Colonial Burma’s prison: continuity with its pre-colonial past?

The practice of confining convicted criminals in prison for a stipulated period of time — to punish or reform — is a modern western innovation. Pentonville in north London, opened in 1842 and said to be the first modern prison, had four wings radiating from a central hub, from which radiate, like spokes of a wheel, the long prison wings in which the convicts were held and observed. As the ‘modern’ prison was transported to the colonial world, the British had pre-colonial antecedents.

Breaking with the past
At first sight, there appears to be the clearest contrast between the punishment regimes imposed by Burma’s kings before British conquest and the prisons and practices constructed by the colonial rulers. Convicted criminals in pre-colonial Burma were most commonly punished by flogging, execution or exile; alternatively, they were tattooed, often on the face, to indicate their crime — ‘murderer’, ‘rapist’ — or had their bodies mutilated. At some point in the judicial process, individuals would be held in confinement while their alleged crimes were investigated or during trial. They could also be held in order to be tortured to secure an admission of guilt, and if guilty, were held until the sentence was carried out. Thus the pre-colonial prison was a site in which important stages of the judicial process took place; confinement in a prison was not, however, in itself one of the punishments imposed by the pre-colonial state. In sharp contrast, by far the most common punishment imposed in a modern judicial system is confinement for a stipulated period of time — to punish or reform.

There was also the sharpest contrast in the physical structures of the pre-colonial and colonial prison. The former had relatively flimsy outer walls, essentially bamboo fences. The main building was a single-block, housing all the inmates, who were fettered to prevent escape. The colonial prison was the familiar structure of thick, high, stone walls and double gates; the central hub and radiating wings; and within the prison compound, separate buildings and dividing barriers to ensure the separation of different categories of prisoner and the different aspects of prison life.

Continuities
On closer reflection, the contrast between the prisons of pre-colonial Burma and the prisons and prison systems constructed by the British is less sharp. Important aspects of the punishment regimes imposed by Burma’s kings before British conquest and the prisons and practices constructed by the colonial rulers were less clearly defined. Convicted criminals in pre-colonial Burma were most commonly punished by flogging, execution or exile; alternatively, they were tattooed, often on the face, to indicate their crime — ‘murderer’, ‘rapist’ — or had their bodies mutilated. At some point in the judicial process, individuals would be held in confinement while their alleged crimes were investigated or during trial. They could also be held in order to be tortured to secure an admission of guilt, and if guilty, were held until the sentence was carried out. Thus the pre-colonial prison was a site in which important stages of the judicial process took place; confinement in a prison was not, however, in itself one of the punishments imposed by the pre-colonial state. In sharp contrast, by far the most common punishment imposed in a modern judicial system is confinement for a stipulated period of time — to punish or reform.

There was also striking continuity in the use of convicts as laborers. In pre-colonial Burma, few individuals freely sought work in prison, particularly in the lowest grades or for positions involving the most gruesome tasks. It was therefore common for convicts, indeed the most violent and degraded, to be paraded in return for performing the duties of prison executioner, flogger, or interrogator. Clearly they were men of considerable power in the pre-colonial prison. Similarly, convict staff — long-service and trusted inmates who were appointed night watchmen, overseers, or convict warders — was essential in the running of colonial Burma’s prisons. Indeed the position of convict officers was pivotal. Since senior staff in the prison, from the superintendents down to the warders, was exclusive-ly either European or Indian, Burmese convict officers were the only ones able to communicate easily with the mass of inmates. It was a position they could use to protect fellow inmates, but perhaps also to exploit and abuse them.

There may also have been continuity in the use of the prison to punish. As noted earlier, the prison in pre-colonial Burma was a site to hold the accused — a place for torture, interrogation, and execution — but not for the confinement of convicts who had received custodial sentences. But in practice, individuals were often held for long periods — the remainder of their natural lives — in effect as a punishment, perhaps also as a deterrent. Monks claiming supernatural powers and disturbing the social order could be confined, for the king would be reluctant to challenge those powers by executing or exiling the alleged offender. Political opponents, dishonest officials and debtors could also find themselves put away for a long time.

There is one final continuity of particular importance for the historian seeking to understand the daily conditions and administration of Burma’s pre-colonial and colonial prisons. The sources for the pre-colonial and colonial prisons are strikingly different, but both tend towards what might be termed ‘an exaggeration of authority’. For the pre-colonial prison, the most vivid descriptions are provided by European residents who first experienced it in the late 19th century. As indicated earlier, the most vivid description is Henry Gouger’s Narrative of a Two Years’ Imprisonment in Burmah, published in 1854, which is one of the most vivid and disgusting accounts of incarceration in a Burmese prison. Gouger’s account makes clear that the pre-colonial prison regime was often exaggerated.

A comparable exaggeration, although for quite different reasons, can be seen in the material on the colonial prison. Perhaps the most striking feature of this material is that it is formal and obsessive. The annual reports on the prison administration of British Burma each run to many pages, and for more, come laden with statistical appendices, and are supplemented with reports by India-wide jail commissions, jail riot enquiries, and special investigations. The number of inmates who contracted malaria in the Rangoon Central Jail in 1910, for example, is one of the most vivid descriptions are provided by European residents who first experienced it in the late 19th century. As indicated earlier, the most vivid description is Henry Gouger’s Narrative of a Two Years’ Imprisonment in Burmah, published in 1854, which is one of the most vivid and disgusting accounts of incarceration in a Burmese prison. Gouger’s account makes clear that the pre-colonial prison regime was often exaggerated.

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