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Conjuncture and Reform in the Late Konbaung Period: How Prophecies, Omens and Rumors Motivated Political Action from 1866 to 1869

Aurore Candier

The kings of the middle and late Konbaung period (1820s–1880s) faced the arrival of a new colonial order. After two victories against King Bagyidaw (1819–1837) and King Pagan (1846–1853), the British seized several of the Konbaung king's border regions, including Arakan, Manipur and Tenasserim in 1824, and Pegu in 1852. The British implemented reforms in these former Burmese territories, progressively forcing local structures to adapt to new principles of government. The governors general of the East India Company (and later of British India) also posted their political agents to the Konbaung royal city. When arguing with the Burmese government, the political agents were sometimes the conveyors of British “informal imperialism,” while others, like any other foreign courtiers, were simply sharing their personal views with their Burmese interlocutors. Burmese political theory and practice were influenced by this specific conjuncture of colonial conquest, “informal imperial” communication, and exchange of opinions on an individual basis. In reproducing their own cultural categories, the Burmese also had to adjust them to the new historical context.¹

In this sense, the reign of King Mindon (1853–1878) was particularly rich in major sociopolitical changes and reforms, which were drafted as responses to this newly arisen

¹ This paper draws on my PhD dissertation, Aurore Candier, “Reform and Continuity in the Indochinese Peninsula: Burma, 1819–1878” (PhD diss., École des Haute Études en Sciences Sociales, forthcoming). My main argument draws on Marshall Sahlins’ “structure of the conjuncture” notion. Marshall Sahlins, *Islands of History* (Chicago: University of Chicago Press, 1985). Based on the Hawaiians’ experience of Captain Cook's arrival to the island in 1779, Sahlins has shown that any change within a society can be understood as a cultural reproduction. The society has to refer to its own cultural categories to take action, but also has to adjust them to the historical context. Thus, the structure is reproduced, but transformed by the conjuncture.

Candier Aurore, "Conjuncture and Reform in the Late Konbaung Period: How Prophecies, Omens and Rumors Motivated Political Action from 1866 to 1869," *The Journal of Burma Studies*, 15(2), 2011, pp. 231-262_postprint 29-9-2011.

conjuncture. The king and his heir-apparent, Prince Kanaung (1819–1866), carried out internal centralization in order to better resist external forces. They cut the authority and income of the bureaucracy by introducing a salary system, fixed judicial fees, issued comprehensive penal laws, reorganized the financial system, collected fewer custom duties to facilitate external trade, and increased direct taxation (*thathameda* reform). They also modernized the army and introduced new police forces.²

The conjuncture of the official and the unofficial had a profound influence on the conception and practice of reform at the Burmese court. My discussion of this influence follows two lines of thought: A discussion of influence in the nature of reform, conjunctural, in distinction to cyclical, and an examination of the correlation between the implementation of cyclical reforms and what I have called the "the prophetic reading" of time.

Let me start by discussing the distinction I make between conjunctural reform and cyclical reform. Scholars have shown that the Burmese state was progressively strengthened by successive administrative and political reforms from the seventeenth century onwards.³ These reform programs, which I refer to as conjunctural reforms, were responses to contextual changes. But they were not conceived as such by the Burmese elites, at least not before the 1860s. In fact, the Burmese concept of reform was radically different from the Western one, linked as it is to the notions of modernization and progress since the age of Enlightenment. The action of reform,

² Myo Myint, "The Politics of Survival in Burma: Diplomacy and Statecraft in the Reign of King Mindon 1853–1871" (PhD diss., Cornell University, 1987); Jörg Armin Schendel, "The Mandalay Economy: Upper Burma's External Trade, c. 1850–90" (PhD diss., Heidelberg University, 2002); Thant Myint-U, *The Making of Modern Burma* (Cambridge: Cambridge University Press, 2001).

³ Victor B. Lieberman, *Strange Parallels: Southeast Asia in Global Context c. 800–1830*, vol. 1: *Integration on the Mainland* (New York: Cambridge University Press, 2003), "The Political Significance of Religious Wealth in Burmese History: Some Further Thoughts," *Journal of Asian Studies* 39 (1980), and *Burmese Administrative Cycles: Anarchy and Conquest, 1580–1760* (Princeton, NJ: Princeton University Press, 1984); Robert Taylor, *The State in Myanmar* (Singapore: National University of Singapore Press, 2009), 1–66.

Candier Aurore, “Conjuncture and Reform in the Late Konbaung Period: How Prophecies, Omens and Rumors Motivated Political Action from 1866 to 1869,” *The Journal of Burma Studies*, 15(2), 2011, pp. 231-262_postprint 29-9-2011.

which was expressed in Burmese with one or a combination of the verbs *pyu* (to act, to do) and *pyin* (to prepare), did not refer to such ideas as social improvement or a quest for a brighter future. Instead, not unlike the Latin concept *reformare*, *pyu pyin thi* was oriented towards the past and was meant to restore a pristine and ideal order that underwent a period of decline. *Pyu pyin thi* was related to the Buddhist concept of impermanence; a belief that all things are subject to change. *Pyu pyin thi* was also connected to notions, widely found in precolonial South and Southeast Asian political systems, of the regenerative or restorative function of kingship.⁴

One of the king’s duties was to restore the socio-cosmic order, in both its supramundane and worldly dimensions. In the case of precolonial Burma, researchers have found that a variety of royal rituals adapted from India, such as the *muddhābhiśeka* (consecration), the political reorganization of royal servicemen groups, and monastic reforms, all tended to appear at similar points in time during each reign.⁵ I refer to such undertakings that were meant to restore a pristine and ideal order of things, as cyclical reforms.

⁴ On the link between polity, cosmology, and the ritual in South and Southeast Asia, see: Bénédicte Brac de la Perrière, « Le Traité des Apparences du Monde: Analyse des Rituels de la Royauté Birmane d’après un Traité du Dix-Huitième Siècle, » in *Les Apparences du Monde: Royautés Hindoues et Bouddhiques de l’Asie du Sud et du Sud-Est*, eds. Bénédicte Brac de la Perrière and Marie-Louise Reiniche (Paris: EFEO, 2006); Tony Day and Craig J. Reynolds, “Cosmologies, Truth Regimes, and the State in South-East Asia,” *Modern Asian Studies* 34, no. 1 (2000); R. Heine-Geldern, *Conceptions of State and Kingship in Southeast Asia* (Ithaca, NY: Cornell University Press, 1963); Robert Lingat, *Royautés Bouddhiques: Aśoka, la Fonction Royale à Ceylan* (Paris: EHESS, 1989); Stanley Jeyaraja Tambiah, *World Conqueror and World Renouncer: A Study of Buddhism and Polity in Thailand against a Historical Background* (New York: Cambridge University Press, 1976); H. G. Q. Wales, *The Universe around Them: Cosmology and Cosmic Renewal in Indianized Southeast Asia* (London: Probsthain, 1977).

⁵ On political and administrative reforms in precolonial Burma, see: Michael Aung Thwin, “The Role of Sasana Reform in Burmese History: Economic Dimensions of a Religious Purification,” *Journal of Asian Studies* 38.4 (1979); Lieberman, *Strange Parallels*; ———, “Political Significance of Religious Wealth”; ———, *Burmese Administrative Cycles*; Taylor, *The State in Myanmar*; Thant Myint-U, *The Making of Modern Burma*. On monastic reforms, with an emphasis on Bodawphaya’s reign (1782–1819), see: Michael Charney, *Powerful Learning: Buddhist Literati and the Throne in Burma’s Last Dynasty* (Ann Arbor, MI: Center for South and Southeast Asian Studies, University of Michigan, 2006); Alexey Kirichenko, “Changes and Continuity in Burmese Buddhism,,” in *South and Southeast Asian Association*

Candier Aurore, "Conjuncture and Reform in the Late Konbaung Period: How Prophecies, Omens and Rumors Motivated Political Action from 1866 to 1869," *The Journal of Burma Studies*, 15(2), 2011, pp. 231-262_postprint 29-9-2011.

My second point is the strong correlation I see between the implementation of cyclical reforms and what I call the "prophetic reading" of a point in time. According to Buddhist cosmology, worldly affairs are a reflection of the cosmic order, and this explains why prophecies, omens, rumors, and other extraordinary signs were immediately reported to the king and interpreted by experts in the knowledge of worldly matters (*lawki pinnya*).⁶ The fear stirred by inauspicious prophecies, omens, and rumors, as well as the expectations created by auspicious ones, motivated political action during the reign of the Konbaung Dynasty. When these prophetic readings were inauspicious, certain cyclical reforms were carried out in order to restore the socio-cosmic order. When they were particularly unfavorable to the Burmese king, his experts in

for the Study of Culture and Religion Conference (Bangkok 2007); Jacques P. Leider, "Text, Lineage and Tradition in Burma: The Struggle for Norms and Religious Legitimacy under King Bodawphaya (1782–1819)," *Journal of Burma Studies* 9 (2004); Patrick Pranke, "The 'Treatise on the Lineage of Elders' (Vamsadipani): Monastic Reform and the Writing of Buddhist History in Eighteenth-Century Burma" (PhD diss., University of Michigan, 2004). On early Konbaung court rituals, see: Brac de la Perrière, « Le Traité des Apparences du Monde »; Ryuji Okudaira, "Features of the Theravada Buddhist State Structure with Special Reference to the Muddha Beiktheik (Supreme Coronation Ceremony) as Observed by King Badon in Eighteenth Century Myanmar," in *Proceedings of the Two Millennia Conference, Dec. 15–17, 1999* (Yangon: Universities Historical Research Commission, 2000).

⁶ From the Pāli *lokīpaññā*. On prophecies, predictions, and rumors in precolonial Burma and their impact on politics, see: Michael Aung Thwin, "Prophecies, Omens and Dialogue: Tools of the Trade in Burmese Historiography," in *Moral Order and the Question of Change: Essays on Southeast Asian Thought*, eds. David K. Wyatt and Alexander Woodside (New Haven, CT: Yale University Press, 1982); Aurore Candier, "Imagination and Knowledge: Some Comments on Rumours in the Mid-Nineteenth Century Konbaung Court," in *Proceedings of the Traditions of Knowledge in Southeast-Asia Conference, Dec. 17–19, 2003* (Yangon: UHRC, 2004); Alexey Kirichenko, "Living with the Future: Succession of Royal Cities Preserving Sasana and Its Influence on the History of Myanmar and Myanmar Historical Writing," in *Myanmar Historical Commission Conference Proceedings* (Yangon: Universities Historical Research Commission, 2005); Than Tun, "The Influence of Occultism in Burmese History with Special Reference to Bodawphaya's Reign," *Bulletin of the Burma Historical Commission* 1, no. 2 (1960); Tun Aung Chain, "Prophecy and Planets: Forms of Legitimation of the Royal City in Myanmar," in *Proceedings of the Two Millennia Conference, Dec. 15–17, 1999* (Yangon: Universities Historical Research Commission, 2000). For specific discussion of Arakan, see: Jacques P. Leider, "Power, Authority, and Contested Hegemony in Burmese-Myanmar Religion," *Asian Ethnology* 68, no. 2 (2009). For contemporary Burma, see: Jennifer Leehey, "Open Secrets, Hidden Meanings: Censorship, Esoteric Power, and Contested Authority in Urban Burma in the 1990s" (PhD diss., University of Washington, 2010); Keiko Tosa, "The Chicken and the Scorpion: Rumor, Counternarratives, and the Political Uses of Buddhism," in *Burma at the Turn of the Twenty-First Century*, ed. Monique Skidmore (Honolulu: University of Hawai'i Press, 2005).

Candier Aurore, “Conjuncture and Reform in the Late Konbaung Period: How Prophecies, Omens and Rumors Motivated Political Action from 1866 to 1869,” *The Journal of Burma Studies*, 15(2), 2011, pp. 231-262_postprint 29-9-2011.

lawki pinnya would recommend the carrying out of *yadaya*, ritual performances thought to attenuate the pernicious influence of planets and physical elements on the *kamma* of individuals.

The years 1866–1869 are of particular interest in understanding these issues for two reasons. First, 1866 was the year of the major political turning point in King Mindon's reign. Prince Kanaung, leader of the conjunctural reform program after his brother Mindon seized power, was murdered during a *coup d'état* in August. Thereafter, King Mindon himself took charge of both cyclical and conjunctural reforms until changes in the international context in the 1870s put an end to his attempts. Second, these years are particularly well-documented, both in vernacular and western primary sources. Such Burmese written historical sources as the *Konbaungzek Maha Yazawindawgyi* chronicle and administrative literature, including *Hluttaw* (Council of Ministers) records, the royal orders and laws, but also prophetic writings (*thaiksa*), reveal how prophetic information was interpreted and how it influenced political action.⁷ In addition, I have examined English sources, such as journals and the correspondence of the British political agent in Mandalay, together with French sources, including reports from Catholic missionaries – housed at the Archives des Missions étrangères de Paris (Foreign Missions of Paris). These witnesses regularly reported – and deplored – the superstitions and rumors that were influencing political action at the time. Cross-checking these complementary

⁷ Maung Maung Tin, *Konbaungzek Maha Yazawindawgyi* ကုန်းဘောင်ဆက်မဟာရာဇဝင်တော်ကြီး, 3 vols. (Rangoon: Ledi Mandaing Press, 1967 [1905]) (hereafter *KBZ*). *Hluttaw Parabaik ahmat atha ato Kauk Hmat Pon* လွှတ်တော်ပုရပိုက်အမှတ်အသားအတိုးကောက်မှတ်ပုံ, 2 vols. (Rangoon: Government Press, 1901) (hereafter *HP*). Than Tun, ed. *The Royal Orders of Burma, A.D. 1598–1885*, 10 vols. (Kyoto: The Center for Southeast Asian Studies, University of Kyoto, 1986) (hereafter *ROB*). Htun Yee, *Collection of Upade (Laws and Regulations of Myanmar Last Two Kings A.D. 1853–1875*, 4 vols. (Toyohashi: Aichi University, 1999), (hereafter *CU*). The last volume of the *Konbaungzek Maha Yazawindawgyi* chronicle, which covers Mindon Min's reign from 1854 onwards, was written by Maung Maung Tin (1866–1945) after the annexation. Although it cannot be considered as a primary source itself, this account was derived from administrative records, royal orders and memories of former members of the Burmese government. Most of the time, Maung Maung Tin's chronicle narrative is consistent with the primary sources I have examined.

Candier Aurore, “Conjuncture and Reform in the Late Konbaung Period: How Prophecies, Omens and Rumors Motivated Political Action from 1866 to 1869,” *The Journal of Burma Studies*, 15(2), 2011, pp. 231-262_postprint 29-9-2011.

accounts has enabled me to analyze how prophetic readings influenced decision-making and choices for the appropriate type of reform, either cyclical (a reversion to the norm or ideal conditions) – or conjunctural – (creating a new precedent).⁸

The Reforms of 1866–1867: A Response to Inauspicious Prophetic Readings

Predictions based on prophetic writings foretold the king's death during the Burmese year 1228 K.E.⁹ extending from April 1866 to April 1867.¹⁰ The predictions were so dire that Mindon chose to move to a temporary palace in February.¹¹ Relocating to a temporary palace, the place of which was determined through detailed analysis of special worldly knowledge, was generally meant to be a *yadaya*. Several further inauspicious signs between March and July 1866 tended to confirm the prophecy.¹²

Prince Kanaung, heir of the throne and as such, president of the *Hluttaw*, was not at all worried by these predictions. Leading the reformist program started in the early 1860s, Kanaung

⁸ This essay is limited to a short period of time and a few reforms, which were responses to British demands, mostly economical (royal monopolies and custom duties) and judicial (jurisdiction over British subjects). Many other political, religious and financial reforms (the *thathameda* reform for example) were implemented, and I shall deal with some of them in a future article.

⁹ The Burmese calendar is based on the *Kawza* Era (K.E.), which is 638 years behind the Gregorian calendar.

¹⁰ The predictions were based on a comparison of seventeenth-century prophetic writings, from the Brahman Jagaru and the monk Ngayane, and prognosis based on a computation of years (Buddhist Era). About these predictions, see: *Nat sek yaung kein, zagaru kein, thathana kein thon yak taik hsaing chek hpeya* နတ်စက်ရောင်ကိန်း၊ ဇာဂရူကိန်း၊ သာသနာကိန်း၊ ဥရပ် တိုက်ဆိုင်ချက်ဘုရား၊ Kinwun n°217, no date, National Library of Myanmar, Yangon (hereafter Kin. 217); Kirichenko, “Living with the Future,” 13–14; Nigyawda, *Thaiksa Nyun Paung* သိုက်စာညွန့်ပေါင်း (Meiktila: Maung Hla Maung, 1939), 126; Than Tun, “Influence of Occultism in Burmese History,” 118–23. About the specific predictions of 1228 K.E., see also Sladen’s diary, Mandalay, 31-12-1866, Universities Historical Research Center, Microfilm 2 (1-1867) (hereafter UHRC MF); Oliver Pollack, *Empires in Collision: Anglo-Burmese Relations in the Mid-Nineteenth Century* (Westport, CT: Greenwood Press, 1979), 161.

¹¹ *KBZ* 3: 332–33.

¹² *KBZ* 3: 329–30. In March and April, two fires and one cyclone hit the royal city. On July 30, on the eastern part of Mandalay, the clouds became dark red. The day after, this fiery color remained and disappeared only at midnight, followed by a strong monsoon rain and lightnings illuminated the north-eastern sky.

Candier Aurore, "Conjuncture and Reform in the Late Konbaung Period: How Prophecies, Omens and Rumors Motivated Political Action from 1866 to 1869," *The Journal of Burma Studies*, 15(2), 2011, pp. 231-262_postprint 29-9-2011.

also had to comply with the eighth clause of the commercial treaty signed in November 1862 by the chief commissioner of British Burma, Arthur Phayre (1812–1885), and the Burmese Prime Minister, Magwe Mingyi (1796–?).¹³ As in other parts of their informal empire," the British wanted to secure reductions in custom duties through treaties, as was accomplished in Brazil in 1810, Burma in 1826, Turkey in 1838, China in 1842, and Siam in 1855. One of the main objectives of the 1862 treaty with Burma was the abolition of custom duties on both sides of the border – in Thayet on the British side and Malun on the Burmese side. Just after the treaty was signed, the Burmese government sent instructions to Malun custom house officers to collect no more than 5 percent of the value of imported goods and 6 percent on exports. Therefore, Phayre encouraged Calcutta to abolish the duties on the British side of the border, which was done in 1863.¹⁴ However, since the Burmese government took no further steps to abolish their duties, Phayre applied more pressure in 1865. For the first time, he requested the Burmese government to reduce duties to 5 percent on both imported and exported goods.¹⁵ To meet these terms, the *Hluttaw* sent repeated instructions to local officers between May and July 1866. A list of fixed prices and values of goods was submitted, to which Mindon accepted on the condition that the influential monks of the royal city would approve it.¹⁶

But on August 2, 1866, armed men sent by two sons of the king, princes Myingun and Myin Khon Daing, burst into the *Hluttaw* building. They injured several ministers and assassinated Kanaung and three of his sons. From there, the rebels tried to take over the

¹³ *KBZ* 3:304–305; *HP* 1:107; Letter from Bishop Bigandet to the Missions étrangères de Paris, Rangoon, 29-11-1862, Bigandet 435, Archives des Missions étrangères de Paris (hereafter MEP).

¹⁴ *HP* 1:108,110,114. About the custom duties during Mindon's reign, see Schendel, "The Mandalay Economy", 191–96.

¹⁵ Sladen's diary, Mandalay, 27-7-1865; Letter from Nelson Davis to the Government of India, 25-10-1865, UHRC MF 1 (9-1865); Sladen's diary, Mandalay, 30-10-1865, UHRC MF 1 (12-1865).

¹⁶ *CU* 1:114–15, 3:211-213; *CU* 1:118, 3:266–68.

Candier Aurore, "Conjuncture and Reform in the Late Konbaung Period: How Prophecies, Omens and Rumors Motivated Political Action from 1866 to 1869," *The Journal of Burma Studies*, 15(2), 2011, pp. 231-262_postprint 29-9-2011.

temporary palace but were soon defeated by the palace guards.¹⁷ Myingun and Myin Khon Daing had to flee to lower Burma. Meanwhile, sons of Kanaung fled to Shwebo, the royal city renowned for bringing victory to their ancestor Alaungphaya (1752–1760). Under the leadership of Prince Padein, they attacked Mandalay. Certain influential monks of the royal city advised Mindon to abdicate in favor of his nephew so that the people would not suffer from the conflict. But his senior queen, who was very knowledgeable in worldly subjects, predicted a bright future for her husband if he fought for his throne. Following these encouraging prophetic readings, Mindon decided to declare war on Prince Padein, who was defeated in October and arrested on November 2, 1866.¹⁸

Wise counselors saw Kanaung's death as fulfilling the prophecy that had announced the loss of a king in Burmese year 1228.¹⁹ This interpretation can be explained by one of the multiple *yadaya* techniques that are based on a process of substitution. Mindon had to stay in a temporary palace because the main palace held bad portents for him. Thus, with Mindon away, heir-apparent Kanaung could be seen as a real king because he was in charge of the royal city and main palace. In this interpretation Kanaung acted as a substitute for Mindon and died in his place. His body was put in a coffin and displayed in the temporary palace, surrounded by various royal insignia.²⁰ In this way, Mindon departed from his previous life the day his brother died and could re-enter his main palace as a reborn king.

¹⁷ *KBZ* 3:333–37; Thaug Blackmore, "Dilemma of the British Representative to the Burmese Court after the Outbreak of a Palace Revolution in 1866," *Journal of Southeast Asian History* 10 (1969).

¹⁸ *KBZ* 3:343–45, 352, 355; Sladen, "Narrative of events which occurred in the vicinity of Mandalay during the civil war in August, September and October 1866," 31-12-1866, UHRC MF 2 (3-1867); Myo Myint, "Politics of Survival", 125–26. Sladen, the British political agent, left the capital city with other foreign residents six days after the *coup d'état*. He came back together with Phayre in November.

¹⁹ Sladen's diary, Mandalay, 24-12-1866, UHRC MF 2 (1-1867).

²⁰ *KBZ* 3:351.

Candier Aurore, “Conjuncture and Reform in the Late Konbaung Period: How Prophecies, Omens and Rumors Motivated Political Action from 1866 to 1869,” *The Journal of Burma Studies*, 15(2), 2011, pp. 231-262_postprint 29-9-2011.

However, Kanaung's *yadaya* substitution was not enough to calm fears and restore order because the same prophetic texts brought new and alarming predictions for the forthcoming Burmese year (1229 K.E., April 1867 to April 1868): The “dragon king will take the position of the Burmese king.”²¹ According to Burmese understanding, each day of the week is associated with a planet, animal, Burmese letter, and number. The dragon (*naga*), for example, is the animal associated with Saturday. In December 1866, there were rumors circulating in Mandalay that someone whose name started with a “Saturday letter” was going to seize power. Prince Thonze, who happened to be born on a Saturday, was thus seen as a potential challenger to the throne.²² The British, thought of as dragons coming from the sea, were also seen as a serious threat.²³ There were also rumors about Prince Myingun organising Mon troops in Rangoon.²⁴ New plots were discovered within the royal city as well.²⁵

Mindon had to implement cyclical reforms to restore order and as the reborn king,” he performed rituals that were normally performed when a new king ascends to power. One of the first measures a new king was supposed to undertake was to request an oath of allegiance from

²¹ Kin. 217, year 1229 K.E., National Library of Myanmar; Nigyawda, *Thaiksa Nyun Paung* သိုက်စာညွန့်ပေါင်း, 126.

²² *KBZ* 3:307-308; *HP* 1:109; Letter from Phayre to Durand, Rangoon, 4-5-1863, 10-6-1863; Letter from Durand to Phayre, 18-7-1863, UHRC MF 1 (7-1863). Prince Thonze, son of Mindon, wanted to become his heir-apparent. Being pressured by Kanaung, he fled to the British territories in March 1863. However, the British surrendered him in July.

²³ Sladen's diary, Mandalay, 31-12-1866, UHRC MF 2 (1-1867). Although I do not find the association British/*naga* in the Burmese primary sources I have examined so far, I am convinced it already existed during Mindon's reign. A *thaiksa* called *hpeya thaik*, copied in 1858, mentions a water *naga* king (Saturday) defeating a lion king (Tuesday). *Hpeya thaik* ဘုရားသိုက် Taungdwingyi n°855, 1220 (1858), f. ကူး-ဝမ်း, National Library of Myanmar. This association British/*naga* started to influence the writing of new *thaiksa* and became a real legend by the end of the nineteenth century, see for example Paw Oo, *Buddha Yaza Min Setkya Thaik* ဗုဒ္ဓရာဇမင်းစကြာသိုက် (Yangon: Miba metta, 1955), 17–18.

²⁴ Sladen's diary, Mandalay, 24-12-1866, UHRC MF 2 (1-1867).

²⁵ *KBZ* 3:353; Sladen's diary, Mandalay, 23-12-1866, UHRC MF 2 (1-1867). Princes Nyaungyan and Nyaung Ok, sons of Mindon, fled on December 11. They were arrested, but their father forgave them. Again, on December 23, two other princes were accused of plotting. Prince Minhla was forgiven, but Prince Hlaing Det was executed with his family. This was the first capital execution pronounced by King Mindon.

Candier Aurore, “Conjuncture and Reform in the Late Konbaung Period: How Prophecies, Omens and Rumors Motivated Political Action from 1866 to 1869,” *The Journal of Burma Studies*, 15(2), 2011, pp. 231-262_postprint 29-9-2011.

all of his subordinates, service men (*amhudan*), male members of the royal family and dignitaries (*minnyi mintha hmudaw mattaw*), governors (*myowun*), local chiefs (*thugyi*), and Shan tributaries (*shan sawbwa myoza*). Mindon imposed the oath of allegiance and rewarded some of his subordinates with new titles, privileges, positions, and offices between November and December 1867.²⁶ By rewarding them according to their merits, Mindon followed the third of the “ten kingly duties” (*yaza dhamma hse ba*), which were rules of conduct integrated into the Burmese norm of kingship during the seventeenth century.²⁷ Abiding by essential laws of righteous kings, Mindon began to restore an ideal social order and, along with it, the cosmic order.

Mindon had to adapt these reforms to a specific sociopolitical context while taking into account the British presence in lower Burma. The records from British Burma reported that subjects of the Burmese king were fleeing into British Burma because they were unhappy with the socio-economic conditions in upper Burma.. The truth of these reports remains an object of scholarly debate, but they no doubt nurtured rumors that continued to circulate in both Burmese and British territories.²⁸ These alarming reports were interpreted by the Burmese government through its own political conception. Similar to the ten *yaza dhamma*, there were also a set of seven laws thought to maintain the prosperity of the country (*aparihāniya*) that had been part of

²⁶ *ROB* 9:129/633-635; *KBZ* 3:350; Sladen's diary, Mandalay, 31-12-1866, UHRC MF 2 (1-1867).

²⁷ The set of ten is found in such early *nīti* literature as the *Dhammanīti*, see: *Dhammanīti Pāli Nissaya* ဓမ္မနိတိပါလိနိဿယ (Rangoon: Hanthawaddy, 1928); James Gray, ed. *Ancient Proverbs and Maxims from the Burmese Sources: The Nīti Literature of Burma* (London: Trubner & Co.,1886), 92–95.; *Dhammanīti kyan nissaya* ဓမ္မနိတိကျမ်းနိဿယ, Bernard n°861, copy from 1227 (1865), f. ပါ-ဝင်း/၄-ကျော်။ National Library of Myanmar. On the norm of kingship in precolonial Burma, see: Aurore Candier, “A Norm of Burmese Kingship? The Concept of Raza-Dhamma Through Five Konbaung Period Texts,” *The Journal of Burma Studies* 11 (2007); Ryuji Okudaira, “Political Ideas of Eighteenth Century Myanmar, as Seen in the Manugye Dhammathat.,” in *Proceedings of the Texts and Contexts in South-East Asia Conference, Dec. 12–14, 2001* (Yangon: Universities Historical Research Commission, 2003); Ryuji Okudaira and Andrew Huxley, “A Burmese Tract on Kingship: Political Theory in the 1782 Manuscripts of Manugye,” *Bulletin of SOAS* 64 (2001).

²⁸ Schendel shows that these statistics, based on seasonal migration, were biased. Schendel, “The Mandalay Economy,” 63–69. On this subject, see also Myo Myint, “Politics of Survival,” 220–21, 56 256? ; Pollack, *Empires in Collision*, 123, 43; Thant Myint-U, *The Making of Modern Burma*, 176.

Candier Aurore, “Conjuncture and Reform in the Late Konbaung Period: How Prophecies, Omens and Rumors Motivated Political Action from 1866 to 1869,” *The Journal of Burma Studies*, 15(2), 2011, pp. 231-262_postprint 29-9-2011.

the Burmese norm of kingship since the seventeenth century. The third law stated that a righteous king should follow the prescriptions of his ancestors. If non-customary taxes or punishment were enacted, for instance, the population would flee, hide in the jungle and associate with criminals. Many taxpayers would be lost, the finances would be affected and the king would not be able to pay his troops, and the defensive capacities of the kingdom would thus be weakened. To avoid these dire consequences, Mindon’s only option was one of leniency. He declared a general amnesty – no one, even those suspected of being involved in the *coup d’etat* of August 1866, would be arrested.²⁹ In doing so, Mindon respected not only the third *a-parihāniya*, but also the last three of the ten *yaza dhamma*: non-violence (*avihimsa*), tolerance (*khanti*) and non-obstruction (*a-virodhana*).

In addition to these cyclical reforms, the Burmese government implemented conjunctural reforms inspired by the political and administrative system of British Burma. The British considered the control of weapons as the only efficient way to control criminality. This, especially, became an issue in the early stages of Anglo-Burmese relations as a result of the many *dacoits* attacks that took place along the border between the two territories. In the early 1860s, Kanaung’s government began to borrow ideas from regulations recently enacted in British India by the governor general and also from certain acts of the British parliament that extended to British India. As a result, several laws (*upade*) were drafted by the *Hluttaw*.³⁰ The Arms Act XXXI, enacted in British India in 1860 to limit the manufacture, trade, and circulation of weapons in British India, had an impact on the drafting of the first *upade* for the control of

²⁹ *ROB* 9:128/632-633. With the exception of Prince Kye Min, a son of Kanaung who fought with Padein and could not be arrested.

³⁰ On the definition of *upade*, see: *CU* 1:1-4, 84; Tin, *Myanmar Min Ok Chok Pon Sadan* မြန်မာမင်းအုပ်ချုပ်စာတမ်း, 5 vols. (Rangoon: Ministry of Culture, 1963 [1928]), 4:489-91, 178-91.

Candier Aurore, "Conjuncture and Reform in the Late Konbaung Period: How Prophecies, Omens and Rumors Motivated Political Action from 1866 to 1869," *The Journal of Burma Studies*, 15(2), 2011, pp. 231-262_postprint 29-9-2011.

criminal activity in 1864.³¹ To avoid a new *coup d'état* in the royal city and to reduce criminal activity in the provinces, Mindon ordered a massive confiscation of guns, swords, and spears throughout the kingdom and a list of the confiscated weapons was to be submitted to the *Hluttaw*. Policemen, who were entitled to carry a weapon, had to take an oath of allegiance. Sladen, the British political agent, was also requested to submit a list of the weapons belonging to the subjects under his jurisdiction.³²

The broader question of weapons control was also related to debates on British attempts to limit the import of guns to upper Burma. During his visit to Mandalay in 1866, Phayre saw firsthand the efforts made by the Burmese government to control weapons and criminal activity. He understood that king Mindon had been weakened by the recent *coup d'état* and took advantage of the opportunity to offer a clause allowing the import of weapons as an incentive to sign a new commercial treaty.³³ The treaty's four main objectives were: 1) Lower custom duties on all imported and exported goods to 5 percent; 2) Abolish royal commercial monopolies; 3) Provide the British political agent jurisdiction over all cases involving British subjects (European, Eurasian or Asian) residing or traveling in the Burmese kingdom; and 4) Surrender any criminals who fled from British Burma to Mindon's territories.

I will focus our attention here on the first and third points of the treaty.³⁴ With regard to lowering the custom duties on all imported and exported goods, Phayre had to deal with the Pakhan Mingyi (1812–1873), a former spiritual advisor to Mindon who replaced Magwe

³¹ On problems related to the extension of the Arms Act to British Burma, see Memorandum of Merchants from Moulmein to Hopkins, 29-10-1860, UHRC MF 1 (4-1862). For the text of the 1864 *upade*, see *CU* 3:57-60; *ROB* 9:121–22/618–19.

³² *KBZ* 3:352; Sladen's diary, Mandalay, 17-12-1866, UHRC MF 2 (1-1867).

³³ Letter from Phayre to the Government of India, 10-12-1866, UHRC MF 2 (1-1867).

³⁴ On commercial monopolies, see Schendel, "The Mandalay Economy," 252–64.

Candier Aurore, “Conjuncture and Reform in the Late Konbaung Period: How Prophecies, Omens and Rumors Motivated Political Action from 1866 to 1869,” *The Journal of Burma Studies*, 15(2), 2011, pp. 231-262_postprint 29-9-2011.

Myingyi as the prime minister after the *coup d'etat*.³⁵ On the basis of the chief commissioner's proposal, Pakhan drafted a new treaty in nine articles in November 1866 in which he threw out most of Phayre's proposals on judicial issues and declared that the proposal for a 5 percent customs rate would not be implemented until 1870.³⁶ Phayre insisted that his original proposal be accepted and before leaving for Rangoon in December, threatened Pakhan that if the 5 percent customs rate on imported and exported goods was not accepted, the British government would re-establish the custom duties on their side of the frontier.³⁷

Fear created by the inauspicious prophetic reading in early 1867 expedited Phayre's objective of a five percent customs rate as well as his desire to provide British jurisdiction over all British subjects residing in the Burmese kingdom. On January 19, people observed a meteor flying above Mandalay.³⁸ Panic overtook the royal city; rumors about the British “nagas” prophecy abounded. By January 21, everyone was convinced that the meteor was a sign the British would soon invade. Sladen mentions in his diary that on this particular day the king gave several orders to answer the proposal for a 5 percent customs rate. Three days later, the king gave the order to banish anybody who went against Sladen's verdict in all civil affairs concerning British subjects.³⁹ On January 28, a special committee gathered, composed of the king's seven most influential political counselors and the eight most influential monks of the royal city. The committee had the responsibility of drafting an entirely new code of regulations

³⁵ Although Magwe Myingyi had been accused of supporting Prince Padein, he was still a minister. However, he gradually lost his influence after the *coup d'état*.

³⁶ *Sachok ya dwin engleik min do ga pyin lo thi sega ko chek* စာချုပ်ရာတွင် အင်္ဂလိပ်မင်းတို့က ပြင်လိုသည့်စကား ငြချက်။ Kinwun n°692, no date, National Library of Myanmar (hereafter Kin. 692); *HP* 1:141–42. This manuscript is not the original proposal of Pakhan (29-11-1866), but apparently the project presented to the new chief commissioner Fytche in June 1867, based on the original proposal of Pakhan.

³⁷ *HP* 1:143.

³⁸ *KBZ* 3:353.

³⁹ Sladen's diary, Mandalay, 21-1-1867, UHRC MF 2 (1-1867).

Candier Aurore, "Conjuncture and Reform in the Late Konbaung Period: How Prophecies, Omens and Rumors Motivated Political Action from 1866 to 1869," *The Journal of Burma Studies*, 15(2), 2011, pp. 231-262_postprint 29-9-2011.

that would affect the general administration of the country.⁴⁰ Pakhan Mingyi was aware that a further reduction of the custom duties would dramatically affect the administrative system, as these duties were partly consumed by crown-allotted appanage holders (*myoza*) and served as payment for local officers, such as *yeiwun* in ports and *kinwun* on inland guard posts.

Phayre again made use of inauspicious prophetic readings to apply more pressure on the Burmese government that would eventually bring about reform essential for implementing further reduction of custom duties. On February 19, rumors circulating in Mandalay spoke of an alliance between Prince Myingun and the British. According to the rumors, the British wanted to send the prince to take over upper Burma as a form of sanction because Mindon had not yet signed Phayre's treaty.⁴¹ In truth, Myingun fled from Rangoon to the Shan states together with Prince Kyaukpadaung two days later.⁴² Phayre chose this moment to threaten the Burmese government that the British would re-establish duties on their side of the border.⁴³ On February 24, the king ordered his government to take measures against those who would not abide by the *upade* against corruption and bribes, which was enacted as early as 1864 to complement the reorganisation of the taxation system and the dismantlement of the *myoza* system.⁴⁴

Fytche, Phayre's successor to the post of chief commissioner, followed the same strategy. On March 11, the British authorities in Rangoon were informed that local chiefs of Toungoo

⁴⁰ Sladen's diary, Mandalay, 28-1-1867, UHRC MF 2 (1-1867).

⁴¹ Sladen's diary, Mandalay, 19-2-1867, UHRC MF 2 (5-1867).

⁴² Letter from Nelson Davis to the Government of India, Rangoon, 21-2-1867, UHRC MF 2, (3-1867). Prince Myin Khon Daing stayed in Rangoon under the supervision of the French bishop Paul-Ambroise Bigandet.

⁴³ *HP* 1:145.

⁴⁴ *ROB* 9:129/636. The *upade* is from 1869 according to Than Tun *ROB* 9:156–57/695–98 and from 1864 according to Htun Yee *CU* 4:133-35, which last one is consistent with my own research.

Candier Aurore, "Conjuncture and Reform in the Late Konbaung Period: How Prophecies, Omens and Rumors Motivated Political Action from 1866 to 1869," *The Journal of Burma Studies*, 15(2), 2011, pp. 231-262_postprint 29-9-2011.

district had rallied behind Prince Myingun.⁴⁵ By the end of the month, there were reports in Mandalay announcing an alliance between Myingun and two of the most powerful West Karenni chiefs, Kye Bo Gyi and Kye Bo Galay.⁴⁶ Moreover, the paddy harvest was very bad in upper Burma and coincided with a series of calamities in April.⁴⁷ This combination of famine and natural disasters encouraged criminal activity, especially along the border. British reports of robberies were so alarming that the king ordered a secret investigation.⁴⁸ Exactly four days after a violent cyclone had destroyed the north-eastern wing of the Mandalay palace on April 10, Sladen seized the opportunity to present a letter from the governor general Sir John Laird Mair Lawrence (1864–1869) threatening the Burmese government with a re-establishment of the custom duties in British Burma.⁴⁹

Fytche and Sladen's strategy proved effective. At the turn of the Burmese new year 1229 K.E. (April 15, 1867), Mindon chose to comply with two of the four main objectives of Phayre's treaty, i.e., the reduction of custom duties to 5 percent and the abolition of royal commercial monopolies. Tax collectors were summoned to submit a list of fixed prices and an account of the types and amounts of inland duties collected for the year⁵⁰. By royal order, Mindon ordered import duties to be reduced to 5 percent for a period of ten years on items that

⁴⁵ Letter from Fytche to the Government of India, Rangoon, 11-3-1867, UHRC MF 2 (3-1867). Prince Myin Khon Daing was arrested and sent to the Andaman Islands on the 25th of March.

⁴⁶ *HP* 1:148. Kye Bo Gyi, also called Ke Lya, is a town from Loikaw division, in the northern Kaya state – which is more or less what the British used to call the "Western Karenni" state.

⁴⁷ *KBZ* 3:354; Sladen's diary, Mandalay, 4-3-1867, 11-4-1867, UHRC MF 2 (5-1867). On the 10th, a cyclone destroyed the north-eastern wing of the palace; many boats sank on the Irrawaddy, many trees fell down and summer crops were damaged. Ten days later, the gunpowder reserve exploded, causing a fire in the royal city.

⁴⁸ *HP* 1:147-148, 151; Sladen's diary, Mandalay, 2-4-1867, UHRC MF 2 (5-1867).

⁴⁹ Sladen's diary, Mandalay, 14-4-1867, UHRC MF 2 (5-1867).

⁵⁰ *CU* 3:207-210.

Candier Aurore, "Conjuncture and Reform in the Late Konbaung Period: How Prophecies, Omens and Rumors Motivated Political Action from 1866 to 1869," *The Journal of Burma Studies*, 15(2), 2011, pp. 231-262_postprint 29-9-2011.

were not "royal properties" (*bandadaw*), which meant everything but precious stones, petrol, and timber, while the export taxes of 6 percent were reduced to 1 percent.⁵¹

However, rumors about an alliance between Prince Myingun and the British were gaining momentum in Mandalay between May and September 1867.⁵² These critical prophetic readings called for more reforms. In response, the "Kanaung *yadaya*," the rituals surrounding Kanaung's death as a substitute for Mindon's, was completed on June 6. Since August 4, 1866, the coffin containing the corpse of Kanaung had been displayed in the middle of the temporary palace, and a royal funeral was finally performed nearly a year later. Officers of the *Hluttaw* put the coffin in the tomb, in front of which a brick throne was built. A statue of the Buddha Sandamuni was placed on the throne which was then enshrined in a pagoda. Kanaung, thought to have possessed all the attributes of a true *dhamma yaza* (King of the Law), died as such and therefore deserved a proper royal obituary in the chronicle *Konbaungzet Maha Yazawindawgyi*. His obituary enumerates his title, *Thiri Pawara Maha Dhamma Yaza*, his dates of birth and death, the number of years he enjoyed the luxury of being a vice-king, and a list of his works of

⁵¹ Mindon's order employed the term "royal properties" (*bandadaw*), which was not the exact equivalent of what the English understood by royal monopoly (exclusivity given to royal agents to buy or sell certain goods). The term royal monopoly was translated by *kondaw* or "royal merchandises." The use of different terms would lead to future debates.

CU 1:115–16;3:214–15; Letter from Fytche to the Government of India, Rangoon, 2-5-1867, UHRC MF 2 (5-1867). Exports duties of 2.5 percent and 3 percent rates were not reduced. Different inland duties on tea and derived items had to be collected only once in the royal city region and with a 5 percent rate. Other inland duties on oil, medicine, palm sugar and goods carried on foot from the Shan states, were collected only once with a 4.5 percent rate. Rate on clothes was 2.5 percent.

⁵² On May 9, people were saying that the British permitted Prince Myingun to escape because they supported him. Sladen's diary, Mandalay, 9-5-1867, UHRC, MF 2 (7-1867). On the 15th, there was talk of an impending conspiracy against the king. On June 4, reports informed Mandalay of the presence of Myingun in Moby (Mong Pai) on the British side of the border [Sladen's diary, Mandalay, 4-6-1867, UHRC, MF 2 (7-1867)]. Three thousand Burmese troops were then sent to Segga (south of Inle lake) to fight against the alleged coalition between Myingun and the Karens [*KBZ* 3:362]. In September, Mandalay accused princes Myingun and Nyaungyan of gathering forces in lower Burma to launch an attack on the Burmese side of the border (*HP* 1:168).

Candier Aurore, "Conjuncture and Reform in the Late Konbaung Period: How Prophecies, Omens and Rumors Motivated Political Action from 1866 to 1869," *The Journal of Burma Studies*, 15(2), 2011, pp. 231-262_postprint 29-9-2011.

merits as well as those of his queens, and children.⁵³ This type of obituary was normally reserved for kings in the chronicles, and Kanaung's inclusion indicated that the rituals of the process of substitution had endowed him with the marks of a real king.⁵⁴

In addition to this cyclical reform, Mindon implemented conjunctural reforms. On May 10, he proposed to the governor general to let the *chargés d'affaires* (*eyei baing*) revise the thirteen articles of Phayre's treaty proposal of October 1866.⁵⁵ Prime Minister Pakhan developed the nine articles of his counter-proposal (from November 1866) and submitted this new draft to Fytche in June.⁵⁶ On June 8, the king also informed Sladen that Maung Thaug Bo, a special police officer, had been sent to collaborate with the British police forces on the border.⁵⁷ On July 25, Sladen received confirmation of his jurisdiction over civil cases arising between British subjects. Beyond his earlier order, Mindon now declared that Sladen's verdict was final, without any possibility of appeal to the *Hluttaw*.⁵⁸

The critical prophetic reading also led Mindon to resume negotiations of the commercial treaty with the British. Modified several times between July and August to comply with Fytche's requests, Pakhan's treaty proposal was finally accepted by Mindon in September. Fytche went to Mandalay to sign the treaty on October 25, together with the additional agreement which

⁵³ *KBZ* 3:356–61.

⁵⁴ There is another heir of the throne who deserved this kind of obituary: Prince Shwedaung, son and heir-apparent of King Bodawphaya (1782–1819), who died in 1809. This event is covered by the so-called *Glass palace chronicle* (*Hmannan Maha Yazawindawgyi*) and included in the second volume of the *KBZ* 2:168–73.

⁵⁵ *HP* 1:151.

⁵⁶ Kin. 692, National Library of Myanmar, is a draft of the proposal.

⁵⁷ Sladen's diary, Mandalay, 8-6-1867, UHRC MF 2, (8-1867). The officer was posted in Shahzebo, the dacoits *rendezvous*. In August, Burmese governors from the border districts sent lists of *dacoits* and reported that Taungdwingyi and Myeide areas had been pacified.

⁵⁸ Sladen's diary, Mandalay, 25-7-1867, UHRC MF 2 (8-1867); *HP* 1:154/166–67.

Candier Aurore, "Conjuncture and Reform in the Late Konbaung Period: How Prophecies, Omens and Rumors Motivated Political Action from 1866 to 1869," *The Journal of Burma Studies*, 15(2), 2011, pp. 231-262_postprint 29-9-2011.

authorized Mandalay to import firearms.⁵⁹ After the signature of the treaty, rumors about Prince Myingun entering into a coalition with the British ceased and the diplomatic relationships became less strained. Two days later, the king even gave permission for Sladen to explore the road to Tali on the Chinese side of the border with Yunnan.⁶⁰ On December 27, for the first time in Burmese history, a treaty was ratified by royal order.⁶¹

The Judicial Reform of 1868-1869: Prophetic Readings Prove Less Effective

Although there are many instances that articulate the interactions between reforms and prophetic readings of the time, I would like to examine just one: The creation of new judicial institutions in Mandalay --- the mixed court and the British political agent's civil court. After Mindon gave Sladen full and final jurisdiction on civil cases between British subjects in July 1867, only two important judicial issues remained before the treaty was signed. First was the jurisdiction over criminal cases between British subjects. The second was the jurisdiction over cases involving both British and Burmese subjects. No compromise could be found on the criminal jurisdiction, which forced the issues of Burmese sovereignty and the rights and protection of British nationals in a foreign land. However, the institution of a mixed court was found to be the best compromise to cope with the civil jurisdiction. The mixed court implied that

⁵⁹ *HP* 1:154,158; *KBZ* 3:363; Letter from Fytche to the Government of India, 26-10-1867, 1-2-1868, UHRC MF 2 (4-1868).

⁶⁰ Letter from Fytche to the Government of India, Rangoon, 11-11-1867, UHRC MF 2 (2-1868); *HP* 1:157. This expedition was financed by the Rangoon Chamber of Commerce, as a response to the recent expedition of the French officers Doudart de Lagrée and Francis Garnier on the Mekong River.

⁶¹ Letter from Fytche to the Government of India, Rangoon, 1-2-1868, UHRC MF 2 (4-1868).

Candier Aurore, "Conjuncture and Reform in the Late Konbaung Period: How Prophecies, Omens and Rumors Motivated Political Action from 1866 to 1869," *The Journal of Burma Studies*, 15(2), 2011, pp. 231-262_postprint 29-9-2011.

the British political agent would sit together with a local officer to judge civil cases involving both Burmese and British subjects.⁶²

The interpretation of the fifth article of Fytche's treaty that dealt with both the jurisdiction of the political agent on civil cases between British subjects and the mixed jurisdiction on civil cases involving British and Burmese subjects became a contested issue. A translation of the Burmese, followed by the official English version, provides insight into the discrepancies:

After the English king has established a *chargé d'affaires* (*eyei baing eya shi*) in the territory (*naing ngan*) of the Myanmar king, civil suits arising between registered subjects of the English king must be decided by the *chargé d'affaires*. His verdict will be final. For civil suits arising between subjects of the Burmese king and registered subjects of the English king, a suitable Myanmar dignitary and the *chargé d'affaires* will sit and decide together. Their verdict will be final. If the Myanmar king wishes to establish a *chargé d'affaire* in the territory of the English king, he may do so at the time he wishes.⁶³

English version:

The British government is hereby privileged to establish a Resident or Political Agent in Burmese territory, with full and final jurisdiction in all civil suits, arising between registered British subjects at the capital. Civil cases between Burmese subjects and registered British subjects shall be heard and finally decided by a

⁶² Letter from Fytche to the Government of India, Mandalay, 26-10-1867, UHRC MF 4 (2-1868).

⁶³ *Htaung hne ya hne hse ko hku hnit chok sachok hse thon chek hpeya*. ဘုရားရှင်၏အမိန့် ဘုရားရှင်၏။ Kinwun n°695, 1867, National Library of Myanmar; *HP* 1:158. Translations from the Burmese are mine unless otherwise stated.

Candier Aurore, "Conjuncture and Reform in the Late Konbaung Period: How Prophecies, Omens and Rumors Motivated Political Action from 1866 to 1869," *The Journal of Burma Studies*, 15(2), 2011, pp. 231-262_postprint 29-9-2011.

Mixed Court, composed of the British Political Agent and a suitable Burmese officer of high rank. The Burmese government reserves to itself the right of establishing a Resident or Political Agent in British territory, whenever it may choose to do so.⁶⁴

While the Burmese version did not mention any new judicial institution, the British version implied the establishment of both the political agent's civil court and the mixed court. Thus, according to Act I of 1863, which extended the Indian code of civil procedure to British Burma, Calcutta promoted Sladen to the rank of "Political Agent with full and final jurisdiction on all civil suits arising between registered British subjects" on April 28, 1868.⁶⁵ A June 6 notification announced Sladen's new title as "Political Agent in the court of Mandalay."⁶⁶ By August 12, a notification was issued granting Sladen authority to open his own civil court and use the Indian code of civil procedure.⁶⁷

Sladen's first task, then, having just returned from his failed expedition to Tali in September 1868, was to open his civil court in Mandalay.⁶⁸ But Pakhan Mingyi objected that the treaty did not provide Sladen the right to open a court under the authority of the governor general. To undermine Pakhan's authority, Sladen used the privileged relationship that he had

⁶⁴ C. B. Cooke, *The British Burma Manual*, 2 vols. (Calcutta: Thacker, Spink and Co., 1879), 1:19–22.

⁶⁵ The code of criminal procedure was enacted in 1861 in British India and the code of civil procedure in 1859 (extended in 1863 to British Burma). On this subject, see: Ba Han, *A Legal History of India and Burma* (Rangoon: A. M. A. K. Press, 1952), 105; Cooke, *The British Burma Manual*, 23–24.

⁶⁶ Letter from Fytche to the Government of India, Rangoon, 12-10-1867, UHRC MF 4 (2-1868); Letter from Fytche to the Government of India, Rangoon, 13-3-1868, UHRC MF 4 (3-1868); Notification from the Government of India, 3-6-1868, UHRC MF 4 (6-1868); Letter from Fytche to the Government of India, 25-6-1868, UHRC MF 4 (8-1868).

⁶⁷ Letter from Fytche to the Government of India, Rangoon, 20-11-1868; Reply from the Government of India 14-12-1868, UHRC MF 5 (1-1869).

⁶⁸ Letter from Sladen to Fytche, Bhamo, 5-9-1868, UHRC MF 4 (10-1868). The expedition left Mandalay in January 1868, but was stopped on the road to Tali because of the conflict between the Yunnanese Muslims (Panthays) and the Chinese authorities. Letter from Sladen to Fytche, Pongsee, 16-3-1868, 24-4-1868, UHRC MF 4 (6-1868).

Candier Aurore, "Conjuncture and Reform in the Late Konbaung Period: How Prophecies, Omens and Rumors Motivated Political Action from 1866 to 1869," *The Journal of Burma Studies*, 15(2), 2011, pp. 231-262_postprint 29-9-2011.

established with Mindon. In February 1869, he even received permission to address his petitions directly to the king, thus allowing him to bypass the intercession of the ministers.⁶⁹

At first, Sladen's strategy proved to be the right one, but Pakhan soon employed a strong anti-British prophetic reading of 1868–1869 to resist Sladen. Indeed, the predictions for 1230 K.E. (April 1868–April 1869) were positive for Mindon: He was meant to "establish friendship with the surrounding countries,"⁷⁰ This was read to mean his tributaries, which, in Burmese political thought, included British Burma. From January to August 1868, appearances of auspicious signs helped to make Mindon confident in his role as *dhamma yaza* and universal king (*setkya min*).⁷¹ As early as September 1868, Mindon had rumors spread in Mandalay to tarnish the reputation of Sladen. Such gossip revived the rumors that blamed him for contracting alliances with Chinese officers and Kachin chiefs during his expedition to Yunnan.⁷² Sladen was also suspected of having paid local women to become his wives.⁷³

These rumors had a particularly strong impact on people's minds in the beginning of April 1869 as the new year (April 15, 1869) was approaching. As a matter of fact, the predictions for 1231 K.E. (April 1869–April 1870) were particularly inauspicious for the British. According to the prophetic writings, the *kamma* of the population of Ramañña (lower Burma)

⁶⁹ Letter from Sladen to Fytche, Mandalay, 10-2-1869, UHRC MF 5 (7-1869).

⁷⁰ Kin. 217, year 1230 K.E., National Library of Myanmar; Nigyawda, *Thaiksa Nyun Paung သိုက်စာညွန့်ပေါင်း*, 126.

⁷¹ In January 1868, three monks from Ceylon brought relics for the king and went back four months later together with a Burmese delegation in charge of bringing a copy of the tooth-relic (*KBZ* 3:365; *HP* 1:174–75). In February 1868, several Shan *sawbwa* came to give Mindon a tribute. The *sawbwa* of Maing Naung (Mong Nawng, Southern Shan state) offered him a special horse (*myin setkya*) and spear (*hlan setkya*), two of the seven attributes of a universal king (*KBZ* 3:366). Prince Myingun was arrested by the British in August and sent first to Calcutta and later to the Andaman islands. Telegram from Fytche to the Government of India, UHRC MF 4, (8-1868); Letter from the Government of India to Fytche, Calcutta, 3-12-1868, UHRC MF 5 (1-1869); *KBZ* 3:370; *HP* 1:180.

⁷² Letter from Sladen to Fytche, Bhamo, 5-9-1868, UHRC MF 4 (10-1868).

⁷³ *HP* 1:194-195..

Candier Aurore, “Conjuncture and Reform in the Late Konbaung Period: How Prophecies, Omens and Rumors Motivated Political Action from 1866 to 1869,” *The Journal of Burma Studies*, 15(2), 2011, pp. 231-262_postprint 29-9-2011.

was going to fall into a state of decline.⁷⁴ Mindon, who anticipated anti-British demonstrations in the royal city, warned Sladen that he should not open his civil court before the royal hair-washing ceremony (*thingyan khawdaw*), the most important ritual of the new year. But the political agent did not stop his preparations and kept ordering printed papers, forms, registers, seals, and stamps from Calcutta. Moreover, he put up notices on the royal city walls to invite all British subjects to come and register at the residency. The reaction was typical of a pre-crisis situation: One notice was torn down and only a few British subjects showed up for the registration, while the rest were afraid of losing the protection of Mindon.⁷⁵

The news reached British Burma and India, and eventually London where the Minister for Foreign Affairs contacted Fytche demanding an explanation. Warned by London, Fytche instructed Sladen to respect the decisions of the *Hluttaw* so as to avoid jealousy and hatred.⁷⁶ But the anti-British atmosphere was far too strong in Mandalay, and in May and June 1869, rumors again began to spread reporting that the power of the foreigners would decline while Mindon's would be at its zenith allowing him to reclaim his lost provinces. There were also rumors that the king would take oppressive measures against British subjects residing in the royal city and that troops were already deployed along the Irrawaddy River. Anti-British songs were heard during theater presentations (*zatpwe*).⁷⁷ According to other hearsay, the Naga, a tribe living on the border between Burma and Manipur, were ready to attack the British territories.⁷⁸

⁷⁴ Kin. 217, year 1231 K.E. National Library of Myanmar; Nigayawda, *Thaiksa Nyun Paung* သိုက်စာညွန့်ပေါင်း, 126. These prophetic writings being composed in *nissaya* style, the Burmese translation for the Pāli *Ramañña desa* is “Mon country” (*Mon pyi*).

⁷⁵ Sladen's diary, Mandalay, 15-5-1869, UHRC MF 5 (8-1869).

⁷⁶ Sladen's diary, Mandalay, 15-5-1869; telegram from the MOFA to Fytche, London, 10-5-1869, reply from Fytche on the 15-5-1869; letter from Fytche to the Government of India, Rangoon, 13-5-1869, UHRC MF 5 (8-1869); Letter from Nielly to the Minister for Navy, Calcutta, 29-5-1869, *Mémoires et documents Asie*, vol. 50, Ministère des Affaires étrangères, Paris.

⁷⁷ Sladen's diary, Mandalay, 15-5-1869, 24-5-1869, 19-6-1869; 24-6-1869 UHRC MF 5 (8-1869).

⁷⁸ Letter from Sladen to Fytche, Mandalay, 7-6-1869, UHRC MF 5 (8-1869); Letter from Brown to the Government of India, Manipur, 29-7-1869, 17-8-1869, UHRC MF 5 (9-1869). These rumors spread so

Candier Aurore, "Conjuncture and Reform in the Late Konbaung Period: How Prophecies, Omens and Rumors Motivated Political Action from 1866 to 1869," *The Journal of Burma Studies*, 15(2), 2011, pp. 231-262_postprint 29-9-2011.

In this context, only King Mindon could play the role of mediator. On July 3, he summoned Sladen and his ministers for a hearing. Pakhan objected that the treaty did not give Sladen the right to open a court. It only provided him with the possibility to judge (*si ying thi*) and that it should be done in one of the courts of justice of the royal city. But Sladen argued that the Burmese sentence *pyi pyak aung si yin thi*, meaning to give a final verdict, was to be translated in English as "full and final jurisdiction."⁷⁹ On the July 6, Sladen and Pakhan had to draft a project to differentiate the jurisdictions of the mixed court and the political agent's civil court. Sladen wanted all civil cases involving British subjects to be judged in one building while Pakhan wanted a second building to examine lawsuits where the plaintiff was a Burmese subject.⁸⁰ The king finally decided on the July 27 in favor of Sladen. The next day, the regulations of both courts were drafted in a memorandum from the *Hluttaw*. Sharkies Manook, the Armenian dignitary in charge of foreigners (*kalawun*), was appointed Burmese judge to preside with Sladen. From August 1st, Burmese courts of justice were not allowed to receive cases involving registered British subjects.⁸¹

Conclusion

During the years 1866 to 1868, prophetic readings were inauspicious for the Burmese king. This had an effect on both cyclical reforms and conjunctural reforms. After the death of his brother, Mindon was seen as a reborn king, and in accordance with this new status, he implemented

much that in July and August, people from the Manipuri side of the border were expecting an attack from Burma.

⁷⁹ Sladen's diary, Mandalay, 2-7-1869, UHRC MF 5 (8-1869).

⁸⁰ Sladen's diary, Mandalay, 6-7-1869, UHRC MF 5, (8-1869); *HP* 1:208-209.

⁸¹ Sladen's diary, Mandalay, 27-7-1869, 28-7-1869, 30-7-1869; Letter from Fytche to the Government of India, Rangoon, 16-8-1869, UHRC MF 5 (9-1869); *HP* 1:205-206; Cooke, *The British Burma Manual*, 1:22-23.

Candier Aurore, "Conjuncture and Reform in the Late Konbaung Period: How Prophecies, Omens and Rumors Motivated Political Action from 1866 to 1869," *The Journal of Burma Studies*, 15(2), 2011, pp. 231-262_postprint 29-9-2011.

cyclical reforms meant to restore the socio-cosmic order, such as imposing an oath of allegiance upon his subordinates. These cyclical reforms were nevertheless influenced by the conjuncture; as the king feared that his subjects might flee to British Burma, he declared a general amnesty. He implemented conjunctural reforms as well. Some among them were inspired by the administrative system of British Burma: To reinforce the internal security of his kingdom, he disarmed the population and distributed more weapons to police forces. Others were responses to British "informal imperialism": Custom duties were reduced to 5 percent and most of the royal monopolies abolished. In fact, the inauspicious prophetic readings served the objectives of the British, who were not long to realize that they could make good use of the fear stirred by prophecies, omens, and rumors. Between December 1866 and April 1867, when the prophetic readings were particularly unfavorable to the Burmese king, the chief commissioners of British Burma, Phayre, succeeded by Fytche, threatened Mindon no less than three times that they would re-establish the duties on their side of the border. Such bold moves forced the king to comply with their demands on three separate occasions (January 21, April 15, and May 10, 1867).

The judicial clauses of the treaty signed in October 1867 caused much debate. According to the English version, the Burmese government had to open two new judicial courts under the authority of the British political agent. This provision threatened the Burmese ministers' privileges and authority because they lost the jurisdiction in many kinds of trials (and as many occasions to levy judicial fees). Thus, Prime Minister Pakhan Mingyi refused to comply with this request, claiming that the Burmese version of the treaty did not provide for any new judicial institution. To achieve his aim, he made use of the anti-British prophetic readings of 1868-1869, which had helped Mindon restore his self-confidence and the people to believe again in their

Candier Aurore, "Conjuncture and Reform in the Late Konbaung Period: How Prophecies, Omens and Rumors Motivated Political Action from 1866 to 1869," *The Journal of Burma Studies*, 15(2), 2011, pp. 231-262_postprint 29-9-2011.

king's personal power (*hpon kamma*). In this strong position, the king could have chosen to follow his prime minister's strategy and undermine Sladen's position by means of rumors and gossip. Instead, he decided against his minister's suggestions and implemented conjunctural reforms in order to ease diplomatic tensions. Thanks to Mindon, two new judicial institutions were opened in Mandalay --- the British political agent's civil court, with jurisdiction over civil cases arising between British subjects, and the mixed court, with jurisdiction over civil cases involving both British and Burmese subjects. From then on, Mindon took the lead in both types of reforms and regularly decided against his ministers' advice, at least on judicial issues. Moreover, he implemented conjunctural reforms regardless of whether the prophetic readings were auspicious or not. This course of action was radically different from the one followed by his three predecessors, kings Bagyidaw, Tharrawaddy and Pagan, and from the one he had himself adopted when he rose to power in 1853.

Pakhan Mingyi thought Mindon would be discredited in the judgment of history because he introduced foreign laws and institutions.⁸² His prognosis was wrong. In Burmese and British historical sources, as well as in the Burmese tradition and the works of academics, Mindon is regarded as a great *dhamma yaza* and a wise reformist king. He should also be considered as one of the Burmese kings who made the best use of prophetic readings of the time through a clever use of both cyclical and conjunctural reforms.

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⁸² Sladen's diary, Mandalay, 27-7-1869, UHRC MF 5 (9-1869).

Candier Aurore, “Conjuncture and Reform in the Late Konbaung Period: How Prophecies, Omens and Rumors Motivated Political Action from 1866 to 1869,” *The Journal of Burma Studies*, 15(2), 2011, pp. 231-262_postprint 29-9-2011.

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