulation of slaughter-houses, the establishment and control of markets, and the operation of ferries. They were also required to set up School Boards which, with the technical aid of the government Education Officer for the area and under the general control of the Education Department of the government, became responsible for the adminis-

¹ Mr J. S. Furnivall to whom I make acknowledgement in my Prefatory Note disputes this statement, arguing that: 'They were tied by departmental rules and financial restrictions. In general they could only spend money on what they did not want, and not on what they did want'. The trouble was that what they did want to spend money on was scarcely a function of local self-government.

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tration of vernacular, as opposed to English or Anglo-vernacular, education. The majority of the members of District Councils were elected by Circle Boards, the members of which were in their turn elected by direct vote. A minority were nominated or co-opted. The chairman was elected by the elected members of the council. Provision was made for the delegation of functions of the District Councils to Circle Boards, and for the integration of the new rural self-government organization with the old village organization by delegation of the functions of Circle Boards to the village headman and village elders acting as a village committee. Such integration was in fact never achieved, and in most cases the Circle Boards did little but function as electoral colleges for the District Councils.

The various administrative services found themselves in very new circumstances. The conditioning of the outlook and attitude of the European element in the civil services to acceptance of the new policy and state of affairs was not altogether an easy matter. New entrants to the services accepted the position more readily—they were in any case largely influenced by the upsurge of liberalism and faith in the future of democracy, which followed the First World War and attached its hopes so gallantly to the League of Nations. Men already in service accustomed to a large measure of independent responsibility found the change more difficult; but it was remarkable with what loyalty most of them accepted the new conditions. A few, perhaps out of sympathy with the new policy, perhaps sympathetic with the professed intention of the reforms but convinced that the manner of giving effect to the intention would defeat the intention itself, felt unable to face the change. To meet the difficulties of such persons concessions were made under which those who had been in service before the introduction of the new Constitution and whose conditions of service were adversely affected by the change, were given the right to retire before the normal retiring age, with a pension in proportion to the length of service rendered.

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TRAINING OF CIVIL SERVANTS

It will be convenient to deal at this stage with a number of miscellaneous points. The first of these concerns the composition of the services and the training given to newly-joined officers.

The 1923 reforms fundamentally changed the composition of the senior services. Hitherto they had been recruited by the Secretary of State for India, and recruited in England too, so that few Indians had gained admission, and even fewer Burmans, since Burma was educationally backward. But now only the Indian civil service and the Imperial Police—Class I of the administrative and police services—were recruited by the Secretary of State, and even he could recruit only half the annual entrants in England: he had to recruit the other half in India or Burma.

All other services, education, public health, agriculture, forests, excise, public works, local government, were recruited by the Government of Burma, i.e. the Burmese Ministers. At first the Ministers continued to recruit largely in England, but they tended to recruit more and more in Burma, and naturally they preferred Burmans.

The training given to officers was of two kinds, before entry and after entry into service. Ordinarily no training was given before entry, save to officers selected for the Indian civil (or Class I administrative) service. As these officers had hitherto been recruited exclusively in England, their training continued to be given there, even when half the recruits were Burmans, because it was desired to maintain the same standards and traditions as in the past.

For European candidates this training, taken together with the courses of study which candidates were required to have undergone before competing at all for entry into the service, was tolerably satisfactory,¹ comprising courses in the history of India and Burma, in the Burmese language, and in the law they would have to administer. Nor could this training very

¹ But see J. S. Furnivall, 'Training for Civil Administration in Netherlands India', *Journal of Royal Central Asian Society*, vol. 26. (1939), p. 415.

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well have been given at any later stage of candidates' careers even had this been desirable.

In regard to Burmese candidates this training raised larger and more difficult issues. Was the training suitable? Would it have been better given in Burma? Would it have been more profitable at a later stage in the career of the candidate?

For these candidates the course in history was not thought necessary and that in the Burmese language was not required. After the establishment of the University of Rangoon the remaining courses could have been given as well or better in Burma. But the candidates had already graduated there, they were youths of some calibre, not likely to roam the London streets, and arrangements were made for their reception at the older residential universities where they ran little risk of demoralization. A period of residence in Europe gave them an opportunity of absorbing some atmosphere and acquiring a perspective, a sense of proportion that is unobtainable in their own country. And from a service point of view it was desirable that all entrants should have as far as possible the same treatment from the time they were accepted as candidates. It was not to be expected that the interests and outlook of the European and Burmese members of the services should be identical, but the considerable solidarity and *esprit de corps* achieved in the services was certainly due in part to this similarity and equality of treatment. There is little doubt that on balance the advantage lay with giving this preliminary training in the West. But it is possible that it would have been much more fruitful had it been given after two or three years of probationary service. A brief taste of work and of the conditions in which this had to be done, would have been likely to induce a more responsible, mature, and realistic outlook, and a keener appreciation of the nature of the benefits which the West could confer.

Training given after entry into service was of two kinds, training at a training college and training on the ground as an 'undertraining' officer. There were not training colleges

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for all the branches of the administration, and for the general administrative service there was not at all times a training college, government policy hesitating between the two methods of training. The advantages of the training colleges were that standard instruction was imparted, that young officers were given a chance of pooling and discussing such knowledge and experience as they had come by, and that officers who would later have to work together were given an early chance to get to know each other and so to build up a desirable solidarity in the services. The disadvantages were incidental rather than essential, and applied more particularly to the Police Training College: young officers put through this were often forced into habits of extravagance and debt that handicapped them for the remainder of their service.

Training on the ground had none of the advantage of the training-college system, and suffered the great disadvantage that the training given depended entirely upon the officer to whom the new recruit was posted for training, an easy-going, tired, or overworked officer being able to give but the sketchiest of instruction. On the other hand in favourable conditions it meant that the new recruit was brought on to the land, into the villages, and among the people at the earliest possible date, and that he began his official career in close personal touch with a mature and experienced officer in his prime dealing with the very varied problems that it fell to the general administrator to handle. At its best this personal form of training was of far more value than the more impersonal and academic training of the training colleges; in other cases the training colleges ensured a higher general standard of training. In fact the two systems were frequently both applied, a recruit being posted 'under training' before and after a course at the training college.

That the results of training were in any event up to a certain minimum standard, was ensured by the requiring of new recruits to pass certain compulsory examinations in Burmese and in their particular subjects (law, accounts, etc.,) before

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they could draw increments of pay. There were in addition a number of voluntary examinations to encourage the study of languages other than Burmese; these carried monetary rewards for success in the case of officers serving in areas where these languages were of value. In regard to these examinations no comment need be made, beyond the obvious one that their value depended largely on satisfactory invigilation which it must be confessed was not always forthcoming.

CLERICAL SERVICES

While the higher grades of the civil service were recruited on a national basis and were with a few exceptions liable to service anywhere in the country, the clerical services were normally recruited locally from the local High Schools for service only in the district in which appointed, although the output of graduates from the Rangoon University later became so great and competition for appointment to the civil service so keen that it was not at all unusual to find graduates also competing for appointment as clerks. Most clerks, however, were products of the Anglo-vernacular High Schools and had gained from them only a limited acquaintance with English. It was necessary for them to read this language with some facility, as practically all manuals of instruction were in English; and it was desirable for them to be able to write at least simple or routine letters in English. And this on the whole they were able to do. Few felt safe enough in the language to speak it for preference, so that much communication between officers and clerks was in Burmese, and of course nearly all communication between either of these and the public.

Until the very last years of the British connexion there remained in force a highly iniquitous system of appointing unpaid apprentice clerks. A period of tutelage as an unpaid apprentice was a necessary preliminary to appointment as a paid clerk, even in temporary vacancies. If apprenticeship had been a matter of weeks this would not have mattered so gravely—though it would have been a dangerous system

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even then—but often it dragged on for months and even years, relieved by occasional periods of officiating appointment in paid vacancies. Such a period of unremunerated employment was the surest way of converting these young men to the corruption practised almost universally by the older hands. In general, however, the standard of competence of clerical work was not unsatisfactory, though so much cannot be said with confidence of its honesty.

LANGUAGE DIFFICULTIES

Then there was the question of language. Except in the High Court, where the language of the court was English, the business of the courts and of government offices might be transacted in English or Burmese, as was most convenient. As might be expected, in practice the lower courts and offices which were in closer daily contact with the people, and in which the presiding officer was most probably Burmese used Burmese almost exclusively (although even here the record of the business transacted was almost invariably in English—a point that will be further considered). At higher levels, where the presiding officers were more frequently English (or Burmese educated in the West) and were not always sufficiently acquainted with Burmese, and where the members of the public themselves spoke English, or where on account of the importance of the matter in hand, lawyers conversant with English were employed, business was almost invariably transacted in English.

The Constitution and the laws of the country were enacted in English, and rules and directions amplifying the law were also in English, so that the manuals supplied to government offices were with few exceptions English publications; and the few that were produced in Burmese were translations of an English version which remained the authoritative text in case of dispute. These were all official publications. But every standard text-book, though privately produced, was also in English, and was the work of an Indian lawyer. This was not entirely due to the well-known aptitude of Indian lawyers.

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Burma was in the main governed under the same law as India so that a familiarity with Indian case-law was essential, and in point of fact most of these books, although sold in Burma, were produced for the huge Indian market.

The fact that virtually the whole government of a country should be carried on in a foreign language is so obviously open to criticism, on the ground that it is bound to produce a feeling of exclusion, frustration, and bewilderment amongst the people of the country, the very great majority of whom are totally unacquainted with that language, that it is desirable to examine a little more closely the reasons for the retention of such an arrangement.

Originally the system was inherited from India. Until 1937 Burma was a part of India and until 1897 all legislation for Burma was enacted in India (or was Indian legislation extended to Burma). The advantages and disadvantages of the system in Burma were in general present in India also, but there was in that sub-continent one overriding reason which was never present in Burma, namely that there was in India no other common language and that it was only through the use of English that India was able to find herself as a nation.

But if this reason was absent in Burma there were others that applied with considerable force. The acts which from time to time embodied the constitution of the country were Acts of Parliament and the authoritative text could not but be in English. Certain other Acts of the British Parliament also applied to Burma. And some of the legislation enacted in India and Burma derived authority and phraseology from Acts of Parliament, and it was in many ways easier and more convenient therefore that they should be in English. Until 1897 legislation was almost entirely in the hands of British officials. Many of these acquired a fluent knowledge of colloquial Burmese, but few had the knowledge of the literary or official language that would have enabled them to deal with legislation in Burmese; expressive and pithy though it may be for colloquial purposes, this language is not

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in any case well suited to the needs of legislation. When later, Burmans became associated in the process of legislation, many of these were persons educated in the West who might well use English in preference to Burmese for daily needs and certainly would prefer it for the exact work of legislation. And whether or not the British members of the services in Burma had mastered Burmese, it was usual for the Governor, some of the High Court Judges, and certain other high officials to be appointed from India or England; this widened the field of selection and facilitated the infusion of fresh ideas, but the men thus appointed could hardly be expected to acquire a knowledge of the language in the time at their disposal.

RACIAL PROBLEMS

It is worth considering for a moment the racial distribution of the officers of the services on the ground. Officers of the indigenous races were so far as possible employed in areas in which their race predominated, Shans in the Shan States, Karens in Karen districts, and Arakanese in the Arakan division, although the superior education of the Karens and ability of the Arakanese led to recruitment from these races somewhat in excess of their racial proportion, and occasionally to their employment in Burman areas. Anglo-Indians and Anglo-Burmese took their place in most services with the Burmese, although there were departments of the administration such as the Post and Telegraphs, the Railways, and the Customs in which these communities were represented out of proportion to their numbers.

With the increase in the recruitment of Burmans to the services that had originally been all-European a very strong tendency began to show itself for European officers to be concentrated at headquarters, in the Secretariat, or in closely connected offices. This was in many ways a most undesirable tendency bringing with it the danger that officers in the Secretariat would be insufficiently acquainted with conditions up-country and that a cleavage would develop

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between officers at headquarters and officers up-country, a cleavage which would assume a racial complexion. Headquarters posts were often coveted because they usually carried higher pay, because they gave the opportunity to live in a larger and more civilized community, because they offered better facilities for the education of children, and because they were almost inevitably the stepping-stones to further promotion. The tendency for these posts to be filled by Europeans was almost entirely due to the greater suitability of Europeans for these posts owing to their wider background, their deeper sense of perspective, and their advantages of training and experience. But it was difficult for Burmans to escape a feeling, which may sometimes have been not without some justification in fact, that racial and social considerations were also thrown into the balance. On the other hand, the Burmese officer, if honest, was often the equal if not the superior of the European officer in an up-country district.

In many of the public services in Burma there was a preponderance of Indians, greatly out of proportion to their racial strength in the country. Some departments of government were almost entirely Indianized especially in lower appointments. Such were the Accounts Department, the Railways, the Building and Roads Branch of the Public Works Department, the Medical Department (other than nurses), the Posts and Telegraphs Department, and the clerical services of the headquarters secretariat. The great majority of the subordinates such as messengers, watchmen, and other servants were Indian in all departments. In contrast there were certain departments that might fairly be described as 'Burmese' departments: these included the Forest Department, the lower grades of the Irrigation Branch of the Public Works Department, the Land Records Department, and (on the whole) the Police Department.

There were a number of reasons for this predominance of Indians. It was due in the first place to the fact that Burma was annexed from India. The British officers who entered Burma at that time knew and understood Indians and their

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language, whereas they knew nothing of the Burmese. Almost as important was the fact that Indians had grown accustomed to working for Europeans and knew what was expected of their employees. In any case the system that was introduced to Burma on annexation was the Indian system. Indians understood and could work this; to the Burmese it was as strange and unintelligible as the mixed territorial and occupational jurisdictions found in Burma were to the invaders. And lastly the Indians had a long start of the Burmese in knowledge and use of the English language. It was hardly to be wondered at therefore that in regard to recruitment for all posts that did not particularly require local knowledge, the easiest course was only too frequently adopted of employing Indians rather than Burmese. And once established in a department it was not difficult or unnatural for the Indians to develop a virtual monopoly over further entry. Burmans who managed to secure a post in such a department were apt to find themselves manoeuvred out again. And when the government desired to recruit more Burmese it was defeated by the superior ability of Indians for passing examinations, their capacity for hard work, and their nimbler intellectual qualities.

Indian predominance amongst menial workers, such as messengers and watchmen, was due mainly to the lower standard of living of the poorer Indians which enabled them to live and remit money to their families left behind in India on a pay that was quite inadequate for the Burmese; it was due also to the greater readiness of Indians to perform unexacting routine work with regularity.

Some of the reasons that favoured the development of the Indian monopoly also explained the predominance of the Anglo-Indian community in certain departments, but some certainly did not. The fundamental reason for the creation of the latter preserves was probably a feeling on the part of Europeans, collective and individual, that something was owed to this community, brought into existence by Europeans, and clinging, for reasons both of sentiment and of self-protection, to the fringe of the European community.

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Consideration of the disproportionate share taken by Indians in the administration of the country leads us on to the much larger problem raised by the immigration of Indians into Burma. This resulted in the existence, just before the outbreak of war with Japan in 1941, of about 1 million Indians in a country with a total population of some 17 millions, a problem to which some reference must be made here, as it was a result of the British administration of Burma. Large-scale immigration of Indians into Burma was made possible by the annexation of Burma and its incorporation into the Indian Empire. Before that there had been small communities of Indian traders living in Burma, but they had lived as foreigners and on sufferance in a foreign country. After the annexation of Burma they could enter as of right, as British subjects entering British territory. They came in to be employed in the services, as we have seen; they came in as money-lenders; and during the eighteen-eighties the British administration encouraged their immigration as labourers. The trickle of immigrants grew to a stream and ultimately to an annual flood.

The attitude of the Burman to the Indian has always been one of contempt; contempt for one who prizes only money yet does not know how to enjoy it; contempt for the Hindu who makes an unpleasant god of sex; contempt for one with an inferior standard of living. But Burmans were for long glad enough to have Indian labour, especially as the Indian was prepared to undertake work that the Burman considered filthy and degrading, particularly the removal of 'night soil' which became necessary in a country devoid of water-borne sanitation and, for a great part of its area so low-lying that pit latrines were impracticable during the rainy season.

The world depression of the nineteen-thirties did not miss Burma, and there followed a severe slump in the rice trade. The Burmese cultivator, who accounted for the great majority of the inhabitants of the country, found himself particularly exposed to the effects of the slump on account of the over abundant (if expensive) credit that had been made

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available to him by the Indian money-lender. Driven to enter new forms of occupation to make a living and to satisfy his (generally Indian) creditors, he found himself brought into competition with the Indian labourer, who could undersell him owing to his lower standard of living, was more ready to undertake long regular hours of work, had experience of the conditions of work, and already had his contacts with the agents who recruited labour for the docks and the big mills. The Burmese feeling of contempt grew into a very active dislike and resentment of these foreigners who were depriving him of a chance to earn a living in his own country. Anti-Indian riots occurred in 1930 when Burmese labour was used to break a strike of Indian dock labourers and then found itself turned off when the Indians returned to work, and again on a larger scale in 1938 when widespread massacres of Muslims took place. Negotiations were entered into with the Government of India for the close restriction and regulation of Indian immigration, which, however, never reached finality as they were interrupted by the Japanese invasion and occupation. In retaliation for the restrictions proposed, the Government of India imposed a ban on emigration of Indians to Burma, secure in the knowledge that Burma could not dispense entirely with Indian labour if it was desired to maintain sanitary and many other public services at the existing level. This embargo proved a great obstacle to the restoration of services by the British administration in the brief post-war period. When Burma became independent India lost her bargaining power, as the restoration or maintenance of these services made no appeal to the majority of Burmans.

RANGOON UNIVERSITY

Reference has been made to the educational system of Burma, but mention of the university was deferred to the present chapter into which it more properly fits chronologically. After the First World War and with the advent of the new Constitution, the University of Rangoon was incorpor-

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ated in 1920 by the aggregation of the old Rangoon College (now to become University College), and Judson College (the American Baptist Mission College), and certain other institutions added later. From the earliest stages the new university suffered disastrous political pressure of two very different kinds. On the one hand the newly-established ministry under the new Constitution found itself unable to resist the temptation to interfere in many aspects of the administration of the university. This would have been serious enough if the interference had been based on educational considerations; it was disastrous when, as was usually the case, it proceeded from political motives. On the other hand irresponsible politicians in opposition found it profitable to whip up political fervour amongst immature and ignorant students and then to employ their dupes to embarrass the university authorities or the government by strikes or other acts of indiscipline. It is not surprising that in these circumstances the discipline and tone of the university left much to be desired.

But there were other results. Political pressure brought down the standards for admission to such an extent that many students entered the university who were unable to benefit from a course of university study. This mass of immature students clogged the working of the university and placed an undue strain upon its teaching capacities. Not only were standards of admission too low; passing-out standards were also lowered in response to political pressure with the result that an excessive supply of inferior-quality graduates, especially Arts graduates, was allowed to flood the market. Even so two-thirds of those who attempted a university course failed to graduate. The courses of study provided were often unrealistic and imperfectly related to the needs of the country. The continuance of the separate identity of Judson College within the university was a source of weakness in the opinion of some, leading to an undesirable dispersion of authority and inevitable divergence in objectives and standards. The political atmosphere engendered in the university

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led to the University Students' Union, which might have been an instrument for cultural and social good, becoming a centre of political agitation and a tool of outside politicians.

Through its over-production of second-rate graduates and of unsuccessful candidates for degrees, the university, or rather those who interfered with its working, must bear a part of the responsibility for the unrest in Burma since the First World War and for the disorderly stampede to independence which has landed Burma in her present difficulties.

CHAPTER VIII

Separation from India and Further Self-Government, 1937-41

IN 1937 Burma was separated from India and granted another instalment of self-government. The basic reasons for the separation were many. Burma is fundamentally different from India in race, religion, language, customs, and character. And there was never any doubt regarding the attitude of the Burmese towards Indians: as we have seen in the preceding chapter it was one of strong contempt and dislike for Indians in the mass, not untinged with fear of the lower Indian standard of living. There seemed to be no doubt that popular feeling was strongly in favour of separation from India. Burma had been incorporated into India by the accident of contiguity. It had for long been felt both within and without official circles that the Indian connexion was working to the disadvantage of Burma; for while India took for herself a considerable proportion of the revenues of Burma—a growing proportion since the central taxes (e.g. income tax and customs duties) were the elastic sources of revenue whereas the provincial revenues were incapable of much expansion—the benefits afforded to Burma in return were not impressive. Defence was one of them, although in this respect India in turn had to lean upon the United Kingdom; but when the time came India and the United Kingdom were tragically unable to discharge this responsibility.

Accordingly, as the time drew near for the Statutory Commission provided for in the Government of India Act, 1919, to undertake its inquiries into the working of the Constitution set up by that Act, the Government of Burma drew up recommendations which involved the separation of Burma from India. Then suddenly Burmese opinion took

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fright. It was remembered that all steps in constitutional advance had come to Burma as a part of India; it was feared that if Burma were to be separated from India she would drop out of the stream of constitutional advance; the very fact that the British Government of Burma was pressing for separation roused the suspicions of the Burmese, political circles attributing this to an intention to deny further constitutional advances to Burma. Official pronouncements by the British Government that separation of Burma from India would in no wise prejudice her constitutional progress did nothing to allay these suspicions. A General Election which was held in 1932 was fought on the separation issue and the result was an almost solid, if very surprising, vote against separation. First thoughts and speeches on assembly of the new House did not bring much light, but gradually it became clear that while Burmese opinion, as had been expected, favoured separation from India, it wished, as a matter of tactics, to defer this until after Burma had derived the maximum political advantage from continued, albeit terminable, association with India. The British Government was not prepared to give to Burma the option she desired of contracting out of the Indian Government when she thought this might suit her convenience and decided that in view of the pledges given that separation would not prejudice political progress, the wishes of the people of Burma would be best met by immediate separation. Separation was 'forced' upon Burma and accepted with a sigh of relief: there was no audible criticism.

THE NEW CONSTITUTION

The new Constitution for Burma was given body in the Government of Burma Act, 1935, and spirit in the Instrument of Instructions from His Majesty to the Governor. It was brought into force on 1 April 1937 and was no longer designed for a provincial government, subordinate to a central government in India: the new Burma was a fully individual government with a self-contained Constitution. All functions of government that had under the previous

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Constitution remained with the central government were now transferred to the Government of Burma. Except in regard to functions of government which he was required to discharge 'in his discretion' or in respect of which he was required to 'exercise his individual judgment' (technical expressions which will be explained below), the Governor was required by the Instrument of Instructions to act on the advice of Ministers who commanded a majority in the Legislature; and when acting on their advice he was removed from any control and superintendence by the Secretary of State and, through him, by the British Parliament. In respect of these functions of government real self-government was conferred upon Burma.

The Legislature was expanded from a Legislative Council of 103, of whom eighty were elected, to a bi-cameral Legislature consisting of a Senate of thirty-six members, half elected by proportional representation by the members of the other chamber and half nominated by the Governor 'in his discretion', and of a House of Representatives of 132 elected members, ninety-one from general constituencies and the remainder from communal, university, commercial and labour constituencies. The Burmese always held seventy-two per cent of the seats in the House of Representatives, and the ministries were almost exclusively Burmese.

The franchise was wide, perhaps dangerously wide, few males over twenty-one being excluded, and all females over twenty-one being included, if able to pass an easy literacy test.

To return to the two technical expressions employed above, when the Governor was required to exercise his functions 'in his discretion' his Ministers were not entitled to place advice before him and he was required to act without their advice, provision being made for the appointment of official Counsellors to advise him in regard to these functions. When the Governor was required to 'exercise his individual judgment' his Ministers were entitled to lay advice before him but the Governor was in certain circumstances entitled, in fact required, to discard this. When discharging functions

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‘in his discretion’ or in the ‘exercise of his individual judgment’ the Governor remained under the ultimate control of the Secretary of State and through him of the British Parliament.

The more important subjects with which the Governor was required to deal ‘in his discretion’ were foreign affairs, defence, monetary policy, currency, coinage, and the Shan States and other hill areas which remained, as before, outside the Constitution. He was required to ‘exercise his individual judgment’, generally speaking, not in respect of specific functions of government, but in respect of any acts which touched certain special responsibilities laid upon him. In the language of the Act of 1935 these were:

- (a) the prevention of any grave menace to the peace or tranquillity of Burma or any part thereof;
- (b) the safeguarding of the financial stability and credit of the Government of Burma;
- (c) the safeguarding of the legitimate interests of minorities;
- (d) the securing to, and to the dependents of, persons who are or have been members of the public services of any rights provided or preserved for them by or under this Act, and the safeguarding of their legitimate interests;
- (e) the securing in the sphere of executive action of the purposes which the provisions of Part V of this Act [imposing restrictions upon discrimination against British subjects domiciled in the United Kingdom or India] are designed to secure in relation to legislation;
- (f) the prevention of action which would subject goods of United Kingdom or Indian origin imported into Burma to discriminatory or penal treatment;
- (g) the securing of the peace and good government of the areas specified in Part II of the Second Schedule to this Act [areas adjacent to the tribal areas];
- (h) the securing that the due discharge of his functions, with respect to matters with respect to which he is by or under this Act required to act in his discretion, or to exercise his individual judgment, is not prejudiced or impeded by any course of action taken with respect to any other matter.

Guidance as to the manner in which the Governor was to interpret his special responsibilities in regard to these matters

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was contained in the Instrument of Instructions. In particular he was warned to be 'studious so to exercise his powers as not to enable his Ministers to rely upon his special responsibilities in order to relieve themselves of responsibilities which are properly their own'. Moreover he was required to encourage the practice of joint consultation between himself, his official counsellors, and his Ministers, even in matters such as defence which were reserved to his 'discretion' or 'individual judgment'.

Indeed it cannot be too strongly emphasized that, whatever the written Constitution may often seem to say, the Burmese Parliament now had complete control, at least in internal affairs. Even the Governor's reserve powers were greater in theory than they proved to be in practice.

In the districts the new Constitution brought little change to the organization of the administrative machine or to local government in urban or in rural areas. At headquarters in Rangoon, the new Constitution led to an increase in the number of secretaries and administrative departments, not so much on account of any increase in the administrative work involved as in order to provide departments for each of the Ministers to preside over. There was little other change at headquarters either within the secretariat, or in regard to the heads of departments, except that a second Financial Commissioner was appointed to take over responsibilities from the central government Board of Revenue for the 'central' revenues which had now become a part of the revenues of Burma, mainly income tax and customs duties. During this period interest centres not on administrative changes, but on the shift of ultimate political power from the British Parliament to the Legislature of Burma. The effect of this shift was not so much upon the status of the officers constituting the machine, as upon the efficiency with which the machine was allowed to run.

We have noted during the preceding period, a tendency for Ministers to interfere with administrative matters on political or personal grounds. The first reaction of the new Minis-

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ters to the increased power conferred upon them by the new Act, was to become bolder, less scrupulous, and more cynical, interfering with the administration as a matter of course and even at times tampering with the courts. Usually they confined themselves to interfering with sentences already passed, under colour of exercising a legal prerogative; but sometimes they would actually send an intimation of their wishes to a magistrate or judge while he was still trying the case.

It was not so much the actual number of such interferences, appreciable though this was, as the knowledge that they could now occur, and occur at any moment, that shook the services. The more calculating and pliant officer, the officer who knew that he must continue his service and his retirement in Burma, began 'to look over his shoulder', and to be influenced more by what the ministry would wish than by the requirements of upright administration and of his superior officers. The officer of courage and integrity felt disheartened and frustrated at interference and found himself losing control of his subordinates. Discipline, integrity, and efficiency all weakened together.

THE PUBLIC SERVICE COMMISSION

This danger had been foreseen; in fact, experience during the preceding period of conditional self-government had clearly indicated what was likely to happen. The new Constitution therefore made provision for the establishment of a Public Service Commission intended both to protect the public services and to give to the ministry a shield wherewith to hold off pressure from its own supporters. The commission was charged with the duty of conducting examinations for appointments to the public services, and of advising the government on the following subjects:

- (a) on all matters relating to methods of recruitment to civil services and for civil posts;
- (b) on the principles to be followed in making appointments to civil services and posts and in making promotions and transfers

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from one service to another, and on the suitability of candidates for such appointments, promotions or transfers;

(c) on all disciplinary matters affecting a person serving His Majesty in a civil capacity in Burma, including memorials or petitions relating to such matters;

(d) on any claim by or in respect of a person who is serving or has served His Majesty in a civil capacity that any costs incurred by him in defending legal proceedings instituted against him in respect of acts done or purporting to be done in the execution of his duty should be paid out of the revenues of Burma;

(e) on any claims for the award of a pension in respect of injuries sustained by a person while serving His Majesty in a civil capacity in Burma, and any question as to the amount of any such award;

(f) on any claim by a person serving His Majesty in a civil capacity in Burma that his conditions of service have been adversely affected by the separation of Burma from India.

The Act exempted subordinate ranks of the police forces from the most important of these cases in which reference was required to be made to the commission, and power was conferred upon the Secretary of State and the Governor to make other exceptions. It was not, however, the formal exceptions from the scope of the Public Service Commission that ultimately rendered it almost valueless for the purposes for which it had been set up, but the fact that there was no obligation laid upon the government to accept the advice put before it by the commission. To have curtailed the sovereign authority of the government by requiring it to accept the advice of the commission was presumably a political impossibility, for it is abundantly clear that the patronage conferred by the power to make or interfere with appointments and promotions was one of the functions of government most coveted by the Burmese; no powers of self-government would have satisfied them had they not included this patronage.

During the first year of its existence the commission did all in its power to get established the convention, failing legal obligation to this effect, that the government would always accept the advice of the commission regarding promotions and appointments, and fair success appeared to attend its

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efforts. An extract from the Report of the commission for the year 1937 sets out the position:

The question which has been one of the greatest importance for the Commission to consider has been the establishment and open recognition of the convention that the advice of the Commission, in the exercise by it of certain statutory functions, will always be accepted by the Government. This does not mean that the cases which the Commission submits to Government should not receive the customary examination in the Secretariat to see that the provisions of relevant laws and rules which are binding on Government and on its departments have been observed and that the proceedings are free from obvious clerical and other remediable errors. Nor does it mean that proposals for rules of services or other regulations on which the Commission may be consulted shall be accepted without variation or amendment by Government. It means primarily that when the Commission has by examination or by selection or by a combination of these methods or by any other approved procedure advised that certain persons should receive certain appointments or promotions, this advice will be accepted by Government. This involves a certain delegation of its responsibilities by Government to the Commission, but if this delegation is not in effect made, the position of the Commission is no more in these matters than that of an ordinary department of Government. There was no occasion for the Act to create a separate Commission nor to place the power of appointing its members in the hands of the Governor acting in his discretion. There was certainly no occasion to place on the Chairman and Members of the Commission the extraordinary disability of being disqualified from serving in any other office under the Crown in Burma.

It is not that the Commission, no matter how carefully and suitably its personnel may be selected, is solely capable of making the right selections in the difficult task of picking out individuals from a crowd of applicants; but the Commission by its constitution, its special responsibilities and the publicity which attaches to its position and proceedings is and must be publicly known to be the responsible body in these matters.

The Commission acknowledges with gratitude that in all the 81 cases in which the Commission has tendered formal advice and on which Government has so far passed orders (71 cases) there is no instance in which the advice of the Commission has been overruled. There have been cases in which points have been referred back for further consideration by the Commission. This result in

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the first year of working gives undoubted cause for satisfaction, but the Commission would welcome a statement that the existence of the convention is admitted and that it will be observed. Such an open acknowledgement of the peculiar position and responsibilities of the Commission will save much misunderstanding, will protect Government from many attacks, and even more from much importuning. It is possible and advisable for the Chairman and members of the Commission to forego to a great extent the virtue and advantages of accessibility, so highly valued in officials and people in public life.

It is probably correct to say that a year ago many people believed that the Public Service Commission would actually be the appointing body. That its legal position was that of an advisory body was not realized. Some clarification of the position seems to the Commission to be very advisable for its satisfactory working, and for the proper allocation by the public of responsibility in the matters concerning which it has by statute to be consulted. The Commission trusts that its attitude on this matter will not be thought too exigent, and ventures to express the hope that the experience gained in the first year of work will be held to justify its attitude on this very important question.

But the convention was never admitted or established and in spite of a temporary success for the Public Service Commission against the ministry towards the end of its second year of life, it gradually became clear that the government would not agree to the delegation of responsibilities involved.

The result was to deny to the public services that protection which it had been intended to afford to them. And it quickly became clear that the ministry did not wish to be sheltered from the demands of its supporters, or that if it did, it was only in order to keep within its own hands patronage that might otherwise have to be shared out too widely. The Public Service Commission, in the second year of its life, had attempted to enlist public opinion in its support; but there was and is no effective public opinion in Burma against the exercise of improper patronage; and the attitude of the Ministers, the very men who should have given the people a lead, may be gauged from the reception they gave the Report of the Bribery and Corruption Committee.

BRIBERY AND CORRUPTION

In 1940, on a resolution moved by the Opposition, the Ministry appointed a committee to enquire into bribery and corruption in all branches of government service, excepting only local self-government services, the Railway, and Customs Departments, and the services concerned solely with subjects which the Governor was required to deal with 'in his discretion' and which were therefore excluded from the scope of the ministry. The resolution was moved partly out of genuine concern for the integrity of the public services, but much more, it is to be feared, from a desire to embarrass the government of the day. And even this desire was not pushed to extremes when it was found that the committee's report implicated too many leading politicians. The report was bowdlerized before publication, all passages implicating Ministers or ex-Ministers being deleted; in its published form therefore it deals only with corruption among officials.

The committee found that bribery and corruption were very widespread in all the departments of government, although with few exceptions it had no grounds for believing that the 'Class I Services' (comparable to the administrative class of the civil service in the United Kingdom) were corrupt. The committee believed however that there had been a rise in the standard of morality in the government services since the beginning of the century when, in spite of the view taken by Mr H. Fielding-Hall in *A People at School*¹ that 'the mass of our Burmese fellow-officers are honest I have no doubt', the committee felt it would be 'taking a very favourable view of the honesty of the magistrates, judges, and police officers of the period to hold that as many as one in twenty did not take bribes'. It ascribed this rise partly to the growth of public opinion but partly also to the abandonment of recruitment by promotion from the clerical services in favour of recruitment to the higher posts in all services of Burmans

¹ London, Macmillan, 1906.

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who had received a Western education whether actually in the West or at the University of Rangoon.

We are not here concerned with the detailed inquiries into corruption in the various departments; but the general conclusions of the committee are of interest. The universal causes of corruption, observed the committee, are a low standard of morals in the bribe-givers. The cures for this are education and the growth of public opinion. The causes particular to Burma were the failure to pay a living wage in some cases, though in most cases wages were reasonably sufficient—the most glaring examples being the employment of unpaid apprentice clerks; the giving to an officer of more work than he could possibly cope with; insufficient care in ascertaining the vices of candidates for government employment; reluctance to inquire into the habits and private life and indebtedness of persons already in government employment—particularly more senior and influential officers; and the almost complete impunity with which corruption could be practised. This was partly due to the state of the criminal law on the subject. Under this there was no penalty for the payment of a bribe to a public servant, although the person who did so was guilty of abetment of the offence of receiving a bribe even though the bribe might not have been accepted. Fear of prosecution deterred many bribe-givers who would otherwise come forward with information against corrupt officers. The committee naturally opposed giving complete protection to the bribe-giver, but it did recommend a measure of protection by proposing that a bribe-giver should not be prosecuted except on the certificate of the Public Service Commission that a prosecution was in the public interest. Other causes of immunity of bribe-takers were the natural reluctance of successful bribe-givers to surrender their advantage or to betray the officer who had been complaisant, and the lack of courage, for one reason or another, of superior officers in tackling corrupt subordinates.

Public servants could of course be dismissed on the recommendation of a departmental inquiry but here again

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the procedure was unsatisfactory, being too closely allied to that of a criminal trial. The objects of a criminal trial and a departmental inquiry are different: in the former, the court has to decide whether a man is guilty of a crime, whereas in the latter it has only to ascertain whether he is a satisfactory servant. The rules of evidence in a criminal trial are based on a principle of exclusion peculiar to English law: evidence regarding the character or reputation of the accused, however notorious, is inadmissible, and each act alleged against him must be separately proved. By a mistaken analogy these rigid rules were applied even at departmental inquiries; hence the fact that a public servant was generally regarded as living above his means, spending several times his salary, and that his character was notorious, could not be brought against him. The committee felt that evidence such as this should, within reason, be admitted.

The committee recommended the setting up of District Committees charged to bring corruption to light, such committees to be predominantly non-official; an increase in supervision by superior officers on tour and in office; that teaching on the evils of corruption be introduced in vernacular schools; and that everything possible be done to foster public opinion on the matter. It made also a number of detailed recommendations concerning the several departments of government with which we need not concern ourselves here.

. An essential pre-requisite of honest administration is that the public services should be adequately remunerated. The conclusion reached by the Bribery and Corruption Inquiry Committee was that, apart from a few glaring examples, the public services were on the whole adequately remunerated. The problem of fixing fair remuneration was greatly complicated by the double standard of living resulting from the presence of Europeans in an Asiatic country. The rates of pay for Europeans were in line with rates in India but high in comparison with rates in British and other Colonies elsewhere, and greatly above rates for Asiatic employees. The

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difficulty had not been so marked when the superior services were exclusively European and the other services Burmese, but even then the much higher rates of pay for Europeans inevitably caused a certain undercurrent of feeling in the other services and also led to some officers among these services living beyond their means in an attempt to emulate European officers. When Burmans were admitted to the superior services the difficulty grew much sharper as a result of these officers being given virtually the same rates of pay as their European colleagues; these rates were clearly excessive for persons accustomed to the lower of the two standards of living, yet could not be refused for fear of charges of discrimination on racial grounds between officers of similar qualifications.

In regard to the less highly remunerated government appointments it is tempting to argue that they must have been more than adequately remunerated because of the keen competition for them and the great reluctance of Burmans of any education to take up any other form of employment. But the prestige and social standing conferred were a powerful attraction to government service, as also the perquisites, if not the illegal gratifications, that were only too probably to be obtained.

The greatest single guarantee of honesty and efficiency in the administration was probably constant supervision by senior officers of the work of their juniors. It was the first duty of a government servant in a superior post to be accessible to any member of the public, not least to the poorest and most humble. In this way alone could he become aware of many things that might be going on in his charge. Any and every subordinate would put barriers between the public and their superior officer, sometimes to protect themselves, sometimes out of mere officiousness, sometimes in order to demand money for the lowering of the barriers. Only by seeing people freely at his own house at almost all times of the day and by talking freely to persons met abroad, could the barriers be pushed aside by the officer himself. Frequent and leisurely

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tours to all parts, particularly the unexpected parts of his charge, away from offices and court houses, not only gave the officer an intimate knowledge of the way of life of the people in his charge, but also was apt to give him much valuable specific information regarding the doings of his subordinates. And inspection of the work of subordinates kept the latter up to date with their work and far less liable to indulge in malpractices.

The only real guarantee against corruption is the growth of public opinion against the evil. But the education of public opinion in this respect was a slow and difficult task. Most people go to court not to have justice done but to win their case. An honest judge is probably not so popular as one who will accept the petitioner's present and do for him what he wants. The danger that the judge will be more heavily bribed by the other side is a danger that is almost as readily accepted and disregarded as the danger that a horse backed in a race will not win. The just judge is apt to please nobody whereas the corrupt judge is a good judge at least to one side. It is improbable that any real progress was made during the British period in the creation of a healthy public opinion in this respect.

It has already been mentioned that until the reign of King Mindon (1853-78), the last King of Burma but one, no officers of the Burmese Government had ever been remunerated by salaries. Instead they were allowed to demand fees for services rendered at rates sanctioned by custom. It must always have been easy for the officer to ask for more than his customary fee and difficult for the people to know what was the proper amount. When the British Government took charge they made rules that were usually intelligible enough to their own officers but not to the simpler members of the public, if indeed these so much as realized the existence of the rules. It remained easy for officers to demand gratification for services to be rendered, and difficult for the people to know whether the gratification demanded was legal or illegal; in fact they made no such distinction. Here was no

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favourable ground for the growth of public opinion against corruption.

BURMANIZATION OF THE SERVICES .

The Constitution of 1937 made the Burma Legislature a real centre of power, and Burmese politicians at last came into their own. This was not due to the disappearance of the European element, the official and nominated 'blocs'; these, even with the minority race groups, had held only a third of the seats, the other two-thirds being held by representatives of the Burmese electorate. It was due to the fact that there was now full Cabinet government, with Ministers in charge of all departments and, what is more, of all staff throughout the interior, save for a few score European officers. Political conflict in the Legislature became intensified: there was now real power to contend for, and no insuperable obstacle to reshuffling the coalition groups from which all ministries were drawn.

The move to appoint the Bribery and Corruption Inquiry Committee had been inspired largely by a desire to embarrass the government of the day. Two years earlier, in 1938, a much more serious and culpable political move was made by the deliberate inflaming of the anti-Indian feeling, to the point at which it broke out in massacres of Muslims throughout the country. This manœuvre faced the government with the opposite dangers of either alienating Burmese opinion by taking repressive action against their own people, or of alienating Indian and European opinion if they failed to preserve order and protect the minorities. The manœuvre was successful and was largely responsible for the fall of the first ministry of the new Constitution. It also undermined the administrative services which saw more clearly than before that the preservation of order and the protection of individuals, particularly of a minority community, was going in future to be subordinated to political considerations.

The Constitution of 1937 was brought tumbling to the ground by the Japanese invasion of 1941, but it seems doubt-

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ful whether it could have survived long in any case. Under 'diarchy', the Constitution that had preceded it, there had in fact been no absolute transfer of power: ultimate authority still lay with the British Parliament over the whole field of government, in spite of the conditional delegation made by it to the ministerial side of the government.

The Constitution of 1937 was a very different matter: under this there really was a 'diarchy' (although the expression was no longer used) for ultimate and real authority was divided between a legislature in Burma and a legislature in the United Kingdom. The purposes of the two legislatures were almost inevitably in conflict, and a deadlock would almost certainly have occurred in the ordinary course of events; it would certainly have been brought about by the Burmese as they grew to realize their strength. Technical and legal machinery was provided in the Act for the carrying on of government in such an event, but politically the British Parliament would then have been faced with the choice of constitutional regression, which would have been impossible without the use of force in Burma, or of further progress probably with no option but to grant full independence. There can be no doubt which course would have been adopted.

Burmanization of the services proceeded apace so that by 1941, the year in which the Japanese invaded Burma, the proportion of Europeans in all services had been greatly reduced. The Class I administrative and police services were still required by law to recruit approximately half their numbers from Europe. These two services were within a few years of attaining the desired racial composition: in the administrative service 55 per cent had been recruited from Europe: in the police service about 60 per cent were from Europe. Other services were not required to recruit Europeans and were doing so less and less frequently and the time was not far off when the European element would disappear entirely. Over the whole of the superior services European officers amounted to only some 15 per cent. In fact not only the lower and intermediate, but some of the higher ranks

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were almost entirely Asian and predominantly Burmese. The major heads of departments might still be British but within a few years even these would have disappeared and Burmans would have reached the top.

CHAPTER IX

The End of the British Connexion

THIS last period is included in this study, not because it displays any constructive or significant development of the British system in Burma, but rather in order to round off this account and to bring it to its natural close by setting out the circumstances in which the British connexion with Burma came to an end, circumstances which may help in understanding why the British system and its influence have disappeared almost entirely from Burma, whereas in the neighbouring countries of India and Ceylon independence has meant the continuance in appearance, at least, of the essentials of the British system.

JAPANESE OCCUPATION

In December 1941 the Japanese launched their attack upon the American and European colonial possessions in the Far East. Early in 1942 their invasion of Burma was well advanced. By the end of May the British-Indian forces, and their Chinese allies, had been decisively defeated and driven out of all but a narrow fringe along the north-western boundary of Burma, a fringe consisting mostly of remote mountainous country, much of which had been virtually unadministered in peace-time. There were criticisms of the civil administration of the country and allegations that it had collapsed under the impact of war. Naturally it did, but there is little to show that it collapsed earlier than might have been expected, or before it had met all important demands laid upon it by the military commanders. Virtually the whole of the British element in the administration escaped to India. Almost as high a proportion of the Indian members of the administration also came out of Burma. With very few exceptions, the much larger numbers of Burmans and mem-

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bers of the other indigenous races in government service followed the natural and proper course of remaining in Burma. The pre-war Government of Burma, evacuated to India, carried on an administration along the 'frontier fringe' in the face of incredible difficulties resulting from the fact that this administration required to be fed and controlled no longer from within Burma, but from outside that country, from India, through almost impassable mountains that had formerly been recognized as a virtually impenetrable barrier between the two countries.

The rest of Burma had little option but to co-operate with the Japanese. The older and, for some years still the more influential, politicians did so without particular enthusiasm but realizing that some administration must be established, that it was as well or better, both for the country and for themselves, that they should do it rather than others, and hoping at the same time thereby to continue their advance towards independence for Burma. In any case they were allowed no option by the Japanese. The younger and more extreme nationalist politicians who had emerged from their pre-war insignificance by fighting on the side of the Japanese against the British forces, gave at first a much more active co-operation; later when the Japanese in building up a 'puppet' government discarded them in favour of the older and more influential men, when they found that the Japanese had no intention of granting any real independence to Burma, and when above all it began to look a little less certain that the Japanese would win, their enthusiasm considerably cooled off. Their political position had nevertheless been immeasurably strengthened as compared with their pre-war standing.

The British-built administration and most of its servants, were retained in operation during the Japanese occupation with little structural change of importance. At most levels, however, a political commissar was installed by the Japanese alongside the ordinary civil administrator, to ensure that the government of the country conformed with the requirements

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of the occupying Power. English continued to be used as the language of the administration, at least as much as, perhaps more than, under the British régime, for no Burmese spoke Japanese and few Japanese spoke Burmese. But the disaster to British arms, the collapse of the British administration, and the sight of the British making their way as refugees through the hills and jungles to India, had destroyed both British prestige and the willingness to accept British political, economic, and cultural thought, which had existed and was probably still growing in 1941.

BRITISH POLICY

The re-establishment of British government in Burma, as in all other reoccupied British territories, was effected through the means of a military government, the aim of which was, subject to the overriding needs of military necessity at any time, to re-establish an administration similar in the main to the pre-war Burma administration, and to hand this over as early as possible to the legitimate civil government. For this purpose the members of the administrative services who had evacuated to India were incorporated as military officers into the armies of reoccupation. Supported by others with experience of the country, or by volunteers from other services in the army, it was their task, under the general control of the military commanders, to re-establish administration as early as possible and to rally to their assistance the great body of the administrative services which had remained in Burma during the occupation. Sometimes hampered, more often vigorously aided, by the military authorities, who were vitally concerned that order and administration should be established sufficiently to prevent disease and unrest in the country impeding their further operations, it was remarkable how quickly they succeeded in re-establishing administration.

Some six months after the reoccupation of a substantial part of the country, responsibility was handed back to the civil government of Burma. The declared policy of the British Government for Burma after the re-establishment of

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civil government at this time had been announced in a statement issued on 17 May 1945. In this the intention of promoting full self-government within the Commonwealth was reaffirmed. It was proposed that there should be in the first instance a period of direct rule by His Majesty's Government, in co-operation with the Burmese, to permit of the rehabilitation and stabilizing of the country to a point at which it would be possible to hold a General Election, which was the first essential for the resumption of political progress. It was proposed, however, that steps should be taken in advance of the General Election to associate the people of Burma with the administration of their country, by liberalization of the 'direct' government of the country, by the nomination of an Executive Council, perhaps even of a Legislative Council, in advance of the holding of the election. As soon as an election could be held it was proposed to revive the pre-war Constitution; it was also proposed that the Burmese should then start planning the Constitution they desired and negotiating with His Majesty's Government a treaty regarding matters on which that government would have continuing obligations after the establishment of self-government. When there had been time for the Burmese to agree upon a Constitution and it had become clear that the proposed Constitution enjoyed sufficient public support, His Majesty's Government would legislate to set up the new Constitution in Burma, and would conclude a treaty regarding the continuing obligations. The tribal areas would remain under the administration of a British Governor 'until such time as their inhabitants signify their desire for some suitable form of amalgamation of their territories with Burma proper'. It was contemplated that the whole of this process might take up to seven years, but that on the other hand it might in favourable circumstances be compressed into little more than half this period.

BURMESE OPPOSITION

These intentions, however, received an early setback. When the Governor set about forming his first ministry

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(technically only an Executive Council but by convention and later by necessity treated as a ministry and conveniently so called) he was ready to give representation in this to the younger and more extremist politicians who had, since the return of the British, succeeded in building up a 'popular front' under their control known as the 'Anti-Fascist People's Freedom League', or AFPFL for short; he was not prepared however to give them a majority of places in the ministry or to accede to their public demand that AFPFL members of the ministry should report to the Supreme Council of AFPFL and accept guidance therefrom. In the first place, while recognizing the great growth in their influence as compared with the period before the war, he probably believed, and many competent observers agreed with him in this belief, that if it had been possible to hold a fair election, free from intimidation by their private army, AFPFL would probably not have polled a majority of the votes in the country. Secondly, AFPFL were committed to a demand for immediate independence that accorded ill with the declared policy of the British Government to proceed by successive stages spread over several years. Thirdly, he believed that there was in the country a body of moderate responsible opinion which although it was not yet vocal, could and should be allowed to make its views felt. Lastly, he probably felt that it was a debt of honour to those of the older politicians who had accompanied him in exile to India to allow them the chance of rallying this opinion.

Unable to obtain a majority in the ministry, the AFPFL threw themselves into opposition. Strengthened by the early spectacular adhesion of their leaders to the Japanese, by the military and political part played by them during the occupation, by their timely desertion from the Japanese to the Allies, by the circumstances of their reception and subsequent treatment by the Supreme Allied Commander (which merit close study), but above all by the existence of their private army of ex-guerilla troops, they were now a force to be reckoned with. In less than a year they made their attack.

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The monstrous inflation of the Japanese period had been relieved by the reintroduction of British currency and the refusal to give any value whatever to Japanese currency. But the shortage of goods resulting from the interruption of imports by the Japanese occupation, and the pressure of purchasing power resulting from inevitable British military expenditure, still kept prices at four or five times their pre-war level in spite of all efforts by the administration. The reluctance of the government to face this problem and their failure to give to their employees a wage upon which it was possible for them to live, gave the nationalists their chance. They may not actually have organized but they certainly supported a strike of the police forces throughout the country.

The government had virtually no other forces to call upon for support to preserve order and to meet this threat to their authority, as the British troops in Burma were by then the merest handful, and the considerably more numerous Indian troops were not allowed by the Indian Government to be used against anything that might wear the appearance of a freedom movement. Nothing that the ministry could do availed to settle the strike. The ministry resigned and the Governor called upon, nay besought, the nationalists to form a ministry. This they did. But much more had come toppling down than the first ministry. From now on the Governor could not on any major issue take a line that was not approved by his ministry. Effective power had passed from the British, and although the formal declaration of independence waited another sixteen months, in fact this was the end of British rule in Burma.

CHAPTER X

Defence

AN aspect of Burma's development which is so important as to require separate treatment is the provision made for military forces within the country. Separate treatment is convenient also as consideration of the subject affects the last three or possibly even four of the chapters into which this study has been divided.

DEPENDENCE ON INDIAN ARMY

The military forces in India and Burma had a twofold function: the defence of the country from external aggression, and the preservation of internal security, which, in the last analysis, meant the support of the authority and enforcement of the will of the lawful government of the country. So long as Burma remained a part of the Indian Empire, it could and did look to the Indian army for the discharge of these functions. The Indian army might require to fall back upon the assistance of the British armed forces, particularly in the matter of defence from external aggression; and it might include units raised and recruited in Burma (we shall consider this point further in due course); but it was in the first instance the Indian army upon which Burma depended. A self-governing Burma, separated from India, would clearly require an army of its own, sufficient at least for internal security purposes and for protection from local aggression, even if it found itself compelled to make arrangements with India or Britain, by treaty, or by agreement as between members of the Commonwealth, for assistance in repelling any major aggression. It is the purpose of this chapter to consider, necessarily somewhat briefly, what steps were taken to solve this problem, and whether they were adequate and taken in sufficient time to achieve their purpose.

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The Montagu-Chelmsford Report which underlay the first instalment of self-government in 1923 had not only noticed the political immaturity of the Burmese but had also stated, as one ground for leaving Burma joined to India, that the defence problems of the two countries were indivisible. The Simon Commission, when recommending the separation that followed in 1937, had simply assumed the creation of a Burma army, under the control of the Governor, sufficient to deal with problems of internal security and with minor external aggressions, and suggested that as Burma was ultimately dependent upon India and India ultimately dependent upon Britain for defence against large-scale aggression, co-ordination of such defence should be undertaken by Britain. It was not, however, until after the separation of Burma from India had actually taken place that serious consideration was given to the problems of building up a separate Burmese army.

Such an army could not be created simply by lopping off a portion of the Indian army and giving it a new name, somewhat after the fashion in which Burma was lopped off from India and the new Government of Burma was formed by cutting off a portion of the Indian administration and requiring this to function on its own. There were several reasons for this. Although natives of Burma had been recruited into the Indian army, the numbers serving were by no means sufficient to furnish by themselves even the small garrison that was deemed necessary for Burma. Furthermore, that recruitment had in any event been confined to certain branches of the army, so that certain arms of the services were devoid of any natives of Burma. This rendered it impossible to create a balanced force by merely dividing off that portion of the army which consisted of natives of Burma. There was also the very real difficulty of finding from among the Burmese members of the army the non-commissioned and commissioned officers necessary, as the educational standard, particularly of the more martial hill peoples of Burma from whom in fact most of the Burmese members of the army had

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been recruited, was insufficient. This leads us to the greatest difficulty, which has yet to be considered: such natives of Burma as had been recruited into the Indian army included virtually no Burmans; it was only from certain of the hill peoples, the Chins and Kachins, or from the Karen minority in the plains, that recruits had been forthcoming. A self-governing Burma would be overwhelmingly Burman, with 12 million true Burmans as against 4 million minority peoples. The majority race would be unrepresented in the military forces of the new State. And the disadvantage of this would not be merely sentimental or psychological; the loyalty of the tribesmen from whom the army was constituted would be in the last resort not to the Burma of the Burmans but to the tribal communities of the mountain fringes of Burma, communities whose interests were often sharply divided from those of Burma proper, and most of whom regarded the Burman with a blend of distrust, contempt, and fear.

At this point it will be convenient to go back and recount briefly the steps that had been taken at various times to include natives of Burma in the Indian army. More than a century ago, when the Indian army still tolerated the existence of local corps, there had been two battalions, one of Maghs in Arakan, the other of Mons in Tenasserim; but these, though they had proved satisfactory when officers able to speak their language could be found, were disbanded after the Indian Mutiny, local corps being discontinued all over India. In 1887, immediately after the annexation of Upper Burma, a Company of Burma Sappers and Miners was raised. This consisted mostly of Burmans, many of whom had served in the army of the Burmese kings; a number of Karens were also included. There was no further recruitment of Burmans into the Indian army until the First World War (though there was considerable recruitment of Chins, Kachins, and Karens into the Burma military police, a semi-military body discharging internal security duties and watching the frontier along the remote north-eastern boundary of Burma which was frequently the scene of border raids and frontier vio-

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lations). In 1916 four battalions of the 70th Burma Rifles were raised, only one consisting of Burmans. A Burman company was also raised in the 85th Burma Rifles, a unit largely drawn from the Burma military police referred to above. In addition seven Burmese Mechanical Transport companies were raised, a Chin and Burmese Labour Corps, and three additional companies of the Burma Sappers and Miners (mostly Burmans as in the case of the first company). These units all served overseas and rendered not unsatisfactory war service, although discipline was seldom good. One company of the Sappers and Miners distinguished itself in Mesopotamia at the crossing of the Tigris. With the return of peace conditions all the military shortcomings of the Burmese were emphasized. In an attempt to raise standards, more tribesmen were recruited and employed in battalions together with the Burmans; the result was not to improve the qualities of the Burmans but to reduce the efficiency of the battalions concerned. It was decided to cease recruitment of Burmans and to recruit tribesmen instead, and during the period 1923-5 all Burmans were gradually discharged from all units except the Burma Sappers and Miners, which had been reduced to the original one company on the conclusion of the war. Except for this company, the only natives of Burma in the Indian army were now Karens and hill tribesmen. This decision was taken by the Government of India and the reasons given by it were that the type of Burman recruit coming forward was unsuitable, that such recruits disliked peace-time service, that their discipline was poor, that they were physically less fit than the tribal recruits, and that they did not get on well with the latter who formed the majority of the Burma Rifles battalions. Then in 1929 it was decided to disband the Burma Sappers and Miners company, not because they were in any way unsatisfactory—on the contrary, they were the one unit in which the Burman had proved himself a soldier—but because it would cost less to maintain a corresponding Indian unit of equal efficiency. Strong protests were voiced in the Burma Legislative Council

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on the grounds that this was an undeserved slight upon the Burmese people, and that the self-government to which the country aspired in the future would be illusory without a Burmese army; the council would have been willing that Burma should bear the additional cost of keeping the Burma Sappers and Miners in existence. The Government of Burma were not out of sympathy with the attitude taken up by the representatives of the people of Burma, but they were a subordinate government and did not feel able to contest the issue with the Government of India. These protests were of no avail.

BURMA'S SEPARATION FROM INDIA

We may note that whereas the separation of Burma from India as a self-governing country was first recognized as a political possibility during the period 1920-2, it was in the very next year, 1923, that the first steps were taken towards the complete elimination of Burmans from the Indian army, a process that was completed by the disbandments of 1925 and 1929. Militarily the decision was justified. Burmans were less satisfactory as soldiers than Karens and the hill tribes of Burma or the martial races of India, partly because the best kind of youth could seldom be persuaded to enlist in what he regarded as a foreign army. With more interested and understanding treatment by officers who had not already given their loyalty to the hill people, some of their defects might have disappeared; to the extent however that these defects were rooted in the over-sensitive, individualistic, spasmodic, side of the Burmese character, there was no easy remedy. It may be felt that politically the decision was unfortunate, to say the least of it; if self-government was intended for Burma, and of this there is no shadow of doubt, then many disadvantages should have been accepted in the task of building up for Burma an army that had at least a proportionate element of the majority community. To launch a country into independence with an army not of its own people, and upon whose loyalty it could not in the long run rely, was to deny to

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the new government, in advance, the support without which they could not ultimately function.

Not until after separation had actually come about in 1937 was this problem faced with any seriousness. The only indigenous regular forces in Burma at this time consisted of four battalions of Burma Rifles, recruited exclusively from Karens and hill folk. The Territorial Army consisted of one Infantry battalion, mixed Burman-Karen, and of one auxiliary force Brigade of Artillery, and three Auxiliary Force battalions of Infantry. Recruitment to the Auxiliary Forces was confined to persons who could prove European descent on the male side. Certain other ancillary units were left in Burma on loan from India until Burmese units could be raised to replace them. In addition there were the Burma military police and the Burma frontier force, these two forces combined totalling some 10,000 men. Recruitment to these forces had originally been from India and was still largely from that source at the time of separation. But a considerable proportion of Karens and hill folk had been recruited also and still more were recruited after separation. A programme of expansion of the army was embarked upon which was designed to bring Burmans and Shans into its ranks, as well as the Karens, Kachins, and Chins. This at first took the form of recruiting for units to replace those on loan from India. The outbreak of war in 1939 and its gradual approach to Burma in 1941 led to an intensification of the process of expansion, certain additional units being raised. Shortage of equipment was a very serious retarding factor, but if the war had not burst into Burma it is possible that a reliable and competent army might have been built up—though no good comes of overlooking the very great difficulties to be surmounted. The Japanese invasion of 1941 and 1942 caught the new army in the process of expansion. It was insufficiently trained and consolidated. Disintegration soon set in. First the Burmans and the Karens deserted, as it became clear that the retreat of the British forces was going to carry them out of their own country. The Chins and Kachins held better, as

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the retreat was at first towards the part of Burma inhabited by them. As the line of retreat swung westwards towards the Chin hills and India, even the Kachins began to desert. By the time the Division of Burma troops reached India it had dwindled to two battalions, one composed of Indians and the other of Chins. The Burma Signals, consisting mostly of Karens, had remained more or less intact. Little else was left of the Burma army.

During the period of Japanese occupation the Chins and Kachins assisted the British in the rôle of irregular forces. The Karens prepared for three long years against the day when they also launched their offensive, the largest of the guerilla operations in Burma, against the retreating Japanese. The small nucleus of the pre-war regular Burma army which had retreated to India was re-formed and trained with a view to returning to Burma with the forces of reoccupation. This it did in the course of 1945, being assigned in the main to duties in the maintenance of internal security.

THE BURMA NATIONAL ARMY

Meanwhile, what of the Burmese? When the Japanese invaded Burma they brought with them thirty young Burmans, extreme nationalists of the political-student class under the leadership of one Aung San, who had escaped to Japan before the outbreak of war when their activities against the Government of Burma and the war effort had driven the government to proscribing them. As they returned with the Japanese, their function was to raise a guerilla force to aid the Japanese against the British. This force grew with the advance of the Japanese and came to be known as the Burma Independence Army. Consisting partly of half-fledged politicians and even of criminals, and lacking any firm discipline, the force soon became an embarrassment to the Japanese, particularly when it displayed a tendency to take the local administration of occupied country into its hands. After purging it of its more undesirable elements, the Japanese reorganized it as the Burma Defence Army. The Japanese

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were now in occupation of virtually the whole of Burma and this force was occupied on training and internal-security duties. As its leaders gradually came to realize the hollowness of Japanese promises of independence, and as it was gradually borne in upon them that ultimate Japanese victory was by no means so certain as it had at one time appeared, they determined to change sides. By so doing, it may be added, they gained their best chance of escaping punishment as traitors by the returning British: and not only as technically traitors, for they had committed numerous crimes against their own people. In March 1945 they left the Japanese and threw in their lot with the British, who accepted their assistance in driving the already beaten Japanese out of Burma. As these operations drew to a close the British were faced with the question of what to do with the Burma National Army, as the Burma Defence Army now designated itself, and its young Commander 'Major General' Aung San. It was decided to disarm and disband this force, but, at the same time, to give to all those of its members who volunteered, and were able to pass the necessary medical tests, the opportunity, subject to certain limits on total recruitment, to enlist in the regular Burma army which it was now desired to reconstitute.

It is not necessary here to go into the details of negotiations in this connexion, but after having agreed to disbandment on these terms, a stage was reached at which the leaders of the Burma National Army claimed to believe that the agreement they had entered into with the Supreme Allied Commander secured to them the following provisions; that in the reconstitution of the Burma army, the nucleus would be formed by the units of the Burma National Army, the units retaining their identity; and that the battalions of the old regular army which had accompanied the forces of reoccupation would be added to, or absorbed into, this nucleus. When they found that reconstitution was being effected by the reverse process, that the old regular battalions were to form the nucleus and that the Burma national army units were to be broken up and individuals accepted, if passed fit, and drafted into the

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existing regular battalions, or into new battalions to be formed for the purpose, the leaders claimed that they were released from their part of the agreement to disband and disarm. Enlistments into the regular army dwindled. Spectacular conferences with the Supreme Allied Commander apparently restored the situation, and recruitment revived very satisfactorily; there is reason to believe, however, that many key members of the Burma National Army (now known as the Patriotic Burmese Forces) were kept back and used to organize the People's Volunteer Organization, ostensibly an ex-service association interested in social service but in fact a private political army to take the place of the Burma National Army, and to be used as a weapon of intimidation or as a military force, as occasion might require. Appreciation by the leaders of the need for retaining this force under their own control was not lessened by the prospect of attaining independence and then having to rely on an army which contained few Burmans. It should in fairness be added that there is no reason to suppose that, even if the regular army had consisted of Burmans, the leaders of the Burma National Army would have consented to relinquish control of their 'private army': a well-disciplined, non-political, regular army was not what they desired.

Thus, when Burma gained her independence, the regular army still consisted predominantly of Karens, Kachins, and Chins, though a considerable number of Burmans had been recruited from the Burma National Army. Many of these, however, had refused to be assimilated, and remained in existence disguised as the People's Volunteer Organization. Most of these men could quickly lay hands on firearms, if they did not already have them concealed, for there was no lack of these after the campaigns which had been fought across the country.

To summarize: Between 1919 and 1922 it became clear that the ultimate future of Burma was likely to involve separation from India as a self-governing dominion. During the fifteen years that followed, no steps whatever were taken

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to create a Burma army; in fact three steps were taken in the opposite direction, in 1923, 1925, and 1929, with the result that the very small Burman element in the Burma army was completely eliminated. The Government of Burma and the Legislative Council protested but without result, as defence was a central subject administered by the Government of India. It is not altogether a matter for surprise, however, that this government was obstinate. Militarily speaking, their decision was correct; the adoption of a different course would have been justifiable only on political grounds, and it would have been Burma, not India, that stood to gain. Any other course would have involved an increase in Indian military expenditure, and a fall in the over-all efficiency of the Indian army; all this in order to prepare Burma for separation, which India did not desire, and for which Burma claimed to be fitted without any assistance from India. Burma could be left to undertake the task for herself, and there would be ample time after separation. No military operations of any importance had ever taken place on the north-eastern frontier of Burma and India and there was no reason then to foresee the invasion of Burma by the Japanese, less than five years after separation.

As soon as separation came in 1937 a programme of expansion was undertaken which would give Burmans a share in the army. But the Japanese invasion fell upon the country before the new army could be properly trained or consolidated, and it disintegrated almost at once. It is permissible to doubt whether it would have stood the shock a great deal better even if it had been trained up to the Indian army standards of the time; the result when troops of the latter came into conflict with the Japanese, gives little cause for thinking so. The general unpreparedness for war and lack of training of the right kind of the British and Indian forces was by so much the greatest cause of failure that any other contributory causes to the disaster scarcely affected the position.

In the last period, after the reoccupation of Burma, the

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problem of dealing with the Burma National Army compelled the military administration, and later the civil government, to face the problem of the creation of a Burma army that would include the Burmese. The attempt to absorb the Burma National Army into the regular forces was only partially successful; it could have achieved greater success only if the absorption had been so conceived and carried out as to leave untouched the identity of the Burma National Army units and their essential organization. But absorption on these terms would in fact have been of little avail, for the loyalty of the ex-members of the Burma National Army to their own leaders, rather than to the regular army or to the new State of Burma, would have been left untouched. The result would have been that the army would have disintegrated quite as rapidly when the time came for Aung San to call out his followers against the government, or for whatever other purpose he might desire.

CHAPTER XI

Conclusion

ANY attempt at summarizing the work of the British in Burma is best made perhaps by way of comparison with India and Ceylon, or at least against the background of events in those countries, for all three countries were brought under the influence of the British policy of growth towards self-government and of the attitude of mind which this expresses; and India and Burma were for long actually under the same administrative system. In both India and Ceylon the grant of independence has been followed by reasonably stable and successful administration and much of value has been passed on to the new governments. It is not suggested that these countries have not their difficulties and failures but, speaking broadly, administration and the normal life of the community have continued in both. In Burma this is not the case.

Yet, as compared with India at least, Burma would appear to have started with certain clear advantages. The dead hand of caste was absent in Burma; there was no religious problem since the great majority of the people were adherents of Buddhism, a tolerant religion free from ill-will to the minority religions; there was no racial problem comparable to those of India; literacy was much more widely diffused than in India; relations with the British were easier and more healthy than in most parts of India; famine brought no fear to the country; and Burma had great potential raw material wealth. Enjoying all these advantages, why did the grant of independence lead Burma straight to anarchy and chaos? And how far is it right to place responsibility for this upon the administrative system built up by the British? The advantages enjoyed by Burma were offset, more than offset many would say, by certain disadvantages.

Conclusion

In the first place there was the isolation of Burma and her remoteness from the main thoroughfares of trade which carry experience and ideas together with their flow of merchandise. Few, very few, Burmese had any conception of the world beyond the mountains and the sea which surround their country, or of the relative importance of their country and its problems in world affairs.

Then there was, not unconnected with this, the character of the Burmese, which isolation did not aid them to modify and which developed their individualism into non-co-operation, and translated their national pride into a dangerous over-sensibility.

Again, it was only at the primary level that education was more widespread than in India. It was otherwise at the higher levels. The standard of the educated classes may not have been much lower, but their number was incomparably fewer than in India, and men of calibre were rare. The administrative services created by the British contained an inner nucleus of able and experienced men, but the new political class not only failed to make use of that nucleus but also, intentionally, or by their ineptitude, discouraged its growth.

When the first big step towards the introduction of a real measure of self-government was taken in 1923, there was an almost complete lack of experience of the operation of the democratic forms of government, even in the administration of local affairs, which it was then proposed to introduce to Burma. India had certain advantages over Burma in this respect. The fourteen years that followed before the next big step was taken in 1937 were all too short a period for the acquisition of real political experience and understanding.

Considerations such as these were undoubtedly present in the minds of the Government of Burma when they made their recommendations that the Constitution proposed for India in the Montagu-Chelmsford Report should not be extended to Burma and that a much more modest advance in the direction of self-government was all that Burma was yet fit to

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undertake. And although the Government of India did not feel able to accept the full contention of the Government of Burma, it saw no grounds for differing from it on the main issue. In spite of these recommendations from the governments immediately responsible, the British Government yielded to political clamour from Burma that the country must not be left out from the constitutional advances in India. There is little doubt that the path of wisdom at this stage would have led to a refusal to launch Burma upon an experiment for which she was in no way ready.

Even so there was a chance—perhaps but a poor chance—that the experiment would have succeeded if it had not been for the loss of Burma and its occupation by the Japanese for three years during the war. The result of this was the eclipse of the leading political figures of the pre-war period. U Saw was in prison in Africa for his contacts with the Japanese, Dr Ba Maw was hated and despised in Burma as a collaborator, Sir Paw Tun and Sir Htoon Aung Gyaw fled to India with the British and so lost all influence in Burma, U Pu was growing old. Only one of the personalities of the period, U Ba Pe, retained his place on the political stage and he was only able to do this by attaching himself to the group of young, irresponsible, inexperienced, doctrinaire extremists which stepped into the space left by the disappearance of the older parties. The leaders of this group were Major General Aung San and Thakin Than Tun. Before the war this group had been no more than a clique and though its members often styled themselves Socialists, or even Communists, it is doubtful whether they had grasped the meaning of the words: few of them had completed their education. Even before the war they had professed extremist and terrorist doctrines but they had little influence in the country and only three seats in the House of Representatives. The better established pre-war parties would have had no difficulty in keeping this group under control or in securing its elimination, and moderate responsible opinion in the country would undoubtedly have been behind them in any action they took to this end. The

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disappearance or discrediting of the older political figures and the part played by the young group in aiding the Japanese enabled it to expand and greatly to increase its influence, though not its popularity, in the country. The desertion of the group to the Allied side, the acceptance of its aid, and the manner of the reception of its leaders made it almost inevitable that the ultimate transfer of power from the British should be to this group.

Yet it was less inevitable than is commonly supposed. There were tensions even within the group itself, tensions of much the same type as became apparent in the attempt on U Saw's life and the actual assassination of Prime Minister Aung San himself. There was also a body of moderate opinion, considerable in capacity and experience if not in numbers, which distrusted AFPFL and distrusted it with reason; such men may not have been very numerous but taken all together, all over the country, they were more numerous than the AFPFL leaders, and had it been possible to hold elections in the absence of private armies, or at least in an atmosphere less charged with emotion, they would have produced a considerable following and might even have polled a majority. As things were, however, they could not even get a hearing.

An attempt was made when the civil government took over from the military administration to rally moderate opinion behind the pre-war leaders, but it was too late. It must remain a matter for speculation whether it would have been possible to effect this in the early stages of the reoccupation if the extremist group had been firmly handled from the very outset; many of those with the deepest knowledge and experience of Burma consider that it would have been possible.

The new leaders of Burma had not the same stake as their predecessors in the prosperity and quiet of the country; they had made their way to power not by using the constitutional machine but in spite of it, and therefore felt no interest in maintaining its stability; and in any case they found under

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their control, not a smoothly functioning administration backed by a habit of acquiescence in government, but an organization that was being painfully rebuilt and had as yet gone but a little way towards recreating the atmosphere of settled government; and lastly they had no experience whatever of government or administration, not even the little that their predecessors had gained in the years before the war. The result was the collapse in Burma of the administrative system built up during the British connexion and the virtually complete rejection of any advantages that this might have brought to the country in its future independence.

What might have been the prospects if the Japanese had not cut across the development of events? The British system at its best, towards the end of the period considered in Chapter VI, had built up a stable and efficient administration, by no means free from corruption although less corrupt than any administrations that preceded or are likely now to succeed it; but an administration that was impersonal and without emotional appeal to the people of the country. That this system was weakened and corrupted during the succeeding periods and that its advantages were largely rejected was due mainly to the introduction of a system of government workable perhaps in European countries, but alien and imperfectly understood in Burma; and though perhaps the people of Burma might have been able to assimilate it in the future, they were certainly not ready to do so at the time of its introduction. And in the brief post-war period events moved so much faster towards independence than had been expected that the process of Burmanization of the administration failed to keep pace with this development. Even so, but for the war, it is probable that the system would have survived for a time at least. But for the war it is reasonable to suppose that the ultimate transfer of power by the British to the Burmese would have been made gradually and to a group or groups which had at least gained such experience as was possible during the short political apprenticeship allowed by the pace of constitutional advance, and which had benefited by the

Conclusion

sobering effects of responsibility. And although the machine of government might have been set to unfamiliar tasks for which it had never been designed, it is unlikely that its masters would have discarded, in favour of an unknown vehicle, the machine which had brought them to power. And these established parties would probably have had a sufficient vested interest in the country and her economy not to desire a breakdown in the life of the community. They would consequently have had at least the will, and quite possibly the means, to preserve, perhaps not an objective administration of law and order, but at least strong government and a measure of party discipline.

Had the Japanese invasion not brought the whole system to the ground it is reasonable to assume that it would have continued to function for a time at least; but it would have been sustained mainly by the impetus from the past, and it is difficult to escape the conclusion that, as this weakened, the system would gradually have disintegrated. Only the emergence of a strong leader of dictatorial type would have averted ultimate anarchy. But there would have been this advantage at least, that the field for the emergence of possible dictators would not have been narrowed, as actually happened, by the events of the war and the Japanese occupation. And it is reasonable to hope that the slower rate of advance towards self-government would have improved the prospects of the survival of some form of stable government, and with it of some of the work of the British administration, because a few more years would have brought about a very great increase in the number of Burmese holding office as heads of departments, and in other posts of responsibility. At the time of the Japanese invasion a generation had not passed since Burma had first set foot upon the road to self-government and independence. Burmanization had proceeded apace, but there had not yet been time for the results to be felt at the top of the service cadres. A few more years and the rising tide would have reached the highest levels.

Whether the failure to create a genuinely Burmese army at

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the time of the separation of Burma from India would have materially affected the chances of survival of the established system would have depended partly on the time allowed by events for the development of such an army, and partly upon the ability of the Burmese people to rise above the defects of character which tend to make them unsatisfactory peace-time soldiers. For it is a peace-time army that would have been required. Wedged between India and China, Burma, with or without an army of her own, could not have hoped to withstand external aggression, except by linking herself to one of these Powers or to the British Commonwealth. It would have been in order to preserve internal peace, and to assist the authority of the administration, that a Burmese army would have been required.

But these are mere speculations, for the war and the Japanese occupation did in fact overtake Burma and, in spite of the arduous and at times heroic campaign fought to regain the country, virtually swept away all but those battered physical traces of the British administration which survived the destruction of two campaigns; and it will not be long before even those traces crumble away again into history.

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