

Everyday Prison Governance in Myanmar

Everyday Prison Governance in Myanmar is the first major study to go beyond the celebrated world of the country's political prisoners and deep into the relations, emotions and travails of its ordinary detainees. Through close descriptions and affecting narratives, it carries the reader along with the rhythms of petty bureaucracy, mundane brutality and the exchange economies of imprisonment in this erstwhile British colony. Painstakingly documented, thoughtfully presented and persuasively argued, this is a model of collaborative ethnographic research and writing on one of the most consequential yet misunderstood institutions in our time.

—**Nick Cheesman, Australian National University**

This is a timely and urgent book that is co-produced by a long-standing and world leading expert on Global Prisons, and a research team firmly anchored in Myanmar, who are integral to every aspect of the research process. Myanmar, like so many nations in this part of the Global East, remains woefully hidden and misunderstood by world Criminologists and policy makers concerned with reducing the damage and destruction of criminal justice and penalty. Empirically grounded, yet theoretically sophisticated, this book builds on, upends, and extends how penalscapes emerge as hyper regulatory, authoritarian, and militarised. The work creates a necessary discomfort that is disruptive not only to how we come to produce bodies of Criminological knowledge from the Global North and metropolises dotted around the world. Moreover, it re-centers an age-old inconvenient truth, that Criminology, broadly defined, sits at a moment of great reckoning: it cannot, it must not, marginalise the voices and audiences that sit in the spaces of activism and resistance.

—**Laura Piacentini, Professor, Criminal and Social Justice, Department of Social Work and Social Policy, University of Strathclyde, Glasgow**

An exceptionally sensitive portrayal of prison life in Myanmar, the book stands out for its bold focus on prison dynamics beyond the western prison, and a profound ethnographic sensibility marked by an emphasis on the ordinary prisoner and the entanglements of prison world. Presenting a uniquely collaborative endeavour that brings forth a polyphony of prison voices it is a must-read for anyone interested in the politics of incarceration in the contemporary world.

—**Mahuya Bandyopadhyay, Professor, Department of Humanities and Social Sciences, Indian Institute of Technology Delhi**

Emerald Studies in Activist Criminology

Series Editors: Victoria Canning (Lancaster University), Greg Martin (University of Sydney), Onwubiko Agozino (Virginia Tech), and Valeria Vegh Weis (Konstanz University, Buenos Aires University)

Emerald Studies in Activist Criminology is a platform working to identify and address the harms of criminalisation and expansive social controls. It draws together academics, activists, progressive policy-makers, and practitioners to encourage cutting-edge engagement on topics to effect positive social change.

The historical relationships between criminology and activism are contentious. Since criminology in its administrative forms can facilitate increases in state and cultural controls, and was formed within this nexus of social order, the discipline is often complicit in acting on behalf of states and state corporate collaborators. Critical criminology and zemiology, by contrast, have nurtured conditions under which power and hierarchy can be more fully addressed from radical perspectives, specifically in challenging state-centric focuses on crimes of the powerless. It is from these positions that *Emerald Studies in Activist Criminology* encourages engagement with those working against the negative impacts of crime controls on the lives of intersectionally disadvantaged groups in society.

Emerald Studies in Activist Criminology seeks to examine the history of both recent and more established justice campaigns and interventions. It extends across a range of pre-existing sub-fields of criminology that engage in questions of effecting progressive change through activism, such as feminist criminology, juvenile justice, migrant rights, corporate and state crime, green/environmental criminology, sentencing and wrongful conviction, prisons, corrections and abolitionism, and justice for victim/survivors of harm and crime. Campaigns and movements – defensive and progressive – around these issues define what we mean by ‘activist’, while we view ‘criminology’ in its broadest, interdisciplinary and social science-inflected version.

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Everyday Prison Governance in Myanmar: Understanding Imprisonment Beyond the West

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INVESTOR IN PEOPLE

We dedicate this book to the countless persons in Myanmar criminalised and rendered punishable by authoritarian regimes past and present and unjustly subjected to the harsh realities of the oppressive dynamics of penal power.

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List of Abbreviations

AAPP	Assistance Association for Political Prisoners
ASEAN	Association of Southeast Asian Nations
BJM	Burma Jail Manual
CDM	Civil Disobedience Movement
MPD	Myanmar Prisons Department
NLD	National League for Democracy
NUG	National Unity Government
SAC	State Administration Council
UEC	Union Election Commission

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Foreword

*Tomas Max Martin*¹

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On 11 July 2024, the United Nation’s Independent Investigation Mechanism for Myanmar (IIMM) issued its sixth annual report to the Human Rights Council, presenting what the head of IIMM described to global media as ‘substantial evidence showing horrific levels of brutality and inhumanity across Myanmar’ (Al Jazeera, 2024). The report documents practices of brutal and cruel violence committed by the military junta against people in Myanmar, not least against detainees in detention camps, prisons, and elsewhere. Reports like this carry considerable authority as particularly powerful forms of knowledge about what goes on in the closed world of Myanmar’s prisons. Since the atrocious coup and during the revolutionary struggle unfolding in Myanmar at the time of writing, such internationally accredited and legally tooled forms of documentation convincingly convey the facts on the ground – facts solid enough to stand up in court. This book does not convey such facts. It conveys much more.

Despite substantial and constructive critique, human rights reporting remains the go-to source of knowledge about prisons across the globe (Dudai, 2006; Jefferson & Martin, 2016; MacLean, 2022). In countries with strong histories and capacities for conducting critical social research about prison life, the balance between knowing prisons ‘as they ought to be’ through a human rights lens and knowing prisons ‘as they are’ through empirically founded and theoretically informed analysis is less skewed

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than in Myanmar. This is because critical social research has been systematically stunted in Myanmar during 60 years of military dictatorship, and narratives about Myanmar have been dominated by its position on the margins of the international community as a violative pariah state. In turn, the general picture of imprisonment has been painted by human rights reporting on violations according to international standards which typically also focus quite strongly on the plight of Myanmar's many and highly profiled political prisoners (I will return to this below). That said, there is a rich Burmese literature on prison life based on biographical accounts by former prisoners, but only a few scholars have mined that so far (Cheesman, 2022; Martin & Jefferson, 2024). Solid prison research that is accessible to an English-speaking audience remains sparse (exceptions include Brown, 2007b; Gaborit, 2020a; Jefferson & Myanmar Research Team, 2022; Martin, 2021; Wintin, 2006).

This book is a milestone and a significant contribution to the embryonic scholarship of prisons in Myanmar, but it also has much to offer to the broader study of prisons in the Global South and to the ethnographically based critique of imprisonment more generally. In short, it offers the reader an engaging and multifaceted head-to-toe ethnography of everyday prison governance that is empirically rich and analytically sharp. It has a compelling narrative drive, which makes it accessible and inviting for scholars who want to question the theoretical foundations of prison governance, activists who want to deepen their understanding of the penal power and pain they fight against, as well as practitioners, who want to learn more about the actual conditions of prison management, discipline, service-delivery, or care they strive to influence.

A Collaborative Methodology

The book is a milestone in a very direct sense as never before have we seen such fine-grained accounts of everyday prison life in Myanmar portrayed or analysed with the richness and empirical solidity that this book represents. The authors commit to the dyad of immersion and sensibility, which Schatz (2009) has coined as the defining features of political ethnographic analysis. The analysis is grounded in immersive practices of fieldwork-based ethnographic interviewing, which enables the analysis (and in turn the reader) to direct an ethnographic sensibility towards the complex, situated, and lived experience of imprisonment. It is a sensibility that generates new insights, which may be confusing and ambiguous – for instance, the extent to which prisoners manage each other and themselves – but these insights are critical if one wants to understand prison life in Myanmar and influence future penal practice. I will come back to this issue of influencing change below. The methodology applied by this study is both conventional and innovative. It is obviously a challenge to undertake ethnographic research on prisons securely, ethically, and with scientific rigour in an authoritarian state. The researchers have consequently relied on in-depth interviews of former prisoners conducted in Burmese in safe spaces. This is a solid approach, but this basic methodology is innovatively anchored in a longstanding partnership between Myanmar and Denmark-based research teams. The main question underlying the whole endeavour – how are Myanmar prisons run and how does it affect people? – was posed by the Myanmar researchers, who

are the ones who tilled the empirical soil and put their minds, hearts, and bodies in close encounters with their interlocutors in the field. The Denmark-based research team has over a little less than a decade contributed to the mutual partnership with their globally oriented experience and expertise in prison ethnography in the Global South, while both teams have activated and engaged their respective and complementary networks. On this basis, the first author and head of the Denmark-based research team has mentored the process, framed the design, and taken a lead in weaving the analysis together in ongoing dialogue with the Myanmar researchers. Doing international research in this way is not just a means but an end that engenders South-driven research and contributes to the decolonisation of knowledge. This insistent collaborative approach is daringly explorative and demands that all involved are ready to loosen control and trust the process. But the result is rewarding and readers of this book will not only know much more about prison life in Myanmar but also learn what can happen when researchers team up across diverse places and backgrounds with complementary competencies and commit to immerse themselves in prison ethnography together. Thus, this book is ultimately about much more than prisons in Myanmar; it is also about the co-production of knowledge under sensitive political conditions. The book also offers significant analytical contributions in terms of what it looks at, who it looks at, and, not least, when it looks at Myanmar prisons. First, the ‘what’.

On Everyday Governance

In a modern classic within prison research, Sparks et al. (1996) explore the problem of order in prisons, which they convincingly argue is perennial. How can these peculiar institutions, where large numbers of people are kept under lock against their will for a long time with the purpose of receiving punitive pain, be ordered without constantly exploding into deadly chaos? This book addresses this central question of prison research by analysing everyday governance in Myanmar prisons. As such, the analytical framing fuses two strong currents in anthropological critique: the exploration of everyday life and the legal pluralist and non-normative examination of institutional governance in practice. This comes across as a highly pertinent approach in the Myanmar context, where the knowledge about what happens in prisons is both so limited and so dominated by external and normative perspectives. Other scholars have applied this perspective to prison research before and elsewhere (see Bandyopadhyay, 2010; Darke & Garces, 2017; Jefferson & Martin, 2014), but this book, I believe, takes the deepest dive to date into the concept of everyday prison governance. The authors discern the configurations of prison governance from the ground up across diverse but interlinked dimensions including rules, economies, relationships, emotions, and forms of violence. Consequently, the analysis offers a comprehensive and situated account of the way prisons are run and how that affects people in Myanmar, an account that offers comparable and inspirational insights in relation to other penal sites characterised by resonating experiences of post-coloniality, authoritarianism, and poverty. And likely also to sites of penalty in presumed stable, relatively affluent liberal democracies too. We learn, for instance, that everyday governance of prisons is ‘an exhausting, wearing, abrasive

process between juxtaposed parties sharing a constrained habitat'. We learn how authority is distributed in this peculiar environment, how power is embodied, and how historical relations of penal duress endure in the (post)colonial prison. Several insights are markedly strong and compel further thought: the prison is in practice more akin to a predatory marketplace than a Weberian state bureaucracy. Also, prison staff are surprisingly absent, but this absence is in practice a form of power that is integral to the proxy governance exercised by prisoners themselves (see also Martin & Jefferson, 2023). In line with a legal pluralist understanding, this does not mean that everyday prison governance is chaotic or erratic. On the contrary, the book clearly demonstrates that prisoners are subject to a plethora of complicated rules, which are contradictory and contingent. Prisoners struggle to manage with this polyvalent regulatory framework. They try to learn, follow, bend, and break the many rules to get by, but as succinctly pointed out 'there are few rewards of rule-adherence except a modicum of safety'. The authors document these dynamics empirically but also leave the reader with truly fascinating new terms and concepts to better think with – for instance, how imprisonment is 'dolorous', how the prison climate is 'carceraphobic', and how being in prison in Myanmar entails an ever-present 'collaterality', whereby fear is always part of the picture.

The authors' emphasis on everyday life in prisons shares theoretical territory with the ethnographically inclined and widely cited UK-based prison research of Liebling and Arnold (2004). A catchphrase for this research has been the question of 'what matters most' to the occupants of prisons. The issue of governance is central to this question and one of the most emphasised findings of this literature is that what matters most to prisoners is legitimacy. If prisons are governed transparently, consistently, and fairly, then prisoners may accept the exercise of authority by staff enabling a relatively stable and ordered regime. But as the authors of this book posit 'earning legitimacy does not matter much' in Myanmar prisons.² The analysis of everyday governance presents the Myanmar prison as 'a bureaucratic, martial and violent marketplace with authoritarian pretensions'. There is no tussle for legitimacy here, but rather an ongoing and steadily grinding application of pressure and distress, where prisoners are forcefully subjected to penal power and in turn strive to make their conditions as survivable as possible. As one of the interviewees put it: 'We could never be right. We were always wrong, even when we were right'. This brings me to the second overall contribution of this book, which is its subject of analysis – the 'who'.

'Ordinary' Prisoners

As clearly unpacked in the concluding chapter, the book deals with prison *subjects* and uses this term both to describe the overall focus of inquiry and to denote the specific social practices through which the prison experience is

²Other scholars have suggested that profound hopelessness and resignation may also generate seemingly 'peaceful' prison environments, implying that the issue of legitimacy may be less important than sometimes imagined (Carrabine, 2005).

inherently subjugating, suppressing, and subjecting. Yet, the authors also deal with prison subjects in the literal sense of moving close to the people living in prisons. The analysis is relatively unique in its insistence on earnestly listening in on the lives of ‘ordinary’ prisoners. The people who share their experiences here have ended up in prison for a myriad of reasons, often on short or medium sentences. Their pathways into prison are likely to be deeply complex and to represent extraordinary and catastrophic situations for them personally, but their stories do not represent headline-grabbing atrocities or fierce suppression of political dissent. The people whose intricate and intimate accounts of imprisonment we are privileged to learn from in this book constitute the base of the carceral iceberg. These are accounts of the unfortunate or wayward and typically also disadvantaged and poor people who overpopulate prisons globally. Even at the current moment of revolutionary struggle and extreme political violence, where around 20,000 political prisoners languish in Myanmar’s prisons, there are 80,000 ‘ordinary’ prisoners too. Few pay much attention to them. In the epicentres of criminological enquiry in the Global North, this gap is less pronounced since penologists studying welfarist or neo-liberal penalties (Garland, 2001, Simon, 2007) have a long tradition of broadly and critically exploring ‘the criminal question’ (Pitch, 1995, p. 52, cited by Aliverti et al., 2021). In turn, these scholars’ examinations of the political and socio-economical interface between the prison and the surrounding society do encourage academic interest in the mass of ordinary prisoners in a place like the UK or Denmark. This is not the case in many places in the Global South, where the most prominent accounts of prison life are anchored in the life histories of extraordinary figures like Nelson Mandela or Aung San Suu Kyi and, in turn, the political prisoners, who share these figureheads’ narrative territory. This book moves in a refreshingly different territory. The readers encounter up close, personal, first-person narratives, not of a political activist battling a torturous regime for decades in solitary confinement, but of a farmer who spends a few months unable to sleep near a stinking toilet. We hear of a man, who tries to ‘shower’ by getting a splash of water when standing close to someone rich enough to bribe the prisoner in charge of the water basin. We hear the story of an older woman, who angrily insists on getting the petty bribe back from a prison officer, who didn’t provide the services that she paid for. It is such experiences that this book brings to light and sensibly analyses. In fact, the authors insist that the social practices through which people are rendered punishable, imprisonable, violable, and subject to carceral harm are ineluctably political. Consequently, the analysis subtly disrupts the dividing lines between ordinary and political prisoners which are so manifest in the Myanmar context. In doing so, the authors raise the fundamental question of whether it might be the carceral machine as such that needs dismantling, and not just the parts that jut out as blatantly unjustified according to international conventions. The main problem to address might very well be the whole practice of incarceration that hurts ‘ordinary’ people *en masse*, rather than the spectacular atrocities that hit political elites and the obviously innocent victims whom it is reassuring to identify with and feel unambiguous compassion for. The everyday perspective rejects the silencing of the undeserving ‘ordinary’ prisoners and dives under the

surface of prison life to visibilise its base and inherent baseness. The powerfully personal accounts of subjection in this book offer a compelling, granular picture of everyday governance, which is remarkably complex. People tell of their experiences of harsh violence but also of resistance, resignation, sympathy, and moments of happiness that wax and wane alongside an enduring sense of fear, which underpins as good as every tale in this book. Yet, as the authors poignantly state the occasional friendship, bravery, or feeling of joy are ‘not a silver lining, but shards of brightness seeping into a dark storm’.

In sum, these accounts of prison life should not be read as exotic or tangential to the grand story of contemporary imprisonment. These accounts rather add key dimensions to the expanding understanding of what many prisoners in the world currently experience under conditions of (post)coloniality, poverty, and authoritarianism. Scholars and students interested in prisons may still want to read the penological classics and the works of the most cited criminologists in the North, but they should also read this book and the works of other colleagues, who are invigorating penological scholarship globally (e.g. Bandyopadhyay, 2016; Darke et al., 2021; Jeffries, 2014; Le Marcis, 2019; Narag & Jones, 2017; Piacentini, 2004; Reed, 2004; Slade, 2016; Sozzo 2022; Stuit et al., 2024; Weegels, 2017) to learn how breathtakingly different and chillingly similar prison life is in a global perspective.

During Times of ‘Transition’

The third and final contribution that I would like to emphasise concerns not the ‘what’ or the ‘who’, but the ‘when’ of this analysis. As pointed out in the introduction, the research project that this book is based on (and which I was also part of) was launched during a period of Myanmar’s recent history that was intensely dominated by discourses of transition (Egreteau & Robinne, 2016), where transition was understood in a normative sense denoting a distinct teleological understanding of a political shift from authoritarian pasts through uncertain presents towards democratic futures. The research project sought to analyse the extent to which carceral practices were shifting during this process of democratic thaw. The core idea was to use the prison as a prism to explore changing state–subject relations. Across several publications (for instance, Gaborit, 2020b; Jefferson & Martin, 2020; Myanmar Research Team, 2022), the joint research team has shown how discourses and practices of imprisonment do, as this book also emphasises, compress and amplify political, cultural, and social dynamics in Myanmar, for instance, in relation to gender. In continuation of this line of inquiry, the concluding chapter situates the study of everyday prison governance in a wider understanding of Myanmar history and society along two dimensions: the reproduction of social control and of patriarchal martiality, which, especially in relation to the latter, expands the analytical reach of this book beyond the prison gates and makes it relevant to a wide readership. This element of the analysis is, in my opinion, also one of the obvious entry points for Myanmar scholars more generally, who will not only understand prison life much better, but also have the opportunity to bring the grounded insights of this book into other conversations about, for instance, identity politics, morality, or corruption.

To scrutinise society from the prison is a firmly established line of scholarly inquiry – not least inspired by the work of Michel Foucault – but it seemed particularly timely and pertinent in the context of Myanmar, where the army’s carceral grip (Weegels, 2020), which had been so relatively hard and protracted, seemed to be loosening. The book documents the practices of everyday prison governance in this period, which ended abruptly with the military coup in February 2021. We now know that the period of transition was not the beginning of a long march to freedom, but an ambiguous intermezzo. Yet, it would be a misunderstanding to think of this research as a mere (albeit fundamentally important) documentation of this (possibly) unique period in Myanmar’s prison history. Prison life in Myanmar is likely to be very different during the violently unfolding revolution and it might never be the same again. And yet, it might. This book succinctly shows how and why this could be the case and that is one of its key strengths. The authors show that the mundane violence integral to everyday governance is an extension of pre-existing logics, which persist and mutate. These logics appear inherent to the prison as such, while taking colour from the (post)colonial condition and the protracted martial authoritarianism that is relatively specific to the Myanmar context. The book raises the compelling question of how the hurt and harm that characterise everyday prison governance may be dismantled, when these practices thrived so relatively unchallenged in the period of lauded transitional intensity prior to the coup.

Abolitionist Questioning

At the time of writing, Myanmar is undergoing a revolutionary moment, where most things hang in an uncertain balance (Chambers & Cheesman, 2024). The military coup precipitated a tsunami of arrests, public protests, and atrocious state violence, which resulted in an all-out civil war. Over 20,000 political prisoners are currently detained, dissidents have been executed by hanging inside Insein Prison in the capital Yangon, and prison protests have erupted all over the country – often with deadly and torturous consequences for the involved prisoners (Martin & Jefferson 2024). At the time of writing, the junta has begun to enforce a conscription law causing widespread arrests of Myanmar youth trying to evade military service. At the same time, diverse revolutionary armies are gaining momentum on the battlefields, liberating junta-controlled areas and freeing prisoners, while instituting several makeshift criminal justice systems and detention facilities of varied levels of institutionalisation and regulation. The Ministry of Justice and the Ministry of Human Rights of the National Unity Government (NUG) (in exile) are striving to form the political, institutional, and legal frameworks for a new Myanmar, which can be launched if the revolution succeeds and the junta falls. This new sovereignty blueprint is presented as a radical shift away from Buddhist nationalist authoritarianism and towards a new pluralistic social and political contract between the Myanmar state and all its citizens that is based on human rights and the rule of law. Similar processes of proto-state-building unfold in parallel to or in tension with the NUG in areas controlled by ethnic armed groups as part of enduring struggles for autonomy and independence.

In addition to impunity, ethnic violence and the military's grip on state power, torture and political imprisonment are among the most strongly manifested syndromes that revolutionary actors struggle against and propose to remedy in a democratic future. It is hard not to see the worth and meaningfulness of tying the reconfiguration of the Myanmar state to the dismantling of these dark political practices. Yet, this book is a highly welcome spanner in the works of the righteously spinning discourse about change from dark pasts to brighter futures.

The hurtfulness of prison life that this book brings to the surface is neither spectacular nor documented during the darkest time of Myanmar's authoritarian history. It is the generally accepted form of harm that is integral to the routinised practice of imprisonment itself. And it was meted out during a brief spell of tentative democratisation and ambiguous reform. As such, the analysis bears strong witness to the value of understanding the prison from the perspective of the incarcerated. In this case, the perspective of the incarcerated vividly and viscerally shows the ubiquitousness of fear and harm. We learn from the ground up that the quality and quantity of pain that 'ordinary' people routinely experience in prisons are excessive. As hinted above, I thereby suggest that the book invites an abolitionist questioning. It makes the reader consider whether imprisonment as such constitutes a venomous bite at the base of people's sense of self, which is inherently unjustifiable. The accounts in this book make you wonder what really needs dismantling to inhibit penal excess. It is not only the gallows. It is not only the military's control of prisons. It is not only the colonial legislation. And it is not only the bad rice or the lack of medicine. It may well be the foundational rationality that, as the authors strongly state, 'naturalizes violence as a solution to violence' and continues to reproduce prison subjects. Enjoy the read.