Reproduced from *Dr Maung Maung: Gentleman, Scholar, Patriot* by Robert H. Taylor (Singapore: Institute of Southeast Asian Studies, 2008). This version was obtained electronically direct from the publisher on condition that copyright is not infringed. No part of this publication may be reproduced without the prior permission of the Institute of Southeast Asian Studies.

Individual articles are available at < http://bookshop.iseas.edu.sg >

## Dr Maung Maung



The Institute of Southeast Asian Studies (ISEAS) was established as an autonomous organization in 1968. It is a regional centre dedicated to the study of socio-political, security and economic trends and developments in Southeast Asia and its wider geostrategic and economic environment. The Institute's research programmes are the Regional Economic Studies (RES, including ASEAN and APEC), Regional Strategic and Political Studies (RSPS), and Regional Social and Cultural Studies (RSCS).

**ISEAS Publishing**, an established academic press, has issued almost 2,000 books and journals. It is the largest scholarly publisher of research about Southeast Asia from within the region. ISEAS Publishing works with many other academic and trade publishers and distributors to disseminate important research and analyses from and about Southeast Asia to the rest of the world

# Dr Maung Maung

Gentleman, Scholar, Patriot

Compiled by

Robert H. Taylor



First published in Singapore in 2008 by ISEAS Publishing Institute of Southeast Asian Studies 30 Heng Mui Keng Terrace Pasir Panjang Singapore 119614

*E-mail:* publish@iseas.edu.sg

Website: <a href="http://bookshop.iseas.edu.sg">Website: <a href="http://bookshop.iseas.edu.sg">http://bookshop.iseas.edu.sg</a>

© 2008 Institute of Southeast Asian Studies, Singapore

All rights reserved. No part of this publication may be reproduced, stored in a retrieval system, or transmitted in any form or by any means, electronic, mechanical, photocopying, recording or otherwise, without the prior permission of the Institute of Southeast Asian Studies or respective copyright holder.

The responsibility for facts and opinions in this publication rests exclusively with the author and his interpretations do not necessarily reflect the views or the policy of the publisher or its supporters.

#### ISEAS Library Cataloguing-in-Publication Data

Taylor, Robert H., 1943-

Dr. Maung Maung: gentleman, scholar, patriot.

(Local history; 15)

- 1. Maung Maung, U, 1925-
- 2. Burma—Politics and government—1824–1948.
- 3. Burma—Politics and Government—1948-
- 4. Burma—Biography.
- I. Maung Maung, U, 1925-
- II. Title.
- III. Series: Local history and memoirs (Institute of Southeast Asian Studies); 15.

DS501 I595L no. 15

2008

ISBN 978-981-230-409-4 (hard cover)

ISBN 978-981-230-600-5 (PDF)

Every effort has been made to identify copyright-holders; in case of oversight, and on notification to the publisher, corrections will be made in the next edition.

#### PHOTO CREDIT

Photo of Dr Maung Maung on the front cover reproduced courtesy of the Daw Khin Myint (wife of the late Dr Maung Maung).

Typeset by International Typesetters Pte Ltd Printed in Singapore by Utopia Press Pte Ltd

#### Leviathan

was a creature of the Law;

it is by the law he lives, and laws and regulations are both the substance of his being and the basis of his power.

The strong man, like some Burma rulers of the past, can build up an empire, but unless the framework be fashioned out of law his empire will last no longer than his strength. It is not sufficient for him to enforce the law; he must also submit to it, to offer himself a willing sacrifice

J.S. Furnivall,
"The Fashioning of Leviathan",

Journal of the Burma Research Society
XXIX, no. 3 (1939): 18.

## **Contents**

Preface	xi
Acknowledgements	XV
Section I	
Dr Maung Maung: The Life of a Patriot	3
Section II	
Dr Maung Maung's Approach to Life	27
A. The Burma I Love	31
B. My Politics	37
C. Looking Ahead	41
D. I Discovered Greatness	45
E. The Turning Tide	49
F. The Middle Way	53
G. Books on Burma	56
Section III	
Dr Maung Maung and Biography	63
A. Mr Speaker Sir!	72
B. Brigadier Kyaw Zaw: Battles and Books	77
C. Bo Khin Maung Gale: "Democracy and the Rule of Law"	83
D. Thakin Chit Maung	93
E. General Ne Win	99
F. Mr Justice Chan Htoon	110
G. Daw Pyu la Mac Phsu	118

viii Contents

H.	U Kyaw Nyein	125
I.	U Hla Maung	146
J.	U Thein Maung, Chief Justice of the Union	158
K.	U Tun Win	171
L.	Htain Lin, a Young PVO Insurgent	183
M.	Vum Ko Hau of Siyin	190
N.	U Ba Swe	200
O.	U Thant	210
P.	Thakin Than Tun	219
Q.	M.A. Raschid	229
R.	Dr E Maung	243
S.	U Myint Thein, Chief Justice of the Union	253
T.	Saya Za Khup of Siyin	265
U.	U Nyo Mya, or "Maung Thumana"	270
V.	A Boundless Faith in Burma	282
W.	Daw Khin Kyi (Madame Aung San)	288
X.	A Book for Colonel Ba Than	292
Y.	The Secretary-General's Role in the U.N.	295
Z.	Aung San: Hero of Burma's Victory	302
Section	on IV	
Dr	Maung Maung and Travel	309
A.	Elections: Burma and Britain	315
В.	Mandalay	319
C.	Vietnam (South)	327
	Malaya	332
	In the Fabled Land of Apollo and Socrates	338
	Impressions of the United Nations	342
G.	Antioch College, A Living Dream	346
Section	on V	
Dr	Maung Maung and the Tatmadaw	355
	The Forgotten Army	361
В.	The Resistance Movement	389
	The Mighty Drama	395
	Soldiers of Victory	399
E.	Destination Monghsat	402

Contents ix

F. Burma Army	408
G. Women Officers of the Burma Army	417
H. Women on the Wing	425
I. 106	433
Section VI	
Dr Maung Maung and the Constitutions of Myanmar	441
A. "Pyidawtha"	448
B. State Socialism in Burma	456
C. The Burmese Parliament	460
D. Burma's Constitution Comes to Life	466
E. Our Living Constitution [I and II]	478
F. Section 116 of the Constitution	488
G. Burma-China Boundary Settlement	493
H. Lawyers and Legal Education in Burma	500
I. The Search for Constitutionalism in Burma	507
Section VII	
Dr Maung Maung and the Presidency	525
A. Address to the Central Committee of the Burma	536
Socialist Programme Party, 19 August 1988	
B. Address to the Nation, 24 August 1988	543
C. Address to the Nation, 1 September 1988	549
D. Address to the Extraordinary Congress of the	555
BSPP, 10 September 1988	
E. Address to the Pyithu Hluttaw, 11 September 1988	560
Bibliography of Dr Maung Maung's Writings	567
Index	579
The Editor	591

### **Preface**

Dr Maung Maung: Gentleman, Scholar, Patriot consists of seven related sections. Each section has an introductory essay prepared by me. My introductory essays serve to place the reprinted publications of the late Dr Maung Maung into context to assist the reader to understand the time and circumstances of their original publication. In many cases, that was more than six decades ago. The introductory essays are based on my reading of Dr Maung Maung's many published works listed in the bibliography, an oral history which he conducted with P. Lim Pui Huen in 1990 and 1991 in Singapore and Yangon for the Institute of Southeast Asian Studies, my exchanges with him over ten years, and discussions with individuals who worked with him from the 1940s through the 1990s.

The Bibliography of Dr Maung Maung's published works was prepared by U Thaw Kaung, the former Librarian of the Universities Central Library in Yangon. I first met Dr Maung Maung, thanks to an introduction by U Thaw Kaung, while I was conducting research in that library in 1982. Dr Maung Maung was the only senior member of the government who I met at that time. Subsequent meetings took place, twice in London and several times in Yangon, especially after he retired from government service in September 1988.

**xii** Preface

The oral history that Dr Maung Maung recorded at the Institute of Southeast Asian Studies (ISEAS) largely reviews topics and issues about which he wrote in a number of his historical publications. However, at several points he discussed his own life and personal experiences, adding to the information available in various publications. Where appropriate, I have quoted from the transcript of the interviews prepared by Daw Yee May Kaung in 1995 for the Southeast Asia Cultural Programme at ISEAS. In a few places I have slightly amended the text to improve readability and clarity. However, to the fullest extent possible, Daw Yee May Kaung's transcription allows Dr Maung Maung's words to speak for themselves.

The decision to reprint so many of Dr Maung Maung's many essays and short publications, mostly written prior to his joining the judicial service of Myanmar in 1962 and eventual rise through his service to the Burma Socialist Programme Party (BSPP) to the Presidency of the Socialist Republic of the Union of Myanmar (Burma) in August 1988, was made for several two reasons. One is that many of them are now rare and hard to find, but of use to historians and others seeking to write about Myanmar in the understudied 1940s and 1950s. Another is that they remind us of the intellectual life that persisted in Myanmar prior to 1962. While the easy access to English-language sources such as *The Guardian* magazine hid the vibrant and far more left-wing Myanmar-language discourse of the period, foreigners at least had one reliable window on the government, the legal system, and many of the leading personalities that has been closed since.

The book is not intended as a critical study of either Dr Maung Maung's political or judicial careers. That is an appropriate subject for a larger and more analytical work, rooted in an appropriate historical context. This book is to remind us of what one major Myanmar intellectual was able to produce in a remarkably short period of time. The energy, verve, and excitement that Dr Maung Maung manages to convey in these writings should encourage others to emulate his example. His patriotism guided him in his life and work but he did not allow his patriotism to deaden his appreciation of history and the multiple accidents and misunderstandings that make the prediction of the future impossible and the remembrance of the past essential.

Preface Xiii

Both prior to and after his premature death in 1992 at the age of sixty-nine, Dr Maung Maung was widely criticized both in Myanmar and abroad for his role in Myanmar's governance after 1962. Some in Yangon today become nearly apoplectic at the mere mention of his name. But others, with perhaps fewer grudges to bear and a more understanding view of human nature, and human fallibility, take a more sanguine and understanding view. As one retired writer and journalist said to the author in the course of an interview in Yangon on 19 January 2006,

Dr Maung Maung decided to work with U Ne Win mainly because he thought he could do something for the country. A lot of people blame him for helping U Ne Win. Many people who blame Dr Maung Maung were former members of the party state as well. Some of them were even corrupt. Dr Maung Maung was by no means a corrupt person. His major problem was that he stood by U Ne Win even after he knew that he could not do what he wanted to do freely. Here again, the fact that Dr Maung Maung remained in the government until 1988 was not a bad thing for the country. He could not prevent the government from doing some unlawful things. His involvement in the party was bad for him. It was not bad for the country. He received all the blame mainly because he remained in the party until 1988. If he had resigned or retired before 1988, he would have been remembered by the people differently.

At another point in our conversation, the same writer, who had also joined BSPP in 1962 but was among those condemning it in 1988, said,

The fact that Dr Maung Maung was helping U Ne Win was very good for the country. He made sure that there was the rule of law in the country. Thanks to him, the Revolutionary Council [which governed until the 1974 socialist one party state constitution came into effect] did not issue very many decrees.

May the essential lessons of Dr Maung Maung's writings and career not be forgotten.

#### **Robert H. Taylor** Yangon 1 July 2006

## **Acknowledgements**

E fforts have been made to contact the possible copyright holders of the essays which are reprinted in this volume. However, the passage of time and the absence of accessible records has made that impossible. Permission from Daw Khin Myint, Dr Maung Maung's widow, has been sought and received.

I am grateful to a number of persons for assistance in collating this collection. Dr Maung Maung's children have been very helpful on a number of points, especially determining some dates and collecting some photographs. U Thaw Kaung, now a member of the Myanmar Historical Commission, among the many hats he has worn over the years, has also been of great assistance in collecting rare materials and preparing the bibliography. Daw Khin Hnin Oo, the Librarian of the University of Yangon Library, also contributed significantly to the compilation of the Bibliography. Dr Kyaw Yin Hlaing has also been of great help, particularly in assisting with interviews in Yangon. For finding a number of rare newspapers articles from the turbulent period of Dr Maung Maung's presidency, I thank Daw Yin Yin Oo and also Daw Moe Thida Khaing. Thanks are also owed to the staff of the library of the Institute of Southeast Studies for much assistance in preparing

xvi Acknowledgements

this volume. Many a dusty tome had to be unearthed. ISEAS, thanks to its Director, Mr Kesavapany, kindly gave me an agreeable home from which to work in writing this work. Finally, the excellent publications staff of ISEAS also deserve thanks for making this volume available to posterity.