

The Administrative Activities of King Mindon (1853-1878)

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Abstract

The administration during the reign of King Mindon (1853-1878) is an attempt to deal with administrative, judiciary and taxation of Myanmar kings. In describing the administration of later, Konbaung period, the administrative activities of King Mindon given priority as other king, such as King Bagyidaw (1819-1836), King Tharawaddy (1837-1842) and King Pagann (1843-1852), could make less administrative reforms during their reigns. Therefore, in writing this paper researcher tried to portray the administrative, judiciary activities and taxation with special reference to the contemporary *Hluttaw* records, *A-mein-daw* (Royal Orders) and all the pertinent secondary sources. The former kings of later Konbaung period could not do administrative reforms. It was only in the time of King Mindon who had international knowledge and far-sight that administrative reforms were introduced. However, it was too late to make reforms. King Mindon tried to restore friendly relations and avoid direct military confrontation with the British. Because of his efforts sovereignty of the kingdom could be maintained for over 26 years.

Key words: administration, judiciary and taxation.

Introduction

There were altogether eleven kings who reigned during the Konbaung, dynasty. It was the last dynasty in Myanmar history that lasted for 133 years from A. D. 1752 to A.D. 1885. Among these eleven monarchs, King Mindon was one of the longest reigning monarchs of the Konbaung dynasty. King Mindon ascended the throne on 17 February 1853 and died on 1 October 1878 and his reign lasted for over 25 years. Born in 1814, King Mindon was a younger son of King Tharawaddy by a junior queen, and a great grandson of King Alaungmintaya. He had spent all his youth until aged 23 as a student at the MahaZawtika (Monastic Establishment) at Amapura. King Mindon had to succeed the throne not in a peaceful way. In collaboration with younger brother Prince Kanaung, King Mindon had to seize the throne from his elder brother King Pagan at the time of crisis when Myanmar were suffering defeat in the Second Anglo-Myanmar War on 17 February 1853 (Tin, 2004). When King Mindon came into power, he was at the age of 38 year and thus he became king only at the old age (Tin, 2004). There were many reasons why the reign of King Mindon was so long. One reason may be attributed to his efforts to administrative reforms in the kingdom.

Aim and Objectives

The research paper is an attempt to deal with administrative, judiciary and taxation of Myanmar Kings. In this paper, researcher tried to portray the administrative, judiciary activities and taxation with special reference to the contemporary *Hluttaw* records, Royal Orders and all the pertinent secondary sources.

The Administrative Activities of King Mindon (1853-1878)

At the time when King Mindon ascended the throne, Myanmar was at war with English for the second time and nearly half of the territory of the Myanmar kingdom had already been occupied by the British forces. When King Mindon came to power, his kingdom was economically and politically in a weak position. The first Anglo-Myanmar war which broke out in 1824 forced King Bagyidaw to surrender the coastal region of Rakhine and Tanintharyi to the British. The second Anglo-Myanmar War which broke out during the reign of King Pagan in 1852 also forced Myanmar kingdom to renounce Lower Myanmar up to Myayde to the British. Therefore, when King Mindon ascended the throne, Myanmar kingdom had also the great revenues as well as ample natural resources. The British occupation of Lower Myanmar also caused Myanmar to be a land-locked kindom. Under these conditions, King Mindon realized that it was necessary to make administrative reforms to maintain his throne and sovereignty of his kingdom.

Traditionally, the administrative functions of the Royal Capital under King Mindon were carried out as in the time of former kings by *Hlut-yone-nga-yat* (Five Administrative Organs). These Five Administrative Organs were *Hluttaw* (Supreme administrative organ), *Byèdaik* (Privy Council), *Shay Yone* (Criminal Court), *NaukYone* (Women's Court) and *Taya Yone* (Civil Court). In the central administration, King Mindon made *Hluttaw* the supreme administrative organ which had to manage the administrative affairs of the whole kingdom.

King Mindon tried *Hluttaw* to become the reliable administrative institution during his reign. King

Mindon issued Royal Order on 24 April 1853, and duties and procedures of the officials of the *HlutYoneNgaYat* (Five Administrative Organs) were vividly described not to overlap the duties and responsibilities among the officials of *HlutYoneNgaYat* and to concentrate their respected works (ROB IX, 1989). In the Royal Order, *Hluttaw* Ministers and officials were instructed to serve their duties and responsibilities faithfully and to be free from bribery and corruption (ROB IX, 1989). The royal orders were issued to punish those who failed to perform their duties. Rules and regulations were prescribed to punish *Hluttaw* ministers and officials who failed or unable to perform their administrative functions. It is also found that the punishment prescribed for *Hluttaw* officials were more severe than other servicemen.

King Mindon had been attending the *Hluttaw* since the time when he was a prince. It is known that Crown Prince Kanaung also attended the *Hluttaw* until 1866 (Tin, 1970). If the Crown Prince was absent, a prince or more nominated by the king would preside over the *Hluttaw*. *HlutTak Man: Tha:* (Princess attending the *Hluttaw*) were in fact helping the Crown Prince in his official work. If none of the princes were attending, then only the Senior Ministers would preside over the *Hluttaw*. It was the regular custom that the officials concerned attended the *Hluttaw* twice each day, except the Sabbath day to deliberate on the affairs of state.

Although the king possessed in theory absolute power, King Mindon took the advice of senior officers in making decisions for the important state affairs. *Hluttaw* Ministers and officers were allowed to present their opinion, considerations as to the matters concerning with the interest of the kingdom and people. King Mindon made consultations with *Hluttaw* Ministers, Privy Councilor, and officers in important matters. In appointing vacant posts, he also took the advice of *Hluttaw* Ministers (Tin, 1970).

During the reign of King Mindon, a visible development in administration was the fact that *Hluttaw* ministers were entitled to put forward their views and ideas to the king. The King himself made consultation with *Hluttaw* ministers, and then, after getting their approval, new appointments of administrative posts were confirmed (Tin, 1970).

King Mindon used the ideas of such wise Ministers as U Po Hlaing in implementing the important matters of the kingdom. For example, the conclusion of Commercial Treaty of 1867, the matter over whether the draft Franco-Myanmar Commercial Treaty concluded in 1874 at Paris should be confirmed or not etc. Due to the impetus of Yaw AtwinWun, a commercial treaty with the British was concluded and the result was the development of commerce between the British Burma and Myanmar kingdom and to deter the advance of British forces and restore peace with the British in order to maintain the sovereignty of the kingdom.

As in the reigns of ancient Myanmar kings, provincial administration during King Mindon's reign covered the whole areas of the kingdom apart from the Royal Capital and its adjacent areas. During the reign

of King Mindon, the administrative officers served at the remote areas from the Royal Capital and they were called "Away A-yar- shi" (Administrative officers serving in the provincial areas)" (Tin, 1976).

Among the provincial officials were *Away Myo-Wun, Myo-Ok, Sit-ke, Na-khan, Ye Wun, Akauk Wun, Akhon Wun, Kin Wun, Myo-Thugyi, Taik-Thugyi, Ywa-Thugyi, Pyi-so, Mye-taing, Kye-taing, Se-ain-gaung, Htaung-hmu, Tan-gaung, Taing-gaung, Myin-zi, Myin-gaung, Daing-hmu, Daing-gaung, Thwe-thaukgyi*. In the areas of royal canals and lakes, there were such officials as *Se-wun, Se-kyat, Se-ke, Se-sao* (Than Tun, 1968). In the areas where gold and silver were produced, there were *Shwe-hmu, Shwe-thugyi, Shwe-khon-hmu, Ngwe-khon-hmu, Than-hmu and Thit-se-hmu*. In the jurisdiction of provincial areas, such administrative officers as *Saw-bwa, Kya-maing, Myo-za Amat, Hein, Hta-mon, Kyaut* (Tin, 1976) etc. were appointed in the Shan states, Karen Hmu, Thwethaukgyi, Saw-ke in Karen state, Taung-za, Taung-ok, Chin-ok in Kachin and Chin state (Tin, 1976). The provincial administrative officers were divided into two types: those appointed directly by the king and the hereditary officials. The former included *Myozas* and *Ywazas* and the latter included *MyoThugyi, YwaThugyi, Shwe-khon-hmu, Ngwekhonhmu*, etc (Ba Oo, 1940). *Myo-za* and *Ywa-za* appointed directly by the king. But they were not concerned with the provincial administration, and they had the right to enjoy taxes collected from the towns and villages granted them as fiefs. *Myo-gaing* and *Ywa-gaing* were also appointed to collect the taxes as representatives. *Myoza* and *Ywa* did not live in the areas under their jurisdiction. As the *Myowun* and *Myoza* etc were appointed directly by the king, when they were not in favor with the king, they were likely to be dismissed from their posts together with their ranks and insignia of offices.

In the provincial administration, *Myothugyi, Taikthugyi, Ywathugyi* were hereditary chiefs of the towns and villages. It is known that the officials who administered the towns and villages such as *Myothygyi, Taik-thugyi, and Ywa-thugyi* had been in existence since the Bagan period (Yi Yi, 1961). The provincial officers had to take charge of their respected jurisdiction in pursuit of the King's royal orders (Tin, 1976). As these officials were more contact with the commoners than *Myowun, Sawbwa, and Myoza*, they could be said as the prime mover of the provincial administration.

In regard with the judicial administration, King Mindon realized that judicial reform was essential for having the administration on a sound basis. With this intention in mind, King Mindon issued a royal order on 24 April 1853 which categorized the cases to be tried by *Hluttaw, Shay-yon, and Ta-yaYon* (ROB IX, 1989). It can be considered as an attempt to remove the overlapping of responsibilities among the officials of the *Hlut-yôn-nga-yat* (five organs of central administration). King Mindon issued orders instructing the judicial officials to take regular fees that had been prescribed on 24 April 1853 (*Min-chauk-par U-pa-de*). However, there were cases of

extra exaction. Therefore, King Mindon again issued the Royal Order on 23 April 1854 to take only prescribed fees (ROB IX, 1989). Orders were issued that no criminal or civil case were to be tried at the residence or house of any officers (ROB IX, 1989).

King Mindon entrusted the *Hluttaw* the right to pronounce capital punishment (ROB IX, 1989). But there were many persons who were executed without the knowledge of the King and the *Hluttaw* (Thuta, 1971). Therefore, King Mindon issued the Royal Order on 7 May 1863, in which it was prescribed exclusively that the case of criminals who was to be executed must be brought before *Hluttaw* (Parabaik MS No. 127-07).

In settling the judicial cases, King Mindon's intention was to settle the cases as quickly as possible. King Mindon also issued the Royal Orders to provide quick, exact and fair justice and reprimanded the Ministers and officials for delay in settling the cases (TaikSoe, 1998). But there were some undue delays in judicial administration. Therefore, King Mindon made a plan to know the undue delay in lawsuits by allowing his subject people to make petition directly to the king. The subject people were allowed to present their cases and they could make petition personally to the king when the king toured round the capital with royal procession.

One of the distinctive measures carried out during the reign of King Mindon was the establishment of *Khôn-daw* (Royal Judges) in the capital and *A-way MyoYwa* (Provincial areas). 36 *Khôn-daws* were appointed to try civil and criminal cases as well as to confirm *Myet-na-ny-hmu* (Civil case in which a decision is reached by mutual agreement) (Tin, 1970). King Mindon made the Crown Prince and Ministers settled the lawsuits brought to *Hluttaw* both individually and collectively by (Parabaik MS No. 112-23). Sometimes, the king made the group of Ministers collectively heard and tried the case (Parabaik MS. No. 134-32). Sometimes, the cases were heard and tried by the Crown Prince in combination with the *Hluttaw* ministers (Parabaik MS. No. 138-22, 23).

When the judicial measures carried out during King Mindon's reign are examined, it is found that King Mindon's efforts could not be said to be successful. Although the fees to be taken at the law courts were fixed and proclaimed, it is found that actual expense in law courts was always more than those fixed (ROB, 1989). As bribery and corruption were rampant in law courts, it is likely that the winner might be the one who could bribe the judge with more money. In the list of judicial fees paid by the litigants, the expense of presents to be given to *A-twin-wun* (Privy Councilor) (Parabaik MS No.2) and the bribes to be given to the wife of *Myo-ôk* (Town governor) to be free from detention (Parabaik MS dated 6 May 1884) were found. As a result, it is found that during King Mindon's reign, cases heard and tried by royal courts was fewer than those arbitrated by respectable persons in each locality.

Conclusion

King Mindon was the second longest reigning monarch of the Konbaung dynasty and he introduced many administrative reforms with his own style. He might have many intentions in his introduction of administrative reforms, One of which was to perpetuate the sovereignty of the kingdom. Unfortunately, King Mindon did not have chances as nearly half of its kingdom had already been occupied by the British when he ascended the throne. King Mindon had to make his utmost efforts to maintain his throne and sovereignty of the kingdom by two ways: diplomatic means against the encroaching British imperialism and administrative and economic reforms within the kingdom. With diplomacy, King Mindon could do only the postponement of British invasion for another two or three decades. King Mindon also attempted to get back the lost territories from the British imperialist but he did not succeed. King Mindon asked for the assistance of *Gaing-ôk* (Local Monk Leaders) and *Gaing-dauk*. King Mindon realized that judicial reform was essential for having the administration on a sound basis. So he issued royal orders, instructing the judicial officials to take regular fees that had been prescribed. It also intended to deter the oppression of the provincial officials over the subject people and to investigate the administrative conditions of the provincial officials.

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