

Paperwork as Commodity, Corruption as Accumulation

Land Records and Licences in Colonial Myanmar, c.1900

Jonathan Saha, University of Durham

Introduction

Historians of the corruption have proved adept at tracing the ambivalences and ambiguities of paperwork. This is particularly true for work that focuses on modern colonial states. Studies have identified a certain duality inherent to the nature of paperwork. On the one hand, the bureaucracies established by European imperial forces used written records as tools for maintaining order. State documents such as revenue stamps and licences were used to enact official regulations and to extract legal fees. Taken more widely, paperwork was crucial to disciplinary regimes of punishment, to systems of information gathering, to enabling tax collection, to providing health care, and to a host of other state functions, generating vast archival repositories.¹ On the other hand, the documents produced by colonial states were unreliable and often suspect. Reliant as they were on the clerical labour of colonized peoples, high-ranking imperial officials were perpetually concerned that written records were being used for malfeasance. The intermediary position of local subordinate state officials was a bureaucratic niche where paperwork could be

manipulated. Fabrication and fraud were more than aberrant practices, they were intrinsic to colonial states' dependence upon written documentation.²

As a result of this duality, studying corruption in the past poses challenges; although as this edition shows, they are far from insurmountable. The archives of the colonial state were structured by officials' doubts about the veracity and credibility of their own records.³ As a result, as well as examining the content of colonial documents, uncovering corruption in the archive has entailed reconstructing the 'social lives' of documents. Historians, such as William Gould working on South Asia and Steven Pierce working on West Africa, have examined how colonial documents were produced and used by colonized peoples working in officialdom in order to benefit from state power in their everyday lives, often at the expense of imperial visions of good governance.⁴ Building on these insights, my own study of corruption in colonial Myanmar focussed on low-level officials' misconduct. I argued that this everyday corruption was intrinsic to the colonial state, rather than a bureaucratic pathology. The acts of fraud, rent-seeking, embezzlement, and bribery that the British regime uncovered in the delta of Myanmar at the turn of the twentieth century on a near daily basis were central to how the state was experienced by the colonized populace. This was not the state going *wrong*. To the contrary, many forms of corruption required administrative processes to function. In order to extort a bribe through a false accusation of a crime, the threat of punishment through the court system had to be realistic. It was only worth falsifying settlement maps if subsequent claims to ownership referring to them were seen as plausible. Rather than undermining state power, everyday corruption was how the state was made in everyday life. Corrupt acts were iterated moments of state performativity; quotidian corruption was constitutive of the state.⁵

I still find these arguments convincing, but increasingly I am aware that this analysis is incomplete. Missing is a historical understanding of subordinate officials' motivations. There is an assumption that personal gain is a self-evident driver for corruption. This was certainly the view of high-ranking white British officials who investigated malfeasance. However, what constituted personal gain has not been interrogated. The form personal gain took—usually, although not always, money—and the calculation of risk corruption entailed, have not been critically engaged with. These issues have not been addressed because a crucial part of the context is absent from the research. In colonial Myanmar, as in other colonies, the emergence of capitalism was the backdrop for the bureaucratic corruption. For some subordinate officials, acts of bureaucratic malpractice were motivated by the desire to accumulate wealth and personal power. For others, it was a means to supplementing incomes. For others still, it was a method of navigating local rivalries and feuds. But in many of these cases, corruption relied upon the ability to exchange state services for cash. This has often been taken for granted, but it is critical to understanding a second contradiction to paperwork, in addition to its duality as a disciplinary tool; the contradiction of its commodity form.

Paperwork, such as stamps, licences, court summons, and land grant applications, are not usually considered to be commodities. Yet, in colonial Myanmar, commodities they were. They were frequently purchased in exchange for money. Where they were legally permitted to be directly bought their price, or 'exchange value', was often set by the state, or in the case of some state leases was realised through auctions. But their utility, or 'use value', was not so straightforward.⁶ These commodities in and of themselves did not materially aid any activity. As an illustration, physically a person could cut down trees from government-controlled forests without a timber licence. The papery licence was of no

intrinsic use to a forester. Instead, its use value came from the state sanction that it bestowed upon the person cutting down the tree. The licence-commodity was intended to enable our would-be timber trader to fell trees without fear of state punishment, and this permission, when aggregated across forest-users, would provide this individual with greater access to this natural resource than a person without a licence. However, this permission was only meaningful if the consequences of not having state sanction were real and apparent deterrents. If licences were not policed, or counterfeit licences could be passed off as genuine, then the value of state licences was undermined. Likewise, if having a licence offered no protection from state punishment, through the oppressive behaviour of a corrupt official perhaps, then the value was also undermined. In other words, the value of paperwork was dependent upon the effectiveness of the state's disciplinary regime. This opened up a contradiction particular to paperwork's commodity form. Its value to the state, as well as to those acquiring it, was in its role in facilitating bureaucratic regulation. But this value was liable to be undercut by shortcomings in the state's ability to enact regulatory power effectively. Those officials producing the documents were in a position to wilfully exploit this contradiction to produce documentation in exchange for cash. And for the public, the price of paperwork might not be worth paying, and false documents could be commodities worth purchasing.

Understanding paperwork as a peculiar type of commodity is crucial to understanding its social lives. How paper documents were produced, circulated, and exchanged were informed by the contradictions of its value. This conceptualisation also enables historians to historicise the motivations and desires behind corruption. In his lively and insightful book on precisely these material and psycho-historical aspects of paperwork, *The Demon of Writing*, Ben Kafka points out the scarcity and thinness of Marx's writings on

the subject beyond polemics decrying bureaucracy.⁷ This apt observation might also be reversed, historians of paperwork are yet to confront the importance of the commodity form, the inherent contradictions to which Marx considered one of his most important ‘discoveries’.⁸ In this chapter I address this lacuna by revisiting archival records detailing investigations into low-level bureaucratic corruption in colonial Myanmar between 1890 and 1910, in order to explore how paperwork as commodity informed corrupt practices and motivated corrupt officials. I focus on two forms of paperwork: land records and licences. Both of these forms of documentation were used to regulate the acquisition of valuable commodities. But this regulatory role also resulted in them being deployed as tools for corrupt accumulation.

Land Records

In the febrile economic climate of the Myanmar delta, records pertaining to land ownership were among the most important forms of bureaucratic documentation that the colonial state produced. During the nineteenth century the delta went from mostly being a mangrove-forested backwater of the Konbaung Dynasty, whose authority emanated from the central dry lands, to being one of the world’s largest rice producing regions, patterned by a busy riverine transport network connecting populous commercial hubs.⁹ This dramatic social and ecological transformation was the product of the labour of Burmese cultivators, a substantial proportion of which were migrants from the north of the country. While this agricultural frontier remained open, they were able to claim uncultivated land and turn it into wet-rice paddy fields. The work this entailed was punishing. Pioneer cultivators had to fell the thick forest, burn the undergrowth, and dig out the dense network of roots. It could take several years for the land to be in a suitable condition to be ploughed and planted.

Even then, they were in a precarious position. Flooding, wild animals, and malaria were just some of the dangers that cultivators faced. This work was underpinned by heavy borrowing, and misfortune could lead to them defaulting on their loan and losing their land to their creditor. But in spite of these obstacles, the draws were significant and evident. A steady cash income from rice enabled cultivators to indulge in greater and more diverse consumption; thanks to the industrially produced foreign goods that by the 1880s were routinely imported into the colony and widely available. There was also the possibility of rapid social advancement by building on the success of the initial acquisition of land in order to acquire more, begin hiring labourers and renting to tenant-cultivators, and make greater returns.¹⁰

In this context, for pioneer cultivators land was a hard-earned commodity. For landless labourers and tenant-cultivators, it was a much sought after commodity. As a result, land-grabbing was a noted social problem—and, as we shall see, bureaucratic corruption was a weapon utilised by land-grabbers. However, land itself was not a typical commodity. Karl Polanyi has called land a ‘fictive commodity’. He argued that in early-modern England land ownership did not come to be shaped by market forces through incremental, organic changes, but that it required new legal frameworks and political will to render land in the form of an alienable and exchangeable commodity.¹¹ In the abstract, this argument holds for the Myanmar Delta. The commoditisation of land required bureaucratic apparatus through which ownership could become evidenced and legally defended.¹² Since land was rapidly coming under cultivation, and through debt or speculation it was beginning to accumulate in the hands of larger landowners, establishing legal evidence of landownership was essential. Disputes over the ownership of land became frequent cases in the colony’s civil courts, particularly from the 1890s. These were most often cases brought

by conflicting neighbours disputing boundaries, or involving disagreements over mortgages, or resulting from contests over inheritance.¹³ The state itself became embroiled in these disputes as an active party, and not only as a adjudicator, through its powers to requisition land for government works and to grant unused land to applicants. In addition, for the state clear ownership of land was important for the extraction of tax. Paperwork was vital in settling all of these tensions as well as for revenue collection. Nevertheless, the role of paperwork as a commodity that circulated alongside, and that could be exchanged for, land was double-edged. It made land ownership legible to the state, but it also could be used to facilitate the illicit acquisition of land.

Village headmen, surveyors, revenue collectors, and clerks were all in bureaucratic positions that made it possible for them to illicitly gain from the colonial state's regulation of land. Headmen were able to use their positions to acquire land. Surveyors, revenue collectors, and clerks were able to embezzle funds and fabricate documents. All of these officials could act to influence the assessment of revenue and the collection of tax. Other officials, whose roles were unconnected with the regulation of land were nevertheless able to use their influence and status as state actors to grab land. It was the very authority invested in these officials that created the opportunity for malfeasance—as was implicit from the volume of rules governing their conduct. In the late-nineteenth and early-twentieth centuries, a series of manuals were published outlining in detail the type of paperwork to be completed; by whom, with what oversight, how frequently, and where it should be stored. They were organised by the different scales of colonial governance; the village, the township, and the district.¹⁴ These manuals effectively brought together the laws and standing orders that had evolved to dictate low-level bureaucratic practice for decades. Within all of this expanding bureaucracy, the position of the village headman, or *thugyi*, was

of particular importance. Historians of the state in Myanmar have traced how the position shifted from being a linchpin, hereditary position with considerable local authority in the pre-colonial regime, to being reduced to an appointed bureaucratic functionary tasked with surveilling the villagers under British rule.¹⁵ Yet, their intermediary position, and particularly their powers of surveillance, held within them the possibility of corruption.

A recurring concern for white, high-ranking British officials was that headmen were using their authority to acquire land for their family members. Or, that they were masking their own illicit acquisition of land under their family member's names. Suspicions, however, were hard to prove. In 1906 a *thugyi* in Myaungmya district called Maung Po Kin was suspended while he was investigated for this form of corruption. His sister owned over 400 acres of land in his jurisdiction, his nephew 93 acres, and his brother-in-law a further 60 acres. This being established, the Deputy Commissioner conducting the investigation could not find evidence that Maung Po Kin had used his position to help them acquire this land. But given the suspicion, and the inevitable conflicts of interest, he was transferred to a new area.¹⁶ Other headmen were caught out when they acquired land under the names of family members who were still minors. A *thugyi* in Pegu district was dismissed in 1893 for obtaining grants of land under the name of his son, who was only six years of age. A year later, another *thugyi* in the same district was also dismissed for the same misdemeanour, in this case acquiring land for his daughter and son, both of whom were still children. The practices through which these illicit land acquisitions were made were more apparent from another case in Pegu in 1898. In this instance the *thugyi*, called Maung Hla Win, was dismissed for falsifying land records so that land that had been resumed by government because of the owners' revenue arrears were made over to his own relatives. A year later, again in Pegu, the *thugyi* Maung Ngè was dismissed for illegally occupying the land of

Maung Chein. He then entered this land in the registry under the names of his children, who were minors at the time.¹⁷ As I have argued elsewhere, there was a lenient economy of discipline at work when punishing subordinate officials for misconduct. Dismissal was a last resort, and a great deal of corruption was tolerated.¹⁸ These headmen in Pegu district were likely dismissed because of the strength of the evidence against them. Many more who were engaged in similar practices would have avoided this fate.

Maung Ngè did not only engage in land-grabbing and falsify the registry, he also defrauded the government by assessing this land at fallow rates for three years.¹⁹ His case illustrates a second way that paperwork could be used for corrupt ends with regards to land. It was not only used to hide illicit ownership; it could also be used to misrepresent its value. Like Maung Ngè, Maung Pan Pyu Aung, a *thugyi* in Kyaukpyu district, was dismissed in 1904 for both acquiring land under his children's names and for under-assessing the revenue due from it, this time through falsely recording the measurements of the plots. Three years later, another *thugyi* in the same district, Maung Than Lôn, was dismissed for favouring a friend in a similar fashion to this. For ten years he had deliberately not assessed over 300 acres of land belonging to one Maung San Dun.²⁰ Clerks and revenue surveyors were dismissed for similar acts, although often with the implication that this was done in exchange for an illegal fee. For instance, in 1908 a township clerk called Maung Po Tha was dismissed for charging and receiving a fee for remissions in land revenue.²¹ In 1903 another clerk was dismissed for helping his brother, a revenue surveyor, extract illegal fees.²²

More often than misrepresenting the value of land for revenue collection, officials were disciplined for recording inaccurate assessments of land grants. Identifying wilful malfeasance was difficult in these cases. In 1900, Maung Gale, a township officer in the Irrawaddy Division was investigated for certifying applications for land grants that were of a

size that put them beyond his powers to certify. Furthermore, it was claimed that he was doing so without visiting the plots. It turned out that some of these grants were for land that was larger than the applications had indicated. He was also accused of producing false documents in support of these applications. Further investigations found that the standing orders limiting the size of land that township officers could grant were being widely flaunted across the district, due to widespread ignorance of their existence. Maung Gale was not thought to have been corrupt in his actions, but neglectful. The inconsistencies in his paperwork were not attributed to a deliberate attempt to defraud the state, but to a lack of diligence and subsequent clumsy attempts to correct errors.²³ Distinguishing corruption from incompetence was a challenge for investigating officials, who were likely to give the benefit of the doubt to the accused official.²⁴ These challenges notwithstanding, at least five clerks were dismissed in similar cases during the period under study; one for falsifying signatures on applications, another for charging illegal fees for applications.²⁵

Many of these forms of misconduct were exposed in the 1902 misconduct investigation into Maung Pyo, a forest ranger employed in Myaungmya district. While his job did not give him direct access to paperwork pertaining to land, he was still able to effectively acquire documentation that hid his illicit actions. He disregarded orders requiring him to disclose his possession of land. He then concealed and strengthened his possession of this land by abetting the issue of land grants to bogus applicants. This land was then recorded in the name of his mother. It was only as a result of his disputes with his neighbours, whose land he trespassed upon and attempted to claim ownership over through false titles, that his connivance with bureaucratic corruption was uncovered. He was convicted of criminal trespass and dismissed from government service.²⁶ The records detailing dismissals provide some hints at the types of interactions that enabled land-

grabbing officials like Maung Pyo to acquire land grants, even though government employees were prohibited from receiving them. In 1906, a clerk in Toungoo district was dismissed for taking money in exchange for land grants, a practice compounded by the fact that he was not permitted to issue grants in any case. Similarly, in 1903 a clerk in the office of the Pyapôn township officer was dismissed for accepting money from headmen, and the general public, for grants of uncultivated land. In 1897 two different headmen employed in the Kyaukpyu district were dismissed for granting land to government servants. In other dismissal cases subordinate officials used their access to paperwork to engage in land-speculation. In 1896 a township officer's clerk called Maung Po Thein in the Hathawaddy district was dismissed for buying and selling land, and for fabricating false evidence to aid this. He was reported as having made 'marks to represent signatures of persons [on] applications for land.' A year later a *thugyi* in Akyab district, Maung Thu Taw U, was dismissed for buying land from a clerk and selling it on as grazing land to local villagers.²⁷ This in spite of the rules governing grazing grounds that stipulated that they were for district commissioners to allocate, and for headmen to monitor the boundary marks.²⁸ Land grants were being allocated by (and to) state officials for personal gain, and government records were being falsified to enable this.

The very bureaucratic processes intended to provide security of landownership were frequently used by subordinate officials to illicitly acquire or speculate in land. In other related cases, officials demanded illegal fees in exchange for land grants or for reductions in land revenue taxes. The production of paperwork was crucial in most of these practices. In cases of officials charging fees for the discharge of their duties, or as inducement to act corruptly, documents were commodities being exchanged directly for cash. For most cases, however, paperwork was bound-up with illicit transactions of that 'fictive commodity', land.

In these cases, falsified government records—such as survey reports, land grant applications, and land registries—were purporting to be evidence that a particular person was the rightful owner of the land. These records represented or signified land in its commodity form, since the land itself could not provide evidence of its ownership. The prevalence of land-grabbing and criminal trespass made even possession a weak basis for proving ownership. It was the ability of government records to act as the material evidence of exchanges of land as a commodity that formed the central tension between paperwork's utility and corruptibility. The exchange value of the land that documents purported to represent, and the costs of the paperwork—both materially as well as in terms of the disciplinary risks of engaging in its falsification—were at odds with one another. Officials with access to these documents could treat their paperwork as the production of a special kind of commodity, with the intention of realising greater value from them.

Licences

The issuing of licences was a device commonly used by imperial bureaucrats to regulate society. In colonial Myanmar by the 1890s licences were issued for guns, hunting certain animals, fishing with certain types of net, felling timber in government forests, selling opium, establishing slaughterhouses, producing salt, collecting forest honey, holding a *pwè* (theatrical performance) and a range of other activities. And subordinate officials were dismissed for misconduct connected to licences in each of the areas of state regulation named above.²⁹ As a form of state documentation, licences took on a more obvious, albeit quite specific, commodity form in comparison to the paperwork associated with landownership. Licences had a cash price that was exchanged for sanction to participate in particular activities. The regulatory purposes for each different licence were diverse. For

example, timber licences—which were nuanced by tree species—were in place to conserve and manage forests, according to the principles of scientific imperial forestry. These regulations favoured the access of commercially powerful imperial timber firms over local uses of forests, particularly that of itinerant communities subsisting on the produce of shifting cultivation.³⁰ Licences to sell opium, however, were intended to limit the sale and consumption of the drug according to ethnicity. In colonial discourses of racial difference in Myanmar, the Burmese were represented as being weak-willed, gullible and liable to addiction. In contrast, Chinese populations in the colony were considered wily, guileful and likely to take advantage of their Burmese neighbours. The licences were designed to supply the demands of local Chinese populations while paternalistically protecting the Burmese.³¹ Yet, in spite of the quite specific bureaucratic intentions behind the issuing of licences, as commodities purchased for cash, in their social lives they represented universally exchangeable value.

As I noted in the introduction, the value of a licence was dependent on the effectiveness of the bureaucratic processes that they were embedded in. However, the issuing of licences could be used to undermine these very processes by hiding illegal activities. Cases of illegal timber extraction provide good examples of how this occurred. In 1898, Maung Po Thet, a forest ranger who worked alongside the land grabbing Maung Pyo discussed in the previous section, was investigated on two related charges. The first was that he connived in the illicit conversion of timber—the process through which a log was turned into planks—without royalty payments being made. The second was that he conspired to allow the illegal removal of canes from Kazaung forest without a licence. On both charges the investigating officer found significant cause for suspicion from a study of the extant paperwork and his consideration of Maung Po Thet's explanations. On the first

charge, it appeared that Maung Po Thet did nothing to check on operations to convert timber. He did not leave his district offices to inspect the forests, and he did not send his subordinates to do this either. In the absence of this oversight, timber was converted without a licence and without the government collecting the royalties. The investigation found that this was 'culpable negligence' but could find no evidence to prove that his absences and failure to issue the necessary paperwork had been contrived to collude with this illicit timber conversion, although the implication was strong.

The second charge, of facilitating the illegal extract of canes, was more suspicious still. In this case Maung Po Thet had retrospectively granted a licence to people who had already cut cane from the forest without a licence permitting them to do so. It was suspected that this was done to embezzle the royalties, which had been obtained prior to the licence being issued. The investigation fell short of upholding the charge of connivance but did hold that 'deliberate and seriously culpable irregularity' was evident in his behaviour. The dates, signatures and brief note on the licence were what gave Maung Po Thet away in this case, as these indicated that the canes had already been cut when he inspected them and issued the licence. But this evidence did not show his motivations for doing so, or prove a link between himself and those doing the illegal cutting.³² In his case both the absence of paperwork and its irregular use served to hide illegal forest work, at least until accusations of bribery and extortion were levelled against Maung Po Thet leading to an investigation.

Maung Po Thet was not dismissed for his failings. He was demoted and transferred. Gathering evidence of outright corruption with regards to timber licences was a reoccurring challenge for investigating officials. The case of Maung Mo revealed the strategies taken by forest rangers to avoid punishment. In 1902 he was transferred after the Conservator of

Forests found a number of irregularities in his practices. It appeared that companies were sharing the licences that he had been issuing. A '*thit* (wood) gang' was established with a licence, and then individual timber traders operated under this licence, felling the trees directly from the forest without any further state oversight. His family-ties were suspected as motivating his lax behaviour. He lived with his mother-in-law who was a creditor for a number of timber traders operating in the area.³³ Again, culpability but not active connivance was deemed to be evident. The timber licence was issued but timber traders used it collectively in an irregular manner, and Maung Mo had done nothing to stop this.

This was not the end of the accusations against Maung Mo. Following his transfer, a number of anonymous petitions continued to arrive at the offices of his superior officers claiming that he was extracting bribes in exchange for licences and that he overlooked the illegal extraction of timber without a licence. The examples of the latter provided in these petitions were contradicted by the paperwork and testimonies of those involved, and the petitions were ultimately dismissed. However, Maung Mo's manner of defending himself was revealing. He claimed that his success in uncovering illicit timber extraction had gained him enemies and supported this with statements from timber traders who testified that those harbouring ill-will towards Maung Mo had been rounding them up and pressing them for evidence that could be used against him. Those statements had been taken by Maung Mo himself.³⁴ As I have argued elsewhere, accusations of corruption were enmeshed in webs of local intrigue and enmity that are impossible to unpick from the extant records.³⁵ This was also a problem for contemporaries. British officials overseeing his work were aware that Maung Mo had considerable local influence. Maung Mo's ability to induce local timber traders to provide testimony on his behalf reinforced this. He also had a 'good' record of uncovering cases, as he had claimed. The suspicion that he was held under by high-ranking

officials, regardless of his protestations, emanated from the inherent power that Forest Rangers had in producing or overlooking evidence of illegal timber extraction. They could refuse to issue licences, or demand bribes in exchange for them, thereby manufacturing cases of illegal extraction. Or they could retrospectively issue licences, or fabricate them, in order to hide illegal extraction. As a result, personal power and official authority were entangled, and could be mutually reinforcing through misconduct.

Irrespective of the particularities of Maung Po Thet and Maung Mo's actions, the wider practices that the cases elucidate were reproduced across the colony. This was apparent from the details of those officials annually listed as having been dismissed from government service. In Tenasserim in 1886, a forest guard was dismissed for failing to report a case in which forty-five logs were cut without a licence. Three years later in Pegu district a clerk was dismissed for forging the Conservator of Forests' signature on a licence form. In 1898, back in Tenasserim, a forester was dismissed for fraudulently under-recording quantities of timber, and through this concealing timber had been extracted and converted without royalties being paid. In 1899 a deputy forest ranger was dismissed for aiding and abetting the illegal conversion of teak. In 1901, a deputy ranger was dismissed for allowing 'either by gross carelessness or active connivances' the extraction and conversion of teak without a licence. A year later another deputy ranger was dismissed for illegally selling reserved trees and appropriating the proceeds. The dismissal in this case was rather meaningless, as the culprit had already absconded with his ill-begotten gains. And that same year a clerk in Mandalay's forest office was dismissed for demanding bribes and making fraudulent entries on licences. In addition, dozens of forest officials were dismissed following convictions for criminal breach of trust, extortion, and abetting criminality, although the details of the cases were not provided.³⁶

These instances—where timber extracted and converted without licences was wilfully overlooked by officials, or where licences were obtained from officials who demanded additional illegal payments, or where paperwork was forged by officials to disguise illegal extraction and conversion—need to be understood as the result of the licence as a special type of commodity. The price of a licence was only worth paying if the disciplinary network enforcing the restrictions and regulations the licence purported to police was reliable. If the officials tasked with issuing licences and policing their usage could be induced to ignore illicit extractions, then the licence was not worth purchasing. For officials, on the other hand, the tension between the price of the licence and its questionable utility in guaranteeing the bearer security from state punishment created the opportunity for monetary gain. As the purveyors of a commodity that could be produced—fraudulently or otherwise—or withheld, or whose absence could be overlooked, in exchange for cash, forest officials and clerks could extract a surplus from the licence.

The cases involving timber licences were similar to those involving opium licences in that the tension in the value of the licence enabled officials to make personal gains out their role. Cases from the Irrawaddy Division give an indication of this. In 1901 a petition addressed by the residents of Nyaunggyaung village in Danubyu township claimed that among a number of misdemeanours allegedly committed by their headman, Maung Yau, he allowed three individuals to sell opium when they were not licence-holders, in exchange for hush-money.³⁷ That same year a notorious police inspector working in the delta called Pakiri was convicted of planting opium on some Chinese men to frame them for selling the drug without a licence, in an attempt extort them.³⁸ In 1904 a heavily indebted excise officer called Maung Po Hla, working in Wakema district in the delta, attempted to use his authority in issuing and policing opium licences to force a licensee to give him a loan,

resulting in his transfer to a new district.³⁹ In 1905 a large drug bust a short distance away in Henzada district implicated another excise officer in colluding with extensive opium smuggling, resulting in his demotion.⁴⁰ Senior officials' concerns about excise officers in Irrawaddy Division were so acute that by 1906 one deputy commissioner opined that there were no trustworthy excise officers to replace the one that he recently had to suspend for misconduct.⁴¹

The list of dismissals reveals further cases. In 1898 an opium clerk was dismissed for making false entries of sales in the register and then possessing more opium himself than was recorded. The following year another opium clerk was dismissed for the similar offences of selling opium and making false entries in the registry of sales. That same year an excise sergeant in Kyaukpyu district was dismissed for fabricating a case of an illicit sale of opium. In 1895 in Thatôn district another excise sergeant was dismissed for falsifying reports. And another was dismissed after being convicted of extortion in 1902. In 1891 an excise officer was dismissed for fraud through falsifying entries in an opium pass. Beyond excise officials, police officers were also dismissed for abusing opium licencing laws.⁴² While their purpose was distinct from timber licences, the nature of the forms of corruption that were recorded was comparable. The value of a licence, which was supposed to be congruent with its value in permitting the holder to sell opium legally, was in practice contingent on the actions of officials who were empowered to both produce and police this paperwork. Like forest officials, excise officials were able to exploit this tension to literally profit from their bureaucratic niche.

Further cases could be explored to illustrate how similar practices attended to other areas of colonial licencing schemes—indeed, licences for the use of certain fishing nets appear to have been used extensively for corruption. However, this brief discussion of

timber licences and opium licences suffices to outline the central tension of paperwork as commodity. There was always a potential for the use-value of the licence-commodity, its ability to endow the bearer with state sanction, to be undermined by the actions of the subordinate officials. This meant that the exchange-value of the licence-commodity, its price, was compromised. At the same time, its exchange-value informed misconduct, setting a monetary amount against which the price of hush-money, bribes, and forgeries could be calculated. The social lives of licences were animated by the contradictions inherent to their commodity form.

Conclusion

This chapter opened by arguing that a significant part of the historical context for corruption in colonial contexts has been largely overlooked by historians: the expansion and entrenchment of capitalism. I went on to suggest that this gap has meant that the motivations for corruption have been assumed, taken for granted and, resultantly, reified. By conceptualising paperwork as a peculiar form of commodity, both of these issues can begin to be addressed. Through a study of the forms of corruption attendant to land records and licences in colonial Myanmar around 1900, the chapter has been able to uncover the importance of paperwork as a commodity that mediated and regulated access to other valuable commodities; specifically, land, timber, and opium. It has also been able to draw out the profit-motive cultivated by the tension within the commodity form between its 'exchange-value' and its 'use-value'. As subordinate officials were often in a position to be able to manipulate the utility of government documents through acts of misconduct, they were also in a position to profit from this by accepting cash in exchange for (not) doing the paperwork, or for doing it duplicitously or fraudulently.

The import of this analysis should not be overstated. Monetary gain was not the sole motivator for acts of corruption. This would be a reductive and intellectually regressive claim. For instance, my previous work has shown that sexual gratification and the desire to perform a violently assertive mode of masculinity was a driver for misconduct around cases of sexual and gendered violence.⁴³ The profit motive does not and cannot sufficiently explain these malpractices. Rather than treating the possibilities for corruption inherent in the paperwork-commodity as primary or universal drivers, I would argue that this is instead a route into historicising the link between capitalism and corruption. The particular configurations of capitalism as it formed in colonial Myanmar were vital to the forms of corruption explored above. The booming frontier economy of the delta gave new meaning and value to land, and the imperial legal regime sought to buttress its status as an alienable and exchangeable commodity. Corruption was immanent to these processes. Likewise, the state's attempts to issue licences in order to regulate access to forests as well as to restrict the sale of opium always held within them the possibility of corruption. In considering the place of subordinate officials as agents within these histories, recent ethnographic work on land-grabbing in contemporary Myanmar provides us with a useful concept; that of 'accumulation from below'.⁴⁴ Holding office in the colonial bureaucracy provided the opportunity for some colonized people, without much in the way of capital, to begin to accumulate wealth beyond their salary. These everyday strategies for small-scale accumulation need to be placed in the wider context of the colony being opened up and re-organised for the speculations of imperial capital operating out of London, and the growing influence of Indian capital in the form of agricultural creditors.⁴⁵

Finally, I would tentatively suggest that the insights in this chapter point towards the benefits of the history of corruption being more closely aligned to the history of capitalism.

This is a diverse field, although it remains rather north American focused despite the global ambitions of some authors.⁴⁶ As a result, it is a field without a clear overarching set of parameters and goals.⁴⁷ Nevertheless, as a body of work the particular attention paid to denaturalising and historicising capitalism in the past has been usefully identified as a common approach. By tracing shifts in the history of corruption in colonial contexts, and particularly by being attentive to how paperwork becomes commodified under imperialism, studies of corruption can make a valuable contribution to this dynamic area of study. Such an engagement would strengthen the global ambit of historical studies of corruption and provide linkages, both intellectual and empirical, between works set in very different colonial contexts.

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