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Far Eastern Survey

AMERICAN INSTITUTE OF PACIFIC RELATIONS

BURMA COMPROMISE

BY CLARENCE HENDERSHOT

THE ANGLO-BURMESE AGREEMENT signed in London January 27, 1947 relieved a situation which had become extremely tense. For fifteen months Anglo-Burmese relations had been growing progressively worse until there appeared to be but two alternatives: an agreement or bloodshed. In the crisis peaceful counsels prevailed. In a document notable for its simplicity, brevity, and directness, procedures were agreed upon whereby Burma might achieve self-government with the option of remaining in the Commonwealth or not, as the Burmans desired.

The steps by which this end was to be achieved may be summarized from the Agreement as follows: the elections scheduled for April would be for a constituent assembly rather than a prewar type legislature. While the constitution was being drawn up and the new government established, the existing government in which the Governor had supreme authority but permitted his Burmese Executive Council to exercise substantial de facto power would carry on. A Burmese high commissioner would be received in London to represent the interests of Burma; the British would facilitate the exchange of diplomatic representatives between Burma and other countries, and would also lend their support to the securing of membership for Burma in the United Nations and other international bodies. Other clauses had to do with the retention of British troops in Burma, the future status of the Frontier Areas, and provisions for a British loan. Any questions which might arise, it was agreed, would be "dealt with in the same friendly and cooperative spirit that has marked the present discussions."

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The "friendly and cooperative spirit" in London was in sharp contrast to the events of the preceding twenty months. The Burmans, although they regarded the May 1945 White Paper as highly reactionary, nevertheless welcomed the returning Britons. The Burmans responded heartily to the democratic and friendly attitude of the British military, from Lord Mountbatten and General Slim, commander of the British ground forces in Burma, to the private soldiers. Joint military action fostered mutual confidence and respect. No one has accused the Burmans of not cooperating fully and effectively against the Japanese from the time of their rising against the latter in March 1945 until the fighting was concluded well after V-J Day.

To administer civil affairs during the period of military government, the British had created the Civil Affairs Service (Burma), commonly known as CAS(B). Within a short time this group had become thoroughly unpopular. The British had quite naturally recruited much of the CAS(B) personnel from Burman exiles and Britishers formerly resident in Burma. Many Burmans now resented seeing these people in positions of authority. Some Burmans declined to serve under men

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BURMA COMPROMISE

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Background of the Anglo-Burmese Agreement whereby Burma may achieve self-government.

THE SINO-AMERICAN TREATY — I

by Charles J. Fox

Property rights of Americans in China and Chinese in the United States.

formerly their juniors or even subordinates. To some Burmans, CAS(B) was just a scheme for the reestablishing of the former British companies, which many hoped had gone forever. Similarly, the Burmans who had remained in Burma resented the imposition upon them of economic plans made by an exiled government and applied, so they felt, without any consideration for their wishes. The British replied that Burmans had participated in the planning (those who had fled to India), and that the interests of Burma had been consulted.

Restoration of Civil Government

A crisis developed in October when Sir Dorman-Smith returned to restore civil government. During the war Sir Dorman-Smith had championed the cause of Burma. Despite the unsatisfactory terms of the White Paper the people of Burma had continued to give the British wholehearted military assistance. They now fondly hoped for a generous gesture. But unfortunately the Governor was not authorized to make one. After an indefinite period of absolute rule by the Governor under emergency powers, the prewar political status was to be restored. The government elected under the 1937 constitution could then take up the question of the future status of Burma. He even went beyond the White Paper to mention independence as within the choice of Burma, for which, it is reported, he was taken to task by the Burma Office.

Recognizing the unattractiveness of the proposition, Sir Dorman-Smith undertook to rationalize and justify the decision of the Cabinet. To a people who had come to have a new confidence in themselves and had experienced self-administration for three years if not "independence," the proposition of Dorman-Smith was thoroughly unpalatable.

The issue was joined when the Governor undertook to form an advisory council. Claiming the support of the entire population of Burma, Aung San insisted on the right to nominate all fourteen members of the proposed Executive Council. Sir Dorman-Smith insisted that he must retain control of defense, home affairs, and finance. To this Aung San's Anti-Fascist Peoples Freedom League acceded, but not until sharp words had passed between the Governor and Aung San over the latter's bid for the office of Home Affairs. The Governor refused to accept a Communist proposed by the AFPFL. The latter complained that he tried to reduce their representation from eleven to seven.

Unable to get the cooperation of the AFPFL, His Excellency appointed a council mostly of old school politicians. Three positions were left vacant for the AFPFL, but instead of accepting them they launched a campaign for independence.

The strength of the AFPFL lay first in their unity and public support, second in their capacity for obstructing the government, and finally in their military strength.

The Anti-Fascist Peoples Freedom League was quite unlike any Burmese political organization the British had experienced. It was new and different. The Japanese had scarcely overrun Burma before Aung San and the rest of the "Thirty Heroes" who had helped them were organizing to drive them out. A number of groups seem to have been at work, but the most successful were the Peoples Revolutionary Front, the Communists, and the Burma Defense Army commanded by Major General Aung San. By August 1944 these revolutionary groups had united to form the AFPFL.

The British were aware of this development. As early as 1942 the Burmans had sent Thakin Thein Pe to India to contact them. Thereafter, numerous Burmese and British agents passed between India and Burma. By late 1944 the AFPFL leaders were getting anxious to come out openly against the Japanese, especially when the latter manifested suspicions by withdrawing the Burmese forces to points where they could be watched.

Finally, despite British counsel to the contrary, the AFPFL determined to strike. The plan was skillfully arranged and expertly managed. On March 27, 1945, General Aung San held a review of the Burmese army in Rangoon. Then from the reviewing stand, in the presence of Japanese guests, he commanded them to go forth and kill the enemy. They melted into the jungles to slaughter Japanese wherever found. Burmese guerrillas everywhere joined in. This assault on the Japanese rear did not affect the outcome but it did help make it possible for the British 36th Army to take Rangoon before the monsoon broke. This gave them sea communications.

The success of the AFPFL strengthened its self-confidence as well as its unity. No longer forced to work underground, the AFPFL hurriedly consolidated and expanded its organization. Within a few months it had succeeded, in the words of the *Communist Guide Daily*, in transforming a "political syndicate" into a "general organization of the Burmese masses."

The widespread support of the AFPFL and its esprit de corps were underestimated by the British. Members declined to accept office in government as individuals. They would act only as representatives of the League, and on the latter's terms. The politicians whom Sir Dorman-Smith was able to gather proved to have no influence with the people, and were unable to acquire any. The AFPFL, by boldly appealing to the people not to cooperate with the government, was able to block official policies. Non-payment of rent,

non-payment of taxes, and refusal to sell rice to official buyers were among the weapons used by the AFPFL. Dacoity, the British believed, was being encouraged by the AFPFL.

The third source of AFPFL power was its military strength. The League had no army, but thousands of Burmans had been trained in guerrilla warfare and an unknown amount of munitions was about. The British had sufficient troops to take and hold any objective, but they knew that unless they could swing the support of the people, conquest would mean little.

The dominant characteristic of Burmese life became frustration. The AFPFL and the British were effectively blocking each other. The impasse became increasingly ominous. The Governor was not without sympathy for the Burmese position. The Burma Office, he complained, would not take a realistic view despite his reports and advice. He sought Burmans outside the AFPFL who might be able to win popular support.

Efforts to bypass the AFPFL served only to make it work the harder to maintain its solidarity and leadership. It held frequent demonstrations, sponsored violent speeches against the government, published attacks in the press. Never before had the British suffered such verbal abuse in Burma. Some of it sounded very like threats of rebellion.

Return of Burmese Politicians

One of the principal threats to the AFPFL position was the Burmese politicians returning from abroad and anxious for power. Among the first to arrive was Thakin Tun Oke, the political leader of the "Thirty Heroes." In 1942 he had organized government in the wake of the Japanese army. Shortly afterwards when the Japanese-sponsored government was established, he was replaced by Dr. Ba Maw as head of state. Suspected of planning to overthrow the latter, he was exiled to Singapore. Shortly after his return in January 1946, he accepted an appointment on the Executive Council. His friend, Thakin Ba Sein, returning from the same exile, undertook to build up the Dobama Party as a rival to the AFPFL.

U Saw, on returning from his wartime sojourn in Uganda, decided against entering the Executive Council. He attempted to revive his prewar Myochit Party. The return of Ba Maw created little stir. His friends were few; his enemy Aung San potent. He tried to pull together his prewar followers of the Sinyetha Party.

The AFPFL retained its predominant position and Aung San his popularity, but these revived parties, by advocating competing programs, forced it to adopt an increasingly uncompromising position.

Despite political obstruction and the scarcity of essential materials, some progress was made in rehabilitation, especially of the transportation system, the

Rangoon sanitary system, and in agriculture, but general economic conditions continued bad. Consumer supplies were short; prices high. Peasants deserted their fields because of the low price paid by the government for paddy. Some turned to fishing and business; others to dacoity. Lawlessness in turn interfered with agriculture. Peasants fled to cities for safety. Politicians made the most of the situation. Anti-government sentiment mounted. Frustration deepened. Explosion threatened. In June Sir Dorman-Smith was summoned to London.

The Burmans came to associate the policy of the British not with Sir Dorman-Smith but with the Burma Office. Consequently when he was recalled they looked to him to plead their case, as he had done so often before. At the same time sensing a weakening of British determination, the AFPFL pressed its case more boldly. It issued a statement that it would support workers and peasants, technicians, government employees, tradesmen, teachers, students, and others in demands against the government. Specifically, it would undertake to get the government to lift its repressive measures against the press and civil liberties. The Burma Press Union thereupon resolved to boycott government press conferences and not to publish official releases until restrictions on the press had been lifted. The AFPFL directed all of its branches to celebrate certain national days, using only the party flag.

When the resignation of Sir Dorman-Smith was announced early in August, the Editor of the *Burmese Review*, who had worked with him closely during and after the war, declared "no Governor loved Burma more or had greater affection and good will for the Burmese."

The appointment of an army officer, Major General Sir Hubert Rance, formerly head of CAS(B), to succeed Sir Dorman-Smith gave the AFPFL only temporary pause. Aung San pleaded for absolute and complete unity of the masses to make possible complete and immediate victory. The former Burmese army was revived as the People's Volunteer Organization, "to serve the cause of national independence and democratic freedom in Burma, and to instil in the people of Burma the spirit of self-reliance and self-defense in all cases." U Saw's Myochit party revived its prewar Galon Tat, a uniformed semi-military organization. Other political organizations did likewise.

Sir Hubert Rance arrived in Rangoon on August 30. His task, he announced, was three-fold: first, and most important, "to press on with reconstruction and rehabilitation;" second, to prepare for elections; and third, to establish law and order.

Two days later the Rangoon police went out on strike. Night patrols were established by the military police and volunteers from Aung San's People's Volun-

teer Organization. The strike spread quickly to Henzada, Maubin, Twante, and other towns. Appeals to return to work went unheeded.

"The real significance of the strike," wrote the moderate *Burmese Review*, "lies in the widespread support which the strikers have received from the Burmese press, the Burmese public and from all political parties." "Short of a rebellion," it continued ominously, "which every responsible Burman is anxious to avoid, the only means left to the Burmese people to ventilate their grievances and to show their objection to the present regime is to support all constitutional movements likely to expose and to embarrass the members of the Executive Council. This indeed is the secret of the popularity of the Rangoon Town Police Strike and of the public support given generously to all such movements."

The situation was growing desperate. Reports of important political talks circulated. On September 15 it was reported that Aung San had been invited to an interview with the Governor. Changes in the government were known to be impending. The AFPFL disclaimed responsibility for the police strike which was now in its tenth day, but the strike served a political purpose none the less. The employees of the Postal Department declared a strike. The employees of the Central Government Press staged a one-day sit-down. On the seventeenth the AFPFL issued a directive to all of its branches to hold demonstrations. The same day the resignation of the Executive Council was announced. *The Burman* warned that nothing less than a new council would satisfy, a "virtual National Government" in which the AFPFL must have a "pre-dominant share."

New Executive Council Announced

The Burmese had gained the initiative and obviously proposed to keep it. A general strike was called for the twenty-third. The paralysis of the civil administration was complete. On the twenty-sixth Governor Rance announced a new Executive Council of eleven members, six of whom were to be members of the AFPFL and five from other parties. Aung San was to be in charge of Defense and External Affairs, and to be Deputy Chairman of the Council. The Council was to have all the authority and power which had been exercised under the 1935 act. Treasury controls of finance were to be relaxed, and the Executive Council would be kept in touch with the administration of the frontier areas.

A demonstration planned for September 29 became a victory parade with Aung San appealing to the people to continue to make a firm stand for national demands. The AFPFL with its thirty-two-year-old leader had not accomplished all it desired, but in less than a

year it had achieved a strong political position. Aung San made no secret of his plans to press his political advantage. Significantly, within a few days the strikes were settled.

The AFPFL then brought to a crisis an internal struggle it had been having with the Communists. With the bluntness in which he takes pride, Aung San demanded the resignation of U Thein Pe, the Communist member of the Executive Council.

This action may have been caused by the internal struggle for power within the AFPFL. One of its chief effects was to strengthen Aung San's position with the Buddhist priesthood and with the more conservative Burmans sufficiently to offset the strong and aggressive support hitherto received from the Communists. Another effect of this action, whether or not it weighed heavily with Aung San at the time, was to strengthen his position in future negotiations with the British.

Shortly afterwards the Under Secretary for India and Burma, Mr. Arthur Henderson, informed Parliament that he regarded the developments in Burma under the new Executive Council "with great satisfaction."

Having set its course, the AFPFL moved rapidly and methodically. On November 3 the Supreme Council voted six resolutions which pointed clearly the direction of their policy: (1) the new government should take steps to secure membership in the UN; (2) it should take immediate steps for entering into diplomatic relations with foreign countries; (3) the projects boards should be discontinued; (4) the April elections should be for a constituent assembly; (5) foreign troops should be replaced by Burmese troops; and (6) the rumor that certain districts of Burma proper were to be incorporated into a Kachin state should be investigated and, if true, resisted.

The Working Committee of the AFPFL announced on November 12 that it had directed the representatives of the latter in the Governor's Executive Council to present the following demands: that the British Government should make not later than January 31, 1947 an announcement to the effect that Burma would be completely free within one year; that the coming election would be for a constituent assembly and participated in only by those of Burmese nationality; that by not later than January 31 the Executive Council should be recognized as a national government, and that all projects should have been re-examined or abolished by the same date. If these conditions were not met, the AFPFL representatives on the Council would resign. The other members of the Executive Council joined the representatives of the AFPFL in these demands.

This amounted to an ultimatum. The open drilling of Burmese irregulars added to the tension. While

the British were considering these demands, Aung San made an official tour of Upper Burma. He contacted AFPFL leaders, made speeches, and reviewed troops, including his People's Volunteer Organization. Everywhere he was acclaimed.

The tension was relieved somewhat by an announcement by the Governor on December 6 that "The British do not wish to stand in the way of Burma's freedom," followed by a statement two days later by U Tin Tut, Finance Minister, that "while no official reply had yet been received from London, the Executive Council had learned . . . that the British Government was prepared to meet the wishes of the Council." This did not keep Aung San, however, from issuing an appeal for funds to expand the activities of the AFPFL for the attainment of complete independence. Demonstrations of Communists with the threat of internecine fighting further heightened the tensions.

Prime Minister Attlee's Statement

Then came the momentous announcement of Prime Minister Attlee on December 20 that Burma was to be granted Commonwealth status or independence, whichever it preferred, "by the quickest and most convenient way possible." He referred to the White Paper as "not unchangeable." He mentioned the changing situation in India which had made Burma untenable. A Burmese delegation, he announced, was being invited to London to discuss the ways and means.

Burmese newspapers commented favorably on the statement but cynically hoped that the move was not another instance of dilatory tactics. The AFPFL announced on the twenty-third that while the announcement was not satisfactory, they considered it an earnest of good faith and a basis for discussion. Therefore they would advise their members on the Executive Council to accept the invitation to London. U Aung San, U Ba Pe (Commerce member), and Thakin Mya (Home member), were to represent the League. U Tin Tut (Finance member), an independent sympathetic with the position of the AFPFL, Thakin Ba Sein, president of the Dobama Asiayone, and U Saw, president of the Myochit Party, constituted the remainder of the delegation. U Saw and U Tin Tut must have recalled their ill-fated visit to London in 1941.

On the eve of his departure Aung San cautioned his followers to remain united and vigilant. He hoped for a peaceful solution, he said, "but if the negotiations fail the people must achieve freedom themselves." On arrival in London he announced, "I have come to sell the friendship of Burma and it will have to be bought."

At the first conference Mr. Attlee assured the Burmese representatives that the British Government

would approach the problems "with completely open mind, with full sympathy for Burma's desires." Burma, he said, might have her independence "either within or without the British Commonwealth." In reply, Aung San said, "We have come here not only with an open mind, but with a new method of approach and with willingness to reciprocate such friendship and good will as His Majesty's Government and the people of Britain may hold outwards." Whatever differences the Burmese may have, he went on, they were united in demanding the right of their country to full and unfettered sovereignty.

Ten days passed before the secrecy of the negotiations was broken. There was much plain speaking on both sides, but gradually compromises were reached. The Burmese stressed their determination for complete sovereignty and for the incorporation of the Excluded Areas; the British tried to persuade them of their need for assistance, especially for rehabilitation, and urged them to make haste slowly.

To add to the tenseness of the situation, the AFPFL had scheduled a whole week of demonstrations beginning January 10 with different organizations having assigned days. The University students declared for a strike to last from January 15 until the end of the month. They organized a "Steel Guard," with military drill. Twenty thousand people were reported to be parading the streets of Rangoon demanding acceptance by the British of the Burmese claim to complete independence. "For the second day this week," reported a Reuter correspondent on the seventeenth, "trade, commerce, and shipping were paralyzed and Government offices, schools, colleges, banks, business concerns and factories, though officially open, were absolutely empty. Not even the Rangoon telegraphs functioned."

The Communists, who had no representative in London, sponsored strikes, organized parades. The Red Flag Communists, as distinguished from their rivals, the White Flag Communists, twice stormed the Secretariat in Rangoon from which they were ejected the second time by the use of lathis and tear gas. The AFPFL sponsored protest meetings against Thakin Ba Sein and U Saw who were accused of insulting the Burmese masses by "making insinuations and expressing doubts about the leadership of Aung San . . . by asking the British to remember their responsibility for keeping law and order in the country . . . playing into the hands of the imperialists." Strikes were stifling the economic life of the country. Dacoit bands were more than ordinarily active. Independence machinations and internal politics combined with economic unrest to create in Burma an extremely explosive situation.

Nor did the signing of the London Agreement on January 27 quiet the situation. The refusal of U Saw and Thakin Ba Sein to sign it was sufficient warning

that they would campaign against its acceptance by the people of Burma. Consequently the AFPFL staged demonstrations led by the People's Volunteer Organization to endorse the agreement. The strikes continued. Unrest and excitement were in the air. Aung San hurried home to report to the AFPFL and to prepare for the next step, the elections, in which it was already apparent he would have to reckon with all the dissidents, possibly with the union of all his foes. This created an entirely new situation for Aung San. The British were no longer his *bête noir*; now they were his allies, a fact of which his rivals did not fail to attempt to make political capital. Also, there was some explaining to do for the Delegation had not obtained all of its demands.

A written promise of the right to independence had been received, but no date had been fixed, contrary to the November demands. Neither did they get the promise of a national government by January 31, only a promise that the Interim Government would be given responsibility in practice. As for the Frontier Areas, they got a promise that they would be allowed to join Burma, if they so desired. This was satisfactory to Aung San. He was certain that the chiefs of these areas would decide to unite with Burma, which they did a few days later. Only passing reference was made to the Projects Boards. The failure of the Burmese in these regards may be explained in part by Burma's financial and economic weakness. Bankrupt, and faced with a tremendous problem of rehabilitation, the Burmese were in sore need of financial assistance. Consequently, loans and the possibility of outright gifts were vital considerations.

Further explanation is to be found in the Burmese need for defense and especially for support of inter-

national affairs. Aung San perhaps felt he could forego some of his demands. The AFPFL had secured its chief immediate goal, British recognition of its predominant place in Government. With that and a Constituent Assembly under his control, he could confidently demand any other sovereign rights Burma might desire whenever it appeared expedient. Meanwhile he needed British money, British technical assistance, and British support in international affairs. As he put it, they had secured the basis on which Burma could work out her national independence in a peaceful atmosphere.

The Agreement was, in the words of U Tin Tut, "a reasonable compromise." Considering all the frustration, bickering, and even threats of violence of recent months, it is remarkable that so reasonable an agreement could be reached, and with so little hard feeling.

The elections held early this April were a landslide for the AFPFL. Only a few independents and one wing of the Communists presented opposing candidates. For a time it looked as though they might unite their forces to resist the AFPFL. There was also a threat that force might be used to prevent the holding of the elections. In the end the elections passed off with only a few minor incidents.

If the Constituent Assembly is able to draw up the Constitution in six months, as Aung San has said it can, Burma may achieve dominion status or independence by January 31, 1948, the target date. The responsibility no longer rests on the British, but on the Burmans themselves. Having cooperated to win the right to self-determination, it remains to be demonstrated that they can carry out the heavy responsibilities of governing and rehabilitating the country. Their principal enemy is partisan politics.

THE SINO-AMERICAN TREATY—I

BY CHARLES J. FOX

THE TREATY OF FRIENDSHIP, COMMERCE AND NAVIGATION between the United States and China, signed at Nanking on November 4, 1946 and ratified by the Chinese Legislative Yuan five days later, has been submitted by President Truman to the United States Senate for its advice and consent to ratification. Whether the Senate will make any reservations to the treaty will

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The second part of Dr. Fox's study of the Sino-American Treaty will appear in a subsequent issue of the *Far Eastern Survey*.

be no doubt indicated if public hearings on the international agreement are held by the Senate Committee on Foreign Relations.

When the Department of State announced the proposed treaty, at the time of its signing, it declared it to be the first postwar comprehensive commercial treaty to be signed by either government. "The Treaty," the Department stated, "is somewhat broader in scope than existing United States commercial treaties with respect to the rights for corporations, and includes articles relating to establishment, land holding and industrial and literary property, commercial articles similar in principle to the general provisions of recent trade agreements, and more detailed coverage of exchange