

## Chapter 4

# THE DOUBLE ORDER OF LAW

### *Monks, Gender, and Resistance*

#### *A Focus on Violence: Into the Field*

To this point, I have not focused directly on what the Burmese political landscape is most famous for outside the country—namely, violence. Stefan Collignon's roundup of the state of affairs in Burma is concise and worth quoting here: "In the fiftieth year after the adoption of the Universal Declaration of Human Rights, Burma holds the sad record of one [of] the worst and longest-lasting dictatorships on earth. An unelected government, draconian laws, military tribunals, widespread arrests, torture, forced relocations and portering, mass refugee movements, crackdowns on political leaders, closed universities, repressed freedom of the press, expression of speech and information are the everyday reality in Burma."<sup>1</sup>

Although Burma is, without doubt, ruled at present by one of the world's most repressive regimes, many of us who conduct research in central Burma have often remarked to one another on how our own exposure to violence has been minimal and indirect.<sup>2</sup> We tend to witness little of the violence we know has been endemic during all the time we have been visiting the country. Indeed, violence is inherent in the junta's justification for rule. Its claim is that in the absence of a forceful center, the periphery would erupt into chaotic hostilities (ethnic conflict, for example) and the country's borders would be insecure against external enemies. Such was Ne Win's

rationale behind his 1962 coup d'état, and many Burmese from the central region continue to quote this justification for why the junta continues to be a necessary evil. But as Saul Bellow once commented: "Everybody knows there is no fineness or accuracy of suppression; if you hold down one thing you hold down the adjoining."<sup>3</sup>

The reason foreign observers rarely witness violence is not, I think, because we fortuitously happen to be located away from where the regime's repression is most exercised. Rather, it seems to be because the brutality, as well as any burgeoning forms of resistance to it, often occurs beneath the surface of what Jürgen Habermas originally referred to as "the public sphere."<sup>4</sup> By this, he was referring to "a discursive arena that is home to citizen debate, deliberation, agreement and action."<sup>5</sup> At this level, the atmosphere of fear, threat, and latent brutality is most observable, provided one is alert to detecting it. In this chapter, I will consider the usefulness or lack thereof of Habermas's public sphere and its obverse in considering one form of the regime's suppression of political freedoms in Burma, as well as the spaces or spheres in which opposition to and/or accommodation of the regime take place.

I do not mention the position of the researcher relative to the suppression and violence of the regime incidentally. I believe that some of the same impulses that spur us as outside researchers to avert our gaze from politically taboo matters are shared by the Burmese people themselves, living as subjects under these conditions. As a researcher, you might be inquiring along a certain track when it suddenly seems that you are treading on uncomfortable ground. Your conversation partner begins to show apprehension or to avert his or her gaze, for fear of being under surveillance. In addition to not wanting to place your confidants in an awkward or dangerous position, you yourself do not wish to risk being expelled from the country and having your visitation rights revoked. I know this all too well, for I was barred from reentering the country for four years following a brief and innocent meeting with the late prime minister U Nu in Yangon in 1988. Calling on my own experiences as a researcher then and during more recent visits, I believe I can offer the

reader some insight into the nature of secrecy, suppression, and public discourse in Burma.

In 1995, seven years after the military's brutal crackdown on prodemocracy demonstrations,<sup>6</sup> I returned to Yangon and to Mahasi Thathana Yeiktha, the meditation center where I had first resided as a thilashin (nun) in 1984 and 1985. This was not my first return to Burma (now as an anthropologist), but to my eyes, time seemed to weigh more heavily on the city and its people on this visit. SLORC's unremittingly oppressive imprint was everywhere in evidence. Preparations for the Year of Tourism were under way. The junta busied itself with Burma's grand opening.<sup>7</sup> The whitewashed facade of the city, its sterile billboards bearing state propaganda, the absence of the little shanty rows that used to line the road leading to the heart of the city, the tawdry ocher-gold paint that blanketed ancient Buddhist monuments—everywhere, the signs cried out that a different city lay somewhere beneath this bedizened, dazzlingly vulgar, disciplined display. Numerous world-class hotels and Southeast Asian-styled shopping complexes had popped up, yet only the very smallest segment of the elite could afford to patronize them. Military decree severely restricted individuals from assembling. Constant surveillance—open and secret—produced the palpable sensation of terror and suspiciousness, a contagious feeling toward which I felt no immunity. State domination over the city's public space appeared absolute.

How did one encounter the surveillance? If I was speaking with people even in private and I touched on a topic that did not seem suitable because it was in some way connected to politics, they would immediately put their fingers to their lips and point to different places in the room to suggest that we might be being bugged. I would then turn the conversation back toward an explicitly Buddhist subject. As should follow from earlier chapters, the fusion of political and religious spheres in Burma meant that you could easily traverse this divide. In any case, even if you were in a public location such as a marketplace, you would constantly look around because people would tell you: "This person is following you, he's military" or "That person over there is a spy here in the market . . . watch out! Don't do

anything in front of him.” In my case, a monk whom the executives at the Mahasi center considered to be a government spy was assigned to tag along with me, putatively as my helper but also my constant companion. By assigning him to me, the executive committee at the center may have been shrewdly sending a message to the Ministry of Home and Religious Affairs: “See? She’s not a spy. She is here to study Buddha sāna.” Although I did not consider my companion to be directly dangerous to me, my own suspicions were reinforced by the fact that it was I who was careful not to show indiscretion in the matters discussed.

And of course, as a visiting researcher, you have an obligation to not betray the people who are sponsoring you as their guest, in whatever circumstances. Your actions will redound to them. You are careful not to accept the wrong dinner invitation or to be seen somewhere you should not be, and you get in the habit of constantly trim-tapping your speech, speaking only of the subjects you have told the government you have come to talk about, which in my case was doctrinal Buddhism.

It is fair, then, to conclude this introduction with a focus on precisely the question of the public sphere and what is regarded as appropriate, safe discourse or forms of discourse in such circumstances. The regime has sought to secure its authority in one aspect by enforcing an oppressive silence on the public sphere. It will not tolerate free assembly or collective debate. In a 2004 news article, it was reported that Rangoon University students who had gathered to form a sports club without direct permission from the government were each served a fifteen-year prison sentence.<sup>8</sup> Yet if the Burmese have been silenced in their critiques of a repressive regime, where and how might they discuss these matters? How do they present an alternative position to the government when doing so is not allowed? Put more analytically for our purposes, where has public space gone? Have Burmese simply retreated to the private domain of their homes? Has a critique of the state become sublimated in some other fashion?

In this chapter, I will discuss this latter possibility in terms of a number of subjects or domains of inquiry. This analysis will address

issues of power, authority, and government legitimacy in distinctly Burmese Buddhist contexts and, in these terms, the specific ways in which the military regime has gone about asserting its power. Once this framework is clear, I will turn to the forms of resistance to the regime's assertions that are discernible in two spheres of action in particular: within the renunciate positioning of monks and among (largely) women devotees who engage in meditation and participate in the mass lay meditation movement. I will argue that an alternative moral social order based on right intentions and the assertion of a right society in Buddhist terms is invoked to coerce the government to partial compliance, at the same time that the Burmese themselves accommodate or at least sustain the awful demands, in turn, of the military junta. Finally, as in the last chapter, the question of sincerity is relevant here. Are religious acts performed manipulatively? Conversely, are violations of one's religious precepts performed with alternate intentions, under force, binding to one's kamma? These are considerations raised but not necessarily resolved in the Buddhist resistance sphere that I describe in the balance of this chapter.

### *An Alternate Action Sphere*

In her recent account of terror and oppression in Burma, Christina Fink relates how students secretly circulate banned books in an effort to "use literature to educate people about the political situation and motivate them to consider taking action. . . . Once a person had read [a book], he or she would write a short comment and the name of his or her home town in the back and pass it on to another member." In this way, students make explicit their common purpose and sense of community. In a society where it is impossible to have free and open conversation, Fink suggests, students have created a kind of public space in the interior of their private spheres. Individuals who may never have met face to face in public spaces encounter one another through serial communication in an underground realm of public life. In this stunted political environment, so to speak, communication

thrives on the determination to secure an alternate space from which to communicate and exchange ideas critical of the state, in order to escape its hegemonic control. In Fink's words, "For those who had developed political ideas, knowing they had similarly-minded peers in other parts of the country was very important. They often felt isolated among their own school-mates, most of whom thought it pointless to question military control."<sup>10</sup>

I, too, wish to address the issue of how public space gets created in an interior sphere. This sort of pragmatic and palpable reconfiguration of public space in the interest of resisting the government is probably taking place in a number of situations, but I believe the underlying model on which this sighting builds in fact conceals from view a more profound and culturally particular process. This alternate process accomplishes some of the same ends, and its dynamics resonate more directly with a majority of Burmese Buddhists because, as a form of social action, it satisfies cosmological criteria for validity.

Fink's notion of where to look for resistance fits with where we would expect to find a nascent democracy movement in the West if similar circumstances somehow prevailed. In this case, the "public sphere" is implicitly taken to be a synonym for democratic society itself. Indeed, in this model, it is predictable that under circumstances of oppression, the vox populi would simply find an alternate microphone with which to disseminate its views. This microphone would be projected "underground," and its activists would often be students, who are the world over enthusiastic in their resistance to oppression, human rights violations, and so on. Here, I do not mean to downplay this level of resistance in Burma, nor, certainly, do I want to discourage it. However, I will argue that a more mature and, by another measure, a far greater segment of the Burmese population is involved in what can be construed as an antiregime discourse but one that is not outwardly expressed.

To make my case, I will point to one further framework implicit in Fink's account—the Habermasian assumption that the public sphere is characterized by verbal and written communication, that is, rhetoric, conversation, debate, and so on. Fink explains that "the

generals understand that if people do not have concrete ideas about how to change Burma and are lacking leaders and organizations to spearhead a movement, they will remain quiescent.”<sup>11</sup> The public space, which is analytically linked to (democratic) civil society, is supposed to be the place where citizens work out ideas known familiarly to us as public opinion and where grounds for agitation against the government are deliberated and established. The regime, for its part, acts out its role as the oppressive state by seeking to extinguish the opportunities for open discourse among its citizens. Thus, we see the characteristic political scientific framework of state versus civil society emerge as the implicit model for analysis.

Two clues point to the inadequacy of this model in Burma. First, there is the fact, often raised by commentators on Burma, that as hard as one looks for activism, what one mostly sees in the end is an apparent apathy to the awful situation.<sup>12</sup> The origins of this apathy are traced, in this view, to a fatalistic interpretation of the doctrine of *kamma*. In 1996, U Aunt Maung, the minister of home and religious affairs, explained to me, giving voice to common wisdom, that “the people have to realize that they have this relation with Ne Win because of their past actions. How can they escape their own *kamma*?”<sup>13</sup> Yet it is important to recognize that it is not *civil society* against the *state* that animates this understanding of *kamma* but the competition between agents vying with one another in a cosmic cycle played out over multiple lifetimes.

To take the point a bit further, we in the West have an idea about regime legitimacy that is based on “regime performance,” grounded in terms of whether there is slave labor, oppression, torture, imprisonment, and the delivery of various goods to the populace. In Burma, those ideas of performance, at least from the perspective of a fatalistic assertion of *kamma*, are not determinative criteria for legitimate rule. A king who is brutal may nevertheless be legitimate. This idea was emphatically reiterated to me by Sao Htun Hmat Win at the Department of Religious Affairs, who explained (with not a little exasperation when I was slow to grasp the full implications of the rights of rulers) that “the rulers decide the lives of their subjects.

They are the lords of all. There are no rules against a king killing or committing homicide. The raja is owner. Kings and queens are owners of men. They can give away people to pagodas if they want. They are final authorities.”

From another perspective, however, this time from the perspective of the ruled, kings are to be counted among the five enemies or perils. In her book *Freedom from Fear*, NLD leader and Nobel Peace Prize winner Aung San Suu Kyi reflects on another old Burmese version of the rights and limits of rulers by recounting the moral duties of Buddhist kings:<sup>14</sup>

The Buddhist view of kingship does not invest the ruler with the divine right to govern the realm as he pleases. He is expected to observe the Ten Duties of Kings, the Seven Safeguards against Decline, the Four Assistances to the People, and to be guided by numerous other codes of conduct such as the Twelve Practices of Rulers, the Six Attributes of Leaders, the Eight Virtues of Kings and the Four Ways to Overcome Peril. . . Integrity (*ajjava*) implies incorruptibility in the discharge of public duties as well as honesty and sincerity in personal relations. There is a Burmese saying: “With rulers, truth, with (ordinary) men, vows.” While a private individual may be bound only by the formal vows that he makes, *those who govern should be wholly bound by the truth in thought, word and deed*. Truth is the very essence of the teachings of the Buddha, who referred to himself as the *Tathagata* or “one who has come to the truth.” The Buddhist king must therefore live and rule by truth, with is the perfect uniformity between nomenclature and nature. To deceive or to mislead the people in any way would be an occupational failing as well as a moral offence.<sup>15</sup>

The cultural rectitude of this notwithstanding, interpretations of virtuous kingship according to a Buddhist moral framework are not easily or directly translatable into a theory of modern democratic politics for Burma. Western criteria for regime performance and democratically informed ideas about popular sovereignty depend on

other ideas about the origins of society and the proper relations obtaining between civil society and the state. What my informants often said is “With patience [*kanti*] we can endure.” Is this the very soul of apathy? Or is it a window into a culturally particular way of bearing hardship that also encompasses a species of resistance that we can probe and investigate?

The second indication of the inadequacy of a state-versus-civil society model is that the long-term researcher continues to have difficulty locating the conceptual apparatus for apprehending power struggles in these terms. The students, one recognizes, are making use of foreign models that bring with them the state-civil society duality.<sup>16</sup> In this regard, though their participation is to be granted and endorsed, the terms of its engagement must be recognized at this point as essentially alien in cultural character.<sup>17</sup> Analogously, though I say this in quite tenuous terms due to the prudence with which one must address this topic, in the mid-1990s I often heard Burmese intellectuals associated with various religious, educational, and governmental institutions in Yangon complain that the ineffectiveness of the democratic movement’s leader, Aung San Suu Kyi, was partly the result of the foreignness of her ideas to Burmese Buddhist sensibilities, for she lived and was educated abroad in her formative years.

In my own research in Burma, I have also found an unmitigated skepticism toward the government. However, the form this takes is paradoxically apolitical, which is precisely what has hidden it from the view of political scientists who search for answers only in the unambiguous realm of politics. Like the joke about the man who searches for a lost item under the street lamp because that is where he can see it despite the fact that that is not where he misplaced it, analysts have tended to reify the duality of civil society versus the state,<sup>18</sup> to the detriment of understanding the situation on the ground. What I would argue is that it is in the ubiquitous realm of Buddhism—precisely the place in which political commentary is least expected—where we must look to discern political action. Or, more precisely, we must look at how action is directed not at the political

sphere as we identify it but at the cosmological sphere, the “regime of truth,” to use Michel Foucault’s apt phrase.

Monks, who are considered “world renouncers,” are, by definition, the antithesis of politics. But in 1995, an adviser at the Religious Affairs Department explained to me how important it is that the government controls the sangha. “Monks,” he said, “are like kings. Whatever they say the people will do. The government doesn’t want to purge [that is, purify the religion of heterodoxy] during this period because they want support of people and monks have people’s support.” By this, he meant that monks stand at the head of moral communities, and should they turn their attention to the practical concerns of a suffering populace rather than just spiritual matters, they could pose a threat to the regime. This view is reinforced by the specter of the commonly referred to metahistorical oscillatory model, found originally in the texts (Digha Nikaya II and III) between world renouncer and world conqueror.<sup>19</sup> Whereas the king’s function is to sustain and support the sangha, it is the sangha’s function to admonish the ruler who does not rule as a *dhammaraja* (a king of righteousness).

In the face of this threat, the regime monitors the monks and will disrobe (and then perhaps prosecute) any monk engaged in overt or covert political activity. In the latter case, the pretext for disrobing becomes the purported violation of the vinaya, which can be less or more severely read to define the proper behavior for monks. Thus, the disrobing of monks, which itself can be readily interpreted as sublimated political action, falls under the category of *sāsana* purification, for which kings are granted traditional obligation and privilege. And yet—and here is my conclusion foreshadowed in a nutshell—the way in which monks and their followers may ultimately come to have political impact is by asserting a moral convention for action that contains within it criteria for regime legitimacy, as well as the communal building blocks of political power. Monks pose a threat to the regime because they can claim a higher moral ground; they are the heads of moral communities that adjudicate questions of potency and sincerity. The regime is fearful of being widely deemed

insincere in its efforts to support and protect the *sāsana*, which is the will of the religious masses. This is true on a collective level as well as for individuals, for many members of the regime are themselves observant Buddhists who do not wish to alienate themselves from their sources of merit—the leading monks.

The principles of conversion from moral community to political power are intricate. A recounting of an empirical example of this procedure will bring us closer to understanding how religious communities, particularly those dominated by women, exert their influence. In the following example, I refer to an alternate action sphere for political behavior. These are forms other than those identified by Habermas and Fink, for the case of Burma, in which one can locate a sublimated critique of the state.

*A Revered Monk and the Regime's Attempt to  
Capture His Potency*

Pilgrimage is a common means to religious piety in Burma, as elsewhere. Bruce Kapferer's observation of pilgrimage in Sri Lanka as simultaneously a function of state expansionist interests, expressed through religious proselytization, and a deterritorialization/reterritorialization as described by Gilles Deleuze and Félix Guattari, is highly relevant in Burma as well. With the proviso that the purpose of pilgrimages can also be a redrawing of geographic (as in sacred geographic) and political lines against the state and its controlling interests, Kapferer writes:

In Sri Lanka, the revitalization of Buddhism as part of an anticolonialist nationalist politics also switched Buddhism into a missionizing and proselytizing mode. The conscious striving to be Buddhist (especially among the highly Westernized and urbanized bourgeoisie) is expressed in a growth in pilgrimage and the creation of new pilgrimage centers, often sites of ancient importance to Sinhalese. Pilgrimage is a dynamic of deterritorialization which, associated as

it is in Sri Lanka with state-directed religiously defined national interest, becomes a critical element in a reterritorialization and re-drawing of spatial boundaries.<sup>20</sup>

The growth of pilgrimage is a poignant phenomenon in Burma because movement is closely restricted by the regime. As *sāsana*-related activities, pilgrimages are permitted. Once again, sacred journeys (sometimes abroad) help constitute the “alternative action sphere” I have been speaking of as a medium for underground resistance, as the following account demonstrates.

Widespread pilgrimage to the venerable monk Thamanya Sayadaw, alleged by many to be a fully enlightened saint (*arahat*), is noteworthy in several regards. For years before his death in December 2003, busloads of devotees departed daily from Yangon on a ten-hour ride to Karen State, where Thamanya Sayadaw resided atop a mountain that was ringed at the base by three ethnic Pa-O villages. They wanted to offer their respects and donations, to hear him discourse on the dhamma, and to bask in his radiant presence for a short while.

Thamanya Sayadaw’s presence, moreover, is in evidence all over Yangon. His picture functions as protective amulet on the dashboards of cars and buses, around the necks of women and children, in the glass cases of the gem and jewelry dealers in the marketplaces, and among the paraphernalia and Buddha *rūpas* (statues) in public and private shrines. The typical response to the question “Have you been to see Thamanya Sayadaw?” is either “Of course” or “Not yet.” People often recount the number of times they have undertaken the pilgrimage, adding wistfully that they hope to go again if the sayadaw (who was in fragile health in his final years) “lasts.”

This example shows how people are communicating through the use and presence of the amulet that has Thamanya Sayadaw’s picture on it. Because one finds it in both sacred and private places, it serves as a connection between the sacred and private realms, at the same time that it signifies a commonality of view and a safe context in which to talk. Whenever I wore my amulet of Thamanya Sayadaw (I visited the venerated monk), I found that people were

willing to talk to me. There was not only a political safety implied but also a kind of magical safety.

Indeed, it does not require much prodding for a discussion of Thamanya Sayadaw to turn to political issues. His longtime refusal to go to the capital and be honored by the SLORC/SPDC government has remained a deep source of irritation to the military.

In response to inquiries about why the sayadaw declined to go to Yangon, I was told by a variety of people there that the refusal was a sign that the monk did not view the government as legitimate. Thamanya Sayadaw, they said, refused to become a “government monk,” decorated with the titles of an illegitimate regime. (The regime has taken to securing its own hierarchy of monks by awarding learned ones prizes for feats of scholarship, hoping to mirror the populace’s own values and criteria for good monks.) Elaborate rumors circulate contrasting the circumstances and events surrounding the sayadaw’s aloof reception of the junta’s Secretary 1, Khin Nyunt, with that given National League for Democracy leader Aung San Suu Kyi. These accounts often include miraculous and magical details evidencing Thamanya Sayadaw’s sainthood. Discussion of the monk’s remarkable qualities is transposed into a discourse critical of the ruling junta while lionizing Aung San Suu Kyi. In the context of severely restricted freedoms of speech and assembly in contemporary Burma, such active and visible support of an exemplary monk allows a speaker to communicate political views while still leaving open the possibility for shifting to the safety of orthodox Buddhist rhetoric.

One might add that this is where a slippage between conversation levels takes place. Thus, a person has said in my presence, “No, he [Thamanya Sayadaw] is a very good monk, he only supports the good people, he knows this government is insincere so he won’t support them.” In this comment, we discern that *sāsana* language subsumes the political realm. However, the line about the government could as easily be left off, so that the remaining language is purely about *sāsana*; only by extension and in some contexts does it also incorporate a political commentary. Even when the intention is to

explicitly focus on the unfairness of the regime, one can immediately code switch and say, “Oh, I’m just talking about *sāsana*.” And in that zone, there is safety.

The fact that Thamanya Sayadaw’s overt rejection of the junta reinforces perceptions of his saintliness,<sup>21</sup> even as his saintliness demonstrates the illegitimacy of the regime, has its roots both in political rhetorical practices of Burmese Buddhists and in understandings of what the transcendent sources of power are. Contemporary Burmese ideas about political rule still draw heavily on the rhetoric of kingship and associated notions of the role of the *sangha* in conferring legitimacy to the political order. Answering to this populist and indeed social structural demand, the regime supports the *sangha* in the role of king and chief donor to the *sangha*. However, it would be insufficient to think of these processes of legitimation and the military clique’s engagement with the *sangha* as mere performative spectacles in pursuit of the appearance of legitimate political rule. Moral performative acts such as donation or pagoda building and repair, in which the government conspicuously participates,<sup>22</sup> are believed to create the actual transcendent causal circumstances that result in political power. Min Zin explains:

[T]he Burmese concept of *hpoun*, . . . originally meant the cumulative result of past meritorious deeds, but later came to be synonymous with power. . . . The discourse of *hpoun* is so deeply embedded in Burmese culture that few even think to question it. Since *hpoun* is theoretically a “prize” earned through past good deeds, it is self-legitimizing: Simply by virtue of possessing power, one has demonstrated that one has acquired considerable merit in past lives. Thus the question of moral legitimacy does not arise. As long as one remains in the ascendancy (whether socially, politically, or economically), one is presumed to possess merit. . . . In the political realm, this reliance upon the notion of *hpoun* is even more pronounced. No matter how morally unfit a ruler may appear to be, as long as he is able to cling to power, he can claim that his *hpoun* is still flourishing.<sup>23</sup>

Appreciating how potency translates into power and political legitimacy in Burmese Buddhist terms is integral to understanding government actions.<sup>24</sup>

Thamanya Sayadaw's refusal to place his considerable field for merit making at the disposal of the ruling junta was understood to be a purposeful effort to prevent the military from accruing merits that might sustain its hold on power. This last interpretation is supported by a remarkable event recounted to me by a highly placed official at the Ministry of Home and Religious Affairs in 2002. The event helps put into focus the dimensions of a shared set of representations held by the state and the Buddhist populace in regard to what the sources of political legitimacy are. In May 2002, Thamanya Sayadaw, who was suffering from diabetes, slipped into a coma. In desperation, his guardian committee rushed him to a Yangon hospital, where he remained comatose for several days. While he lay unconscious, the military leaders and key members of the government came to pay their respects to the sayadaw and to make offerings in his hospital room. This high official from Religious Affairs revealed in how he had the good *pāramī* (moral perfection cultivated over incalculable lifetimes) to be near the great monk and how he was able to offer him *dāna*.

The official's boast entailed a double claim. First, his high status was justified as the consequence of prior meritorious actions for which his present incarnation in this life is the result. Privilege and status are not conceived as subtracting from another person's natural rights. Relationships of exploitation and privilege say things about prior kammic relationships. The present is always justly warranted, since each individual reaps the consequences of his or her own prior intentions and actions. Second, the director's relating of how he had offered *dāna* to Thamanya Sayadaw in such intimate circumstances was meant to communicate to me his privileged access to the great monk. It was understood that leveraged merit-making opportunities would ultimately translate into auspicious conditions in the future. The genuine respect that the monk garners from both government officials and their critics testifies to the force

that can be exerted on the regime through religious/cosmological means.

The government's surreptitious attempt to exploit the moral causal assets of Thamanya Sayadaw provides us with an interpretive tool for understanding the process by which the regime seeks to control monks, the Buddhist populace, and the many merit fields that are the leveraged locations for the production of pon (merit-based power).

A survey of its activities demonstrates that SLORC/SPDC has made a greater effort than any other postindependence government to demonstrate that the military clique is the foremost among all the laity in its support of the sangha and Buddha sāsana. Acting as the foremost donor among the laity in support of the sāsana and sangha is more than a mere metaphorical effort directed at associating the symbols of classical kingship with military rule and thereby presuming political legitimacy among the populace. State efforts to "capture potency" are as much a concern over controlling monks' merit fields as a concern over controlling the moral communities surrounding monks. Inasmuch as the government did not maintain a relationship of official patronage with Thamanya Sayadaw, its legitimacy (at best) remained in doubt among the monk's many devotees.<sup>25</sup>

### *Mass Meditation and the Double Order of Law*

On one level, what has emerged thus far is a model that only slightly amends that of the public/private sphere theory of Habermas and Fink. In other words, there is a deflection or perhaps a sublimation of public political discourse to an alternate sphere and in an alternate mode. However, I wish to signal my departure from such a model on two accounts. First, I am not asserting here that there is an alleged latent or emergent civil society movement with the potential to organize and resist the state. In this context, resistance is not a monolithic, ideological act taken against the state by civil society. Individual actors are differently exposed to the state's coercive

power, and they resist, escape, and accommodate these forces differently. As James Scott has shown for Malaysian peasants,<sup>26</sup> resistance may take the form of grumbling, foot dragging, and spreading rumors. Resistance constricts the ways in which the state can assert its power on society. Insofar as the military rulership attempts to regulate morality and transform violence into moral authority for the state, it encounters forms of resistance in the microchannels through which it extends its “networks of power that connect them to society.”<sup>27</sup>

Second, I wish to reiterate for the Burma case what Tony Day lucidly articulates for state formation in Southeast Asia more generally—that these states are “constituted as cosmologies,” or what Foucault calls truth regimes.<sup>28</sup> For Burma, state/society models have tended to focus too much on the state’s role as the sole or primary agent sustaining and transforming the cosmological state. The sheer force and brutality of the regime’s violent enactment of power, coupled with the apparent apathy and resignation to such forms of power by most of the populace, have led to an abundance of scholarship on the question of how violence is accepted or prefigured in ideas of authority and the state.<sup>29</sup>

Inasmuch as the regime has successfully quashed incipient civilian institutional forms with power-sharing capabilities, some scholars have argued that *only* the regime is in a position to function in the role of a centralizing state power.<sup>30</sup> This point of view has been criticized by scholars and democracy advocates outside the country for its alleged implicit legitimation of the military regime, based on an assumption of traditional authoritarianism and the sovereign right of nations to determine their internal affairs.<sup>31</sup> However, as David Steinberg argues, even in a “procedural democracy,” where the barest minimum of the instruments and institutions of democracy function (for example, free elections, an independent judiciary, a vocal legislature, multiple political parties, a free press, and a vibrant civil society), “attitudes [held by] the populace and those in authority towards the concepts of power, authority and the role of the state” must be considered:

[A]ttitudes towards power and authority may be quite traditional and antithetical to the spirit of democracy. In those societies which retain certain traditional concepts of personalized power, and in which power and authority, and the concept of the role of the state and its leadership are equated with hierarchy and even with a form of virtue, then compromise, conciliation and delegation of authority become more difficult. Compromise becomes anathema because virtue and authority are equated, and to compromise means to lose virtue, and delegation of authority is a zero-sum game. The concept of a loyal opposition becomes an oxymoron, for loyalty is personal. Political parties become entourages around leadership, often void of a programme beyond their leaders' predilections, and without stability and continuity.<sup>32</sup>

Steinberg rightly acknowledges the critical importance that traditional concepts of power, authority, and the role of the state have for our understandings of political realities in Burma. However, a recognition that the people and the authority share these concepts only brings us part of the way to an understanding of what generates social and political realities on the ground. We must be cautious in how we apply so-called traditional cultural concepts to our explanations in order to avoid the excesses of overdeterministic cultural models that would see abiding and unchanging (primordial) identities in practices that do not conform to Western modern democratic ones. These are not immutable ideologies and concepts; though they may be enduring, they are simultaneously transforming. The mass lay meditation movement, with its emphasis on meditation truths, is one location where we can observe how such concepts are made real (that is, indisputable and self-evident). It is to the practices of the sangha, state, and New Laity that I now turn in considering practices that produce status, hierarchy, and power through the assertion of fields of consciousness that are generative of truth and virtue and the symbolic *and* actual grounds of power and legitimate political authority.<sup>33</sup>

## SANGHA, STATE, AND LAITY

Monks are both the symbolic and the tangible field for the merit production of the rulers. As the legitimate living continuity of the Buddha's *sāsana*, they represent ultimate truth (the *dhamma*) and may also legitimately evaluate the moral actions of political authority. The *sangha* both asserts and justifies public metavalues, and it is the empirical grounds for its warrant. Monks are, therefore, the legitimate critics of political authority. However, as world renouncers, they are also constrained by their moral code to eschew involvement in the politics of worldly life. For this reason, monks are best able to redress unjust rulers primarily through forms of public justifications warranting the truth of moral claims rather than explicit political criticism. This sort of assertion of the moral terms of public life needs to be evaluated as a form of context framing that is not explicitly political but that has political implications. The terms of moral reality are made by way of reference to intention (*seit* in Burmese; *cetanā* in Pāli). Causal explications of power and authority are made by way of a productive logic that links thought, speech, and action to event, hierarchy, and power.

Where public space is suppressed and controlled by a repressive regime, Burmese Buddhists claim control over *the private space of their intention* in pursuit of creating better future life circumstances. This is accomplished through the widespread practices of meditation. From this place, I argue, people can challenge the government's sincerity in its *sāsana*-supporting actions while simultaneously exerting a sort of pressure on it. The overall effect is that a seemingly very private and individualistic practice, meditation, conceived as acting on one's own psychophysical processes, becomes a fulcrum of action in the social and political world. The mass lay meditation movement has emerged as the vehicle for this action on the world both in the logic of its encounter and in the force of its sheer numbers—its millions of adherents.

As we have seen, the mass lay meditation movement is a relatively recent historical phenomenon that began as a rural millenarian

movement in reaction to British colonialism in the middle to late 1800s. One of the implicit goals of the early movement was to protect the Buddha *sāsana* from degeneration and decay in the absence of a Buddhist king whose first responsibility as head of society was to protect and preserve the Buddha's teachings and dispensations. The goals of the state and the goals of *sāsana* perpetuation were so fundamentally intertwined that when the British deposed the Burmese king (including removing his throne from the country so that no usurpers might lay claim to it), monks began to teach laity in earnest how to practice meditation for enlightenment, believing that the end of the world was approaching. This much I have reviewed in earlier chapters.

In its potential guise as a social movement, the New Laity is characterized by the breadth of the socioeconomic differences among its members (from educated elites to farmers who leave the countryside by the busload during the agricultural slow season to undertake brief courses) and by the wide range in ages in the membership. The most distinguishing feature of this New Laity is that women are by far the main participants in meditation. For example, they outnumber men five to one in the Mahasi Thathana Yeiktha. Yet despite the massive entry of women into the lay meditation movement especially since the 1950s, lay meditation is not perceived as a woman's project.

The meditation movement is more than a revitalization movement, but it stops somewhere short of being a civil society movement. Civil society movements tend to be considered in terms of their goals of sharing power and resources by authoritarian rule. The meditation movement, by contrast, is not a movement in search of a particular political solution—for example, democracy.<sup>34</sup> The movement also does not challenge the state in the sense Scott relates in his “weapons of the weak” argument.<sup>35</sup> And yet, the movement has definite implications for the political environment that I have explored in this book. In the present context, I wish to approach the questions of revitalization and resistance with particular reference to the participation of women, who are far more numerous than men within the meditation movement.

The New Laity, I have been arguing, has shaped new dimensions to Buddhist practice, and it has asserted a sacred public sphere that is critical of the coercive power of the regime. It has been influential in defining the politics of sincerity and, ultimately, the terms for un-compelled political legitimacy. Also characteristic of the New Laity is its emphasis on temporary world renunciation to engage in *sati-paṭṭhāna vipassanā* meditation and enlightenment here and now, followed by reintegration into worldly life. Reintegration is a particularly key feature for women, since men can become long-term monks, thereby embodying the category of world renouncers. Women who practice for a long time may at most become ten-precept lay nuns.<sup>36</sup> Most often, they practice and then go back to the householder's life. They thereby reincorporate their experiences in meditation into daily life. And there are millions of women doing this. What happens for these millions who practice meditation and then return to their normal lives is a reformulation of their attitude toward everyday suffering. What potential role does this process, this personal pilgrimage, as it were, play in women meditators' resistance to the regime, as a counterpart to what I have just discussed relative to monks? A digression into the nature of gender and potency is necessary to explore this question.

#### GENDER AND THE EMBODIMENT OF POWER

Burmese gender is compartmentalized into three categories: man, woman, and monk. The monk is the only social category recognized as inhabiting a penultimate reality. The penultimate reality status of this third gender is defined according to descriptions of reality drawn from the *Abhidhamma*. *Abhidhamma* theory emphasizes the relations between mind and matter, matter and matter, and mind and mind as components making up the universe and experience. According to doctrine, man and woman are mere concepts, just as the notion "self" is a concept. The very purpose in studying and practicing the Buddha's teachings is to see through this conventional and

shared delusion and to perceive things as they are: as impermanent, unsatisfactory, and empty of essence (anicca, dukkha, and anatta). Monks are asexual beings, according to this reckoning, not only because they are “noble celibates” who renounce the world of sexual engagements but also because their materiality is irrelevant to the task of realizing enlightenment consciousness, which does not take biological sex as part of its condition. A distinctive honorific language reserved expressly for monks and entirely free of gender inflections reinforces the idea that monks are not part of worldly, conventional life.

Although being male is the primary criterion for entering the sangha, taking up the robes is a transformative act in which the individual renounces his or her gendered identity along with worldly life. *Tabyi-daw*, Hiroko Kawanami observes, is a gender-free term of self-address used when speaking to monks. *Hsaya-lay* (small teacher), used for schoolteachers as well as thilashin, is also a gender-free term emphasizing the role of the thilashin in teaching and therefore recognition of their role in the transmission of the Buddha dhamma.<sup>37</sup>

Occupying the social space of a world renouncer allows monks to transcend social roles and conventionally recognized identification markers that elicit social classification and role demands. One who has renounced the world, who no longer participates in the most fundamental activities of securing a livelihood for material sustenance, and who instead lives off the free-will offerings of society without attachments to family and possessions achieves a rare and privileged opportunity for dhamma cultivation and realization.

The female counterpart to a monk is a thilashin (nun), whose status in gendered terms I have discussed elsewhere.<sup>38</sup> Germane here is that their struggles to be socially recognized as an ungendered category of person detached from conventional realities have been greatly helped by the meditation movement, with its emphasis on penultimate realities. Whereas membership in the sangha overshadows the spiritual value of enlightenment from the point of view of the social recognition of categories of persons, popular discourses about the emptiness of phenomena and the fact that one of the first insights (nyanzin) perceived by a yogi is that all phenomena are either mind

or matter (nāma/rūpa) has brought into question the rigid exclusion of thilashin as persons “inside the sāsana.”

Where laity is concerned, the universalization of the penultimate practices once again has meant that not only lay-monk relations have transformed. The meditation movement has had the greatest significance for women because it has provided them with an alternative institution for practice—one that has permitted them access to the highest goals and achievements in the religion while allowing them to keep the social and economic status garnered in the householder’s life. This change in ideas about women’s spiritual capabilities had consequences for women’s renunciation activities as well after the early 1950s, when the state began to officially sponsor women’s monastic institutions.<sup>39</sup>

However, despite the perception that her sex does not bar her from its ultimate spiritual achievements, a woman cannot completely achieve the status of a world renouncer. Only monks are socially recognized as individuals who have transcended gender in pursuit of nibbana, pāramī cultivation, and sāsana propagation. And only monks merit the support of the laity in the everyday renunciation of social worldly life, thereby creating in the space of their own activities the sacred and transcendent. The laity, for their part, participate in supporting and extending this space of the sacred, providing support to the Buddha sāsana through their charitable acts of dāna and by undertaking to keep morality (sīla). In this way, their merit accumulates and their pāramī incrementally ripens.

The conventional world of man and woman is transcended in the sangha—by men who have entered the order and abandoned their engendered identities as members of the lay world. That men can renounce their sex while women cannot does not fully account for the extent of traditional ideas that relate merit to the masculine principle. Melford Spiro, in a 1965 study of village life in Upper Burma, explains:

Despite the remarkable extent of sexual equality in Burmese society . . . it is nevertheless a basic premise of Burmese culture that men

are *inherently* superior to women. . . . In Burma, the primary reason offered for male superiority is the belief that men possess that innate, inborn quality, known as *hpoun*. . . . [U]sually glossed as “glory,” *hpoun* . . . is a psycho-spiritual quality, an ineffable essence, which invests its possessor with superior moral, spiritual, and intellectual attributes. . . . Although the spiritual superiority of males is based on their *hpoun*, its proof, according to the Burmese, is found in a number of Buddhist beliefs and practices. Only a male has the Buddhist initiation ceremony (*shinpyu*), only a male can become a monk (which leads to a vicious circle: the male’s innate superiority enables him to become a monk, which in turn increases his already pronounced superiority to the female), only a male can become a saint (*arahat*), and most important, only a male can become a Buddha.<sup>40</sup>

Spiro’s consideration of village folk understandings of *pon* in the late 1970s and the subordination of the feminine principle to that of the masculine need to be reconsidered for contemporary, especially urban, Burma. The Burmese word for monk, *pongyi*, suggests the strength of the idea that the defining substance of a monk is the spiritual principle of merit that men uniquely possess. Etymologically derived from the Pāli word *puñña*, the term *pongyi* in its conventional usage in Burmese culture locates the psychomaterial phenomena of sentient embodiment in the Burmese Buddhist cosmological theory of the thirty-two planes of existence. In this theory, the causative effect of merit and demerit is played out in the cycle of rebirths. *Pon* is associated with an affiliated cluster of ideas about the implications of this potency for spiritual practice. The *pon* concept is profitably viewed as a continuum of ideas regarding merit and *pāramī* production.

Women do not have *pon*—after all, they cannot become monks. Monks have great merit because they are monks but not because they are men first. *Pon* is a concept of spiritual potential, but this potential can play out in conventional ways in worldly life, too. This tautological aspect of the concept—that men having been born men

have a spiritual advantage over women because they can join the sangha and that their spiritual advantage translates into an advantage of power and authority over women in the conventional world as well—demonstrates the crucial location of the linkage between power and moral authority in the Burmese system. In short, it is precisely the unique merit that men have and can renounce that is the basis of their power in the world.

The application of the merit concept to the male principle describes more than just how merits are transformed into renunciation and realization of the Buddha's teachings. Pon is also the basis of a man's power and influence more generally. The continuum of ideas about merit and potency is found in Burmese conceptions about power and its source—renunciation, especially of the mental defilements (*ḱilesas*). The idea of pon is conceived as a kind of special quality of purity, potential, and power conferred on a man by dint of his biological sex.

However, pon is not conceived as an immutable substance that is the same for all men. Some men may have more pon than others. Their potency may convert to power in the way that the pon of monks converts to renunciation and *pāramī* accumulation. Inherent in these ideas are notions of how potency converts to the renunciation of worldly life, culminating in its penultimate form in Buddhahood, or sainthood, on the one hand, and in influence and power resulting in the canonical formulation of the world-conquering king, on the other.<sup>41</sup> Women do not have a part in pon, and moreover, their sex is thought to be contaminating and capable of diminishing a man's pon.

The meditation movement has brought about an accommodation of new ideas about gender and enlightenment and therefore also new ideas of *sāsana* practice in Burma. These new emphases diverge from traditional roles in precolonial Burma, especially regarding ideas on what a woman's greatest source of merit making may be. In folk tradition, the primary means for a woman to achieve the highest merit was through the ordination of her son. The merit of his actions accrued to her, since she was his merit base. When a married

man wanted to undertake temporary ordination, permission from his wife was necessary; subsequently, merit accrued to her. Women therefore accumulated merit through providing the sangha with its membership and alms to its members. Female identity was perceived to be the subordinate and supportive basis for the man's pon and the material support of the sangha.

I asked one woman, a yogi at the Mahasi Yeiktha, how she has been able to endure all the sufferings under military rule. She responded, "With kanti [patience] we can endure" (*Thee kan kwın lwet dey*). It would be theoretically facile to explain (or reduce) the mass practice of meditation to a psychological impulse for survival. However, explanations of how mental states are cultivated to withstand poverty and violent repression only distantly approximate the sense in which these experiences are meaningfully felt. The phrase *Thee kan kwın lwet dey* includes the idea that having kanti necessarily implies that one also has "dropped" or let go of the resentment one harbors against a person for his or her wrongful actions. In forbearance, there is forgiveness. Forms of consciousness are interrelated on a separate level, the level people experience when they meditate. Kanti thus becomes not just a psychological defense but also a social space that conforms to certain collective values and dispositions and that incorporates distinct means of communication. People inhabiting that space respond to the key words associated with meditation.

To reiterate the same idea in a slightly different way, it is not merely the psychological value of patience or equanimity cultivated by practitioners through vipassanā meditation that I mean to use as explanation for how vital experiences encountered in meditation become the empirical reference for the assertion of metavalues in the public domain. The appeal to a transcendent truth through the experiences of vipassanā insights becomes, in the public sphere, a form of public justification asserting the terms of a politics of sincerity. It is precisely because these assertions are not criticisms but verifications that they are capable of positively differentiating a moral arena separate from that of the state.

To discern this, it is best to start with a certain notion of interiority or privacy, which becomes the space in which one copes with the contradictions of the contemporary historical moment, and its violations against the *sāsana*. The only place where one can take refuge is in one's own intentions toward oneself. Once this becomes a mass movement, regulated by the systematic technique of *satipaṭṭhāna vipassanā* meditation and with institutional apparatuses to support its practice, the experience of shared insight itself becomes a reality—a verification procedure. It becomes a warrant about the truth of a lived reality.

It is important to differentiate the lived reality that emerges from the meditation movement, with all its latent criticism of the regime included, from an explicit antilaw reality. The model in which students, for example, oppose the regime would conform to a law-versus-antilaw scenario. To antilaw activities, the regime responds with force: increased enforcement, suppression, violence. By contrast, here I wish to introduce the notion of a double order of law, in which the moral orders invoked by separate groups overlap, accommodate, or conflict with one another according to circumstances. Two statements from my field interviews are sufficient to signal the concept in action.

One woman explained to me, “Just to live you have to break your precepts.” Once one has reached the insight stage of being unable to break one's precepts,<sup>42</sup> this situation presents a contradiction. Yet here we have a woman who claims (by various nonovert means, including reference to the bindingness of her precepts) to be enlightened, and she tells me that just to live, you have to break your precepts. “This is no law. Sometimes we have to not tell the truth just so we can live. The government is trying to make criminals out of the whole population. So we think, ‘This is not the real law.’ Only the dhamma is the real law, so we just do like this [that is, break the first precept not to lie]. In our minds we know.” This negation of the lie by imagining a double order of law—the conventional one that is imposed and the transcendent law of dhamma—depends on an understanding that there exists an alternative public space wherein

the conventions of truth telling remain consistent. Words and intentions become perversely separated in a practical act that interiorizes the public space of moral society.

How does the distinction between internal and external, private and public as described here apply to politics? People perceive that there will be a consequence for the regime's insincere actions. The junta's good deeds are regarded by some as sorcery because there is no sincerity behind the actions. A committee member of the laywomen's association at MTY offers an interpretation:

This government is only trying to look like they support the sangha. They say the monks have so much influence on the public. So they claim that the *dayakas* [lay supporters of monks] were doing politics. First they arrested so many monks in 1988. They searched monasteries and kicked out people and arrested monks saying they were sleeping with women. They showed bodices and suspenders of ladies to show how the monks were bad. They planted all these things. They said the monks were dealing in gems. Then they created rival factions within the *sāsana*. They elected all the big names, the old sayadaws, the monks who wouldn't speak politics. They created a nomination process by which the sangha elects their members but the government tries to push their own candidates by putting pressure on monks they think are on their side. Formerly, every monk was against them. This government is bluffing. They're not sincere. Why don't these monks do something?

We see here that sangha purification is not in itself considered a bad thing but that the government's intentions are deemed dubious and politically motivated. Government officials are accused of insincerity, of bluffing. The dual recognition of the blunt efficacy of sacred acts in reproducing auspicious circumstances for agents and of the fact that sacred acts may be enacted with thoroughgoing duplicity—for example, as manipulation of the dhamma through sorcery—is hinted at here. Intention and action in Burmese Buddhist

reckoning are recognized as two kinds of acts productive of future ontological realities. Acts disconnected from an agent's intentions are believed to be causally efficacious despite the stress on intention as the forerunner of action. Even so, intention inflects speech and bodily acts, with the resultant kammic effect to take place in some unspecified future. And it is understood to have causal efficacy independent of actions.

The New Laity is characterized by the conviction that the technique for the objective foundations of psychic experiences can be attained through the practice of satipaṭṭhāna vipassanā meditation. The inner process of systematic insights is outwardly verified according to criteria that cannot directly impute evidence of inner states in other people. However, as is true of language, there is agreement and consent about the systematic structure of experiences and the criteria for their validation. Whether or not there is understanding in the sense of individual primary experience of sense structures, there is nevertheless participation in these assertions about inner states, vis-à-vis the military and beyond. Thus, a concern has emerged over the sincerity of intentions and the interpretation of the true meaning of outer actions as they correspond to inner states. This is the level at which public political discourse takes place. The question asked in regard to military actors is this: Are their actions connected to their inner states?

Discourses about the sincerity of intentions are therefore simultaneously about contemporary and ultimate reality. Legitimate claims to power can only be made if someone is sufficiently endowed with merits cultivated in this and previous lifetimes. And, as in a Calvinist model, election is evaluated on the basis of what is seen from the outside as sincere efforts by an individual to perform meritorious acts in support of sāsana. The "withdrawal of trust," to borrow an expression from Veena Das, in words and actions has created a profound skepticism among the population concerning the intentions of the junta, and this skepticism places the junta's legitimacy-seeking performances under scrutiny and skepticism.

### *Action Spheres and Moral Debate*

I have referred, first, to the existence of three levels at which one can discern action spheres vis-à-vis an evaluation of the regime's activities. Socially and analytically, these action spheres lie on a continuum relative to each other. On the simplest level, one finds a shunting of debate and formation of public opinion to a kind of underground railroad-level discussion, as among students. The second level entails a kind of code switching, often not recognized as strategically enacted, in which political commentary is inserted in the context of religious discourse and institutions. The pilgrimages, amulets, and so on concerning Thamanya Sayadaw comprise an example of this second level of action sphere. Finally, one can observe the interiorly focused practice of meditation as also encompassing a form of political commentary. The preponderance of women meditators shades that category in a particular way, filtered as it is through silence, accommodation in everyday life, and the moral adaptation to the strictures of living under corrupt rule. In the case of the students, if they are caught the regime will respond quickly to root out and imprison offenders. In the case of religious practitioners, however, among whom many senior members of the military junta (and their wives) can also be found, the response can more closely be described as accommodation. Ironically, public critique rests on the very question of whether the regime is being sincere in its Buddhist practices.

The second point I want to reinforce is that any critique of the regime that we could find in the two more subtly manifested political action spheres would be situated more immediately in people's experiences of everyday life. I refer here to experience as opposed to ideology and, again, not just forms of gossip and rumor but elemental efforts directed toward remaking the moral world. The popularly held conception is that through the revitalization of meditation, an enlightened society is being produced. Meditation is a place where one has a shared experience with other meditators that invokes a mythical society serving as an exemplar for civilized and

enlightened society in the future. This is one reason why a person cannot simply regard critique that takes place in the context of the religious sphere as merely a sublimated form of public debate. The moral issues at stake are more broadly conceived, embedded in epistemology and cosmology, and are applied to matters other than politics, which at times appears to be only a tertiary application. Devout women may not be looking to act politically even though their actions might have political effects.