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“We are Like Water in Their Hands”

– EXPERIENCES OF IMPRISONMENT IN MYANMAR

LIV STOLTZE GABORIT

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DEPARTMENT OF SOCIAL SCIENCES AND BUSINESS,
ROSKILDE UNIVERSITY

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“We are Like Water in Their Hands” – experiences of imprisonment in Myanmar

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Front page: *Ponsan Tain* painted by artist Htein Lin in Oh Boh
Prison in 2002. © Htein Lin.

In collaboration with DIGNITY – Danish Institute Against Torture
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Note on authorship: While the front page of this dissertation only lists one name, significant contributions have been made by several people. The photos in this dissertation have been taken by U Letyar Tun, Ko Phyoe Dhana Chit Lynn Htike, U Pho Nyi Htwe and U Sai Minn Htein. Additionally, Michael Muelay has contributed to fieldwork as a research assistant. His contribution has been vital, not only with translation but also with his aid in navigating the field. While I have put together the words on these pages, the honour of this work belongs as much to them as to me. The responsibility of any mistakes on these pages fall on me solely, as they have not gotten a chance to contribute with corrections.

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English Abstract

Prisons are institutions through which states exert social control and deprive citizens of rights; where entitlements of citizens are limited to the bare minimum deemed acceptable to a given state. Therefore, prisons are institutions which reveal core aspects of the relation between a state and its citizens. In authoritarian regimes, as Myanmar was in a very recent past, prisons are places in which people are subjected to extreme punishments. In the post-authoritarian state of transition Myanmar is currently in, legacies of past regimes linger and show their face in various forms. By studying experiences of imprisonment, this study approaches experiences of subjects whose lives are under an intense state control. As it explores their experiences, it takes the temperature of the transition as it explores what changes have occurred and what legacies remain from past political regimes.

Until recently, Myanmar was closed off to the world while under military dictatorship. For the last decade, however, major changes have occurred and a political space has opened up in which it has become possible for researchers to do empirical research within the country and in which the first ever prison research project could be launched. This dissertation is part of the project *Legacies of Detention in Myanmar*, which explores how practices in Myanmar prisons today are shaped by legacies from past regimes. This dissertation focuses its attention on those who have gone through prisons as it analyses experiences of imprisonment in Myanmar. To do so, it builds on 15 months of ethnographic fieldwork with former and current prisoners and an action research project conducted with four former political prisoners and photographers.

The dissertation poses the research question: What experiences do prisoners in Myanmar go through and how are they affected by such experiences? This question is addressed through four publications. Paper I shows how penal practices of today are affected by legacies from the past through an ethnographic history

of the practices concerned with fetters, convict officers, amnesties and torture. Paper II shows that access to experiences of imprisonment depend on other factors than physical access to prisons. Paper III shows that liminal experiences in prison can lead to positive development or suffering, depending on the presence or absence of guidance and *communitas* and on whether these experiences are forced or voluntarily. In doing so, it shows that solitary confinement represent structural violence, which can lead prisoners to become ‘unhinged’ from a sense of self and reality. Finally, Paper IV discusses the role of recognition in post-liminal re-integration of former prisoners and their opportunities to re-establish their lives after release.

Through these papers and the synopsis surrounding them, the dissertation shows that prisoners go through liminal experiences which can affect them in various ways. Through theory on liminal experiences, the dissertation has identified inadequacies of prisons that make them inherently harmful institutions. Prisons represent forced liminal experiences, in some cases without the guidance of a master of ceremony and a *communitas* with whom to go through liminality. Furthermore, upon release, when prisoners are supposed to exit liminal experiences, the lack of proper post-liminal rituals that enable parity of participation through recognition, prevent prisoners from re-establishing their lives and becoming the law-abiding citizens prisons are supposed to mould them into.

In addition, the empirical contribution on prisons in Myanmar shows that legacies from the authoritarian past are still practiced within prisons in Myanmar. As a prism on the state, the prison suggests that, while in transition, Myanmar has not completely left its authoritarian past behind. This suggest either a need for further reform if authoritarianism is to become a thing of the past, or it reveals a symptom of the shortcomings of the current disciplined democracy, which can lead to a return to authoritarianism in the future of Myanmar.

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Like most major accomplishments, producing this dissertation has demanded the effort of a great number of people. Some of them have been indispensable for the project. It simply could not have taken place without them. Others have offered insightful comments, support and care along the way to further the process and make it bearable. To all of those who contributed to the project, I am immensely grateful.

First and foremost, I want to extend my gratitude to the current and former prisoners who participated in this study. Thank you for trusting me with your personal experiences.

Thank you also to the organisations of political prisoners who facilitated my contact with many participants, namely the Assistance Association for Political Prisoners and the Former Political Prisoner Society. Within the AAPP, I want to extend my personal gratitude to U Bo Kyi and U Htate Naing for engaging in countless meetings with me and my colleagues and to U Zaw Moe and his team of researchers for welcoming me as one of their own.

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Nwe Ni, U Khin Maung Win, U Kyaw Min San, U Kyaw Lin Naing, Ko Aung Lin Oo. And, especially, U Than Htaik, thank you for library tours and long discussions in teashops and beer stations, with the sweet smell of Red Star cheroots hanging in the air.

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Prologue

On the 8th of July 2018, the photo exhibition ‘Beyond the Prison Gate’ was launched in the Healthcare Centre for Political Prisoners (HCPP) on the outskirts of Yangon. It took an hour to get there by car or bus from downtown Yangon. On the way, the surroundings changed from the hustling and bustling of downtown streets lined by market stalls, to green fields appearing in between the houses and oxen occasionally crossed the road. Out there, the fields were cut into quadrant squares and small groups of houses were placed here and there in between the fields. In one of the groups of houses, a three story building towered over the other houses, this was the HCPP.

When the exhibition took place, the HCPP was a new health clinic, it had been running for around a year, and was still dependent on donations. The exhibition was held at the HCPP, so the rent for the space would contribute to the centre and be a way of giving back to the community of political prisoners; since the photographers, the people who were depicted in the photos and the people who helped prepare the exhibition all belonged to this community. The exhibition was held on the second floor, which had not yet been put into use.

The exhibition spread over two rooms. In each room, the photos were divided into different photo stories and accompanied by photo texts with information about the people in the pictures. In the room to the right of the entrance, were photos by two photographers. The photos by Ko Phyo Dhana Chit Lynn Htike, which showed young activists still involved in the fight to improve the country. Several photos showed them engaged in anti-war demonstrations, a struggle which was still ongoing at the time of the exhibition. One photo showed one of the activists at court, being scolded by an officer for giving an interview to a journalist with a camera. The photo captured the ambivalence of the current political situation – the country had opened up enough to be able to show a photo like this at an exhibition, but freedom of speech was limited, in the event in

this picture and beyond. Another series of photos by Phyoe Dhana referred to struggles of the past. It featured U Nay Win who was imprisoned the first time in 1989 for being a member of the communist party, the same party as the beloved leader General Aung San, father of the nation and of the current State Counsellor Daw Aung San Suu Kyi. One of the photos of U Nay Win also speaks to the future. In it, he was joined by his daughter and grandson. Ma Phyoe Phyoe Aung, his daughter, is also a former political prisoner. At one point, father and daughter were both held in Insein Central Prison and had family visits between the different wards inside the prison. The future will show if the legacy will live on and the grandson will grow up to become a political prisoner, or if the struggles for improvement of the country will have succeeded sufficiently by then to allow him to live his whole life in freedom.

At the other end of the room was a series of photos by U Letyar Tun. These showed the family members of fallen political prisoners, who died before they were released from prison. In the photos, the family members hold portraits of their loved one and memorabilia belonging to them. One is holding a small mirror, which her son used while in prison. Another is holding a page from a calendar of the day her husband died, the release slip they produced, even though they were releasing a dead body, and their marriage certificate. The family members on the photos ranged from old parents, some of which have passed away by now, to young people who lost their parents. U Letyar Tun hopes to go back to the families and take new pictures that show how the families have changed with time, while the memorabilia and portraits remain the same, as if frozen in time.

In the second room of the exhibition were photos by U Sai Minn Thein and U Pho Nyi Htwe. The day before the exhibition, U Pho Nyi Htwe told me he would bring his parents to the exhibition. Finally, he said, he could show them something good that happened because of his time in prison. On the day of the exhibition, he introduced me to his 80-year-old mother. His eyes were sparkling and his back straight. I had never seen him this proud and happy before. Several times during the launch of the exhibition, I observed him watching the people who were looking at his photos.

Among U Pho Nyi Htwe's photos was a series of U Pho Kyaw, who was also present at the exhibition. The pictures showed him struggling for everyday survival, working by the side of the road, eating in a simple teashop and relaxing in his home. On this day however, it was a different side of U Pho Kyaw we saw. His long hair was nicely done in a ponytail and he was wearing a button-up

shirt. While the pictures showed him as a survivor, maybe even a victim, on this day we saw him as a hero who fought for democracy. He stayed near his photos for a large part of the day and engaged with people who came to see them.

Another person from one of U Pho Nyi Htwe's series was also present. U Kyi Soe, who was depicted while selling lottery tickets and volunteering in the clinic. The walls of the clinic were painted in a characteristic bright blue colour. The photos of U Kyi Soe assisting a doctor featured a bright blue wall, exactly like the one they were hanging on. The bright blue colour rendered the close connection between the photos and the place evident to those who came to see the photos. When observing the people who viewed the pictures of U Kyi Soe, it was clear to see that the friends of the HCPP recognised him. Like the faces of iconic leaders of the student uprisings are known to everyone in Myanmar, his face was here an iconic representation of the kindness of the volunteers.

U Kyi Soe also featured as volunteer in one of U Sai Minn Thein's photos. The photo was part of a series about U Ye Lwin, a famous musician who had been a patient at the clinic. The photos in this series also featured a visual echo of the blue walls, as exhibited *in* and also exhibited *on*. Only a few days after the exhibition was launched, U Ye Lwin passed away due to the liver cancer he had received treatment for in the clinic. As he was a famous musician, numerous news articles, viral Facebook posts and a wake attended by many, commemorated his death. Following his passing, the photos became a tribute to him, at which the visitors of the exhibition familiar with his fate paid their respect.

The people depicted in the other series by U Sai Minn Thein were also present at the launch of the exhibition. This was the Sanchaung family. This series of family portraits depicted the sad story of how the family was separated by the regime and sent to various remote prisons across the country. Here they were all together again, happy and smiling. It added a layer to the experience of seeing the photos that so many of the people depicted in them were walking around among the rest of the audience.



The Sanchaung family in front of the photos that depict how their family was split up by imprisonment. The photos of the family that they are posing in front of and the photo above were taken by U Sai Minn Thein.

During the launch, we held a short opening ceremony. I gave a speech in English and Daw Phyu Phyu Thin, the director and founder of HCPP shared her opinion on the exhibition in Burmese. U Letyar Tun, one of the photographers, translated both so everybody understood.

The room quieted down and I started my speech. I talked about how recognition had appeared as such an important topic in my research that I wanted to engage further with the topic. The photographers and I hoped to be able to contribute to recognition in some small way through this exhibition. I emphasised that these photos only show the stories of a few of the former political prisoners, but that we hope they speak to issues others too will find important and that they will create a space to share experiences of other former political prisoners. With this exhibition, we tried to create an understanding of the challenges political prisoners face after release and the important role they played in the history of Myanmar. I thanked the many people who had helped create the exhibition – those who helped set up the exhibition and the people in the photos. At some point during the preparations, I counted more than twenty people working in the exhibition space. Lastly, I

congratulated the photographers for their great work and thanked them for all the effort they had put in.

After I finished my speech, Daw Phyu Phyu Thin took over. She began with the words: ‘These are not beautiful pictures...’ and went on to describe how the life of former political prisoners after release is not always beautiful. Yet, what is normally shown in pictures of former political prisoners are the heroes and survivors, and often only the few who went on to become famous. These photos, she recounted, were more like a documentary, which showed the real life of former political prisoners, the ones this clinic tries to help. Such pictures can sometimes be depressing, but they are important to look at. Lastly, she added that she was happy to see this was also an occasion for old friends to reunite.

After her speech, I noticed Daw Phyu Phyu Thin speaking to one of my Burmese friends, also a former political prisoner. I asked how they knew each other. They laughed and explained they had been in hiding from the military regime together. Alongside the exhibition, numerous reunions were taking place. If these former political prisoners could not find solace through recognition from the state, at least they could find it through the community with those who shared their experiences.

This prologue has taken the reader on a guided tour through the launch of the photo exhibition ‘Beyond the Prison Gate’, which was created through action research as part of this project. This guided tour is an invitation for the reader to open their mind and imagine the sensory aspects of experiences exhibited in this dissertation. Later chapters will add more details about the methodology of the action research project, which resulted in the exhibition and analysis of the data it generated.

This dissertation exhibits experiences of imprisonment of Myanmar in multiple ways. These experiences are the topic of systematic analysis, they have been explored through long-term fieldwork and they are presented in quotes from former and present prisoners. In addition, they are presented visually through the photos of an exhibition, which was produced as part of this project. According to the Oxford English Dictionary, ‘to exhibit’ means: ‘*To submit or expose to view; to show, to display.*’ Sub-definitions add, that to exhibit can mean: ‘*To manifest to the senses, esp. to the sight, to present (a material object) to view.*’ (7a) and ‘*To present to mental view*’ (7b, Oxford English Dictionary 2019). In line with

these definitions, this dissertation invites the reader to experience what will be exhibited on the following pages in a multitude of ways. Readers are invited to use their senses. To use their sight as they scan through the letters and explore the pictures; and also to imagine the feel, sound and smell of what is exhibited on these pages. Imagine the hot days in Yangon, the sound of pouring rains, yells of street merchants and chants of monks that have been the background during so many of the interviews and the experienced recounted in them. Imagine the sweet smell of tobacco and spices as a cheroot is lit and gives a prisoner a quiet moment in an otherwise demanding day; imagine the feeling as the smokes fill his lungs and he finds joy in the small act of resistance it is to light a cheroot in a prison where smoking is prohibited. Imagine the sweet taste on their lips, as prisoners take sips of cups of coffee, brewed on sachets of coffee mix that simultaneously represents a beverage and functions as a currency among those not allowed to hold money.

CHAPTER I

Introduction

We are like water in their hands, those were the words a former political prisoner used to describe the relationship between prisoners and prison authorities. With this Burmese proverb, he implied that the prisoners were fully dependent on the prison staff, like a handful of water would be dependent on a careful but firm grasp to stay in the hand. Water, however, continues to be, even if it seeps through the cracks and takes on different shapes than a handful. Similarly, this former prisoner described how he had disobeyed prison staff on multiple occasions, which had significantly changed the conditions he was subjected to. During his imprisonment, he spent many hours alone in a solitary cell. When he was let out for short periods to shower or empty the toilet bowl, he extended his stay away from the cell by refusing to return to his cell when he was ordered to do so. He refused to go back into his cell and thereby changed his day by adding more time outside the cell. Later in his imprisonment, under a less strict regime, he started planting vegetables in the yard. Upon seeing this, the prison authorities sent in other prisoners to plough the area to support the vegetable farming, which in turn supported the poor diet available to prisoners. Thus, while he described prisoners as *water in their hands*, as fully dependent on prison staff, it was clear from his account that even water can change the shape of rocks. In spite of his acts of resistance, the time in prison and his feelings of complete dependence on prison authorities had left him a changed man. He came into the prison as what he described as a *hardliner*. As an idealist who stood up for his beliefs and as someone who had played a leading role in the 8888 uprising. In prison, he changed to become a *softliner*, while still willing to stand up for his beliefs, he was now conscious of seeing things from both sides and the importance of striking compromises. After his release, he established a new life and did not take part in politics or activism again. He now dreamt of a quiet life, where he could live with his wife in a house outside the city and where he could play guitar and relax in his garden.

This dissertation is motivated by a strong sense of justice and an awe for the strength of those who survive extreme suffering. This motivation has led me to work with topics and contexts where injustices are commonplace and later to engage with prisons (Gaborit 2013; Gaborit and Jefferson 2013; 2015; Jefferson and Gaborit 2015). In this study, this motivation brought me to a previously unfamiliar country, Myanmar. Myanmar is a country in an extremely complex situation affected by legacies from past royal, colonial and authoritarian regimes; and where abolishing injustices that citizens face at the hands of the state, is an enormous task. In the prisons of Myanmar, people have endured suffering unimaginable to most. Some were silenced by death, but others survived to tell their story. Through the voices of these survivors, this dissertation explores how human beings go through experiences of suffering. It explores the kind of harm they were subjected to, by the state through penal practices, how these practices pushed them to the edge of the world as we know it and finally, how they managed come back to this world and be re-integrated into society after release, or, how they remain in a permanent state of liminality unable to come back.

For many years, Myanmar was closed off to the world, like a national prison. Only within recent years has the country begun to open up to globalisation. Within the closed borders of the country, confinement has been experienced by many. It was experienced by those in prisons, labour camps, IDP camps and prison-like institutions run by non-state actors. Prisons have played an important historical role for the country, as they have been passed on as a legacy from the colonial regime to the independent state. Within these institutions, penal practices have mutated and persisted across the colonial period, half a century of military dictatorship, and the current period of transition governed through ‘disciplined democracy’ as defined by the 2008 constitution. Moreover, since 1962 when General Ne Win and the military regime took power, the prisons have housed great numbers of political activists as political prisoners,¹ including the famous case of Nobel Peace Prize Laureate Daw Aung San Suu Kyi. At this time, the prisons house 92,000 prisoners (as of 2018 World Prison Brief 2018) who live under scarce conditions and severe overcrowding. Myanmar therefore represents a unique case to study experiences of

¹ In this dissertation ‘political prisoner’ is used as an emic category used by those who identify as, or identified by others as political prisoners. This emic category mostly refers to pro-democracy activists who were imprisoned. Other conceptualisations of political prisoners do exist, and some have even debated if the term is useful at all (Llorente 2016).

imprisonment, one where confinement is of key relevance due to historical and political reasons. Furthermore, it is a case that has been inaccessible until recently. Only recently, after the reforms of the U Thein Sein government from 2011 and the transition to a civilian government in 2016, has a political space emerged in which topics that were previously taboo can now be discussed in public; once, to even speak about such topics represented a risk of imprisonment. In this context, it was possible to conduct the first-ever prison research project *Legacies of Detention in Myanmar*,² and with this project, it was possible for me to be granted access to Insein Central Prison, as the first prison researcher.³

This dissertation explores experiences of imprisonment which prisoners go through. It explores what they go through while inside and what they become after release. It does so through the narratives of former and current prisoners collected during 15 months of ethnographic fieldwork. The accounts of prisoners have been explored through an abductive approach. Prior to fieldwork, *experiences of imprisonment* had been defined as the phenomenon of interest. The original research questions sought to explore these experiences as processes of subjectification. However, as the project progressed it was clear that subjectification was not the most suited analytical concept to understand experiences of imprisonment in this context. Conceptualisations of subjectification (Dreier 2009; Foucault 1982; 1993; 2010; Holzkamp 2013) have been developed within Western societies, within which common understandings of the self and the experiences the self goes through differ a lot from the Myanmar context. Thus, it became clear that to apply this concept, substantial theoretical developments were needed to make the concept fit the context in which it was applied. Rather than embarking on this theoretical project, the analysis below is empirically driven and applies concepts that fit the data. Thus, in between the first and second round of fieldwork, the theoretical framework was adapted and the focus narrowed to

² Legacies of Detention in Myanmar is a five year research project at DIGNITY – Danish Institute Against Torture, which includes two more researchers based in Denmark and four researchers and two PhDs based in Myanmar. The project is funded by the Danish Ministry of Foreign Affairs.

³ Previously some NGO researchers have gained access to evaluate conditions in confidential reports. These researchers have however not been allowed to publish result publicly and thus contribute to the generation of knowledge on prisons in Myanmar. Previous published research is either historical (Thet Thet Wintin 2006; Brown 2007b) or in one case, conducted mainly by public servants under conditions with little freedom of speech (Le Le Win et al. 2010). ‘The first researcher’ in this context thus means the first academic researcher with freedom to publish results independently on prisons in Myanmar in recent times (1988-2018).

experiences of solitary confinement and meditation inside prisons, and recognition and re-integration after release. Finally, after fieldwork was concluded, 'liminality' was identified as the main analytical concept in the study of experiences of imprisonment and the theoretical framework was elaborated upon (V. Turner 1979; van Gennep 1960).

This dissertation approaches experiences with inspiration from multiple sources. It takes inspiration from Lisa Guenther's (2013) conceptualisation of critical phenomenology, in which she builds on Husserl but goes beyond him and classic phenomenology by adding an intersubjective conception of the self. The critical phenomenological approach is combined with the late work of Victor Turner (1985), in which he proposed the potential of experience-focused social sciences. Moreover, this dissertation builds on the works of Bruno Latour, William James and Max Weber, all of whom paved the way for working with experiences that are mystical, out of the ordinary and religious as concrete social phenomena within social sciences (Weber 2013; James 2012; Latour 2005). And lastly, the conceptualisation of experiences within this dissertation draws inspiration from the ontological turn which invites playful experimentation in regard to what can exist within various ontologies (Holbraad, Pedersen, and Castro 2014; Mol 2002b).

With inspiration from these scholars, experiences are defined within this dissertation as embodied and sensed but also as more than that. They are thoughts, rational as well as irrational, they are shaped by personal history and ideas about what objects and subjects are being sensed and they shape personal histories of those who live through them. Some experiences are conscious and can be put into words, as is the case for the experiences recounted in interviews. Some too are unconscious, and though we might be unable to put these into words, they affect us through the ways we perceive that which is conscious to us and through moods and intuitions. Experiences are more than just rational reflections upon sensory inputs. Some are rational, but some too are irrational, incoherent and shaped by emotions. Some appear meaningful, while others remain chaotic and devoid of meaning. Because experiences are all of the above, they cannot be measured according to some outer material reality. Such evaluation would correspond to measuring the quality of great novels by counting the number of different letters in the alphabet presented in them. Experiences are more than that; they are the meaning that arises when letters are presented in a certain order, they are the musicality of well-written

phrases and they are the writing in between the lines and the mental imagery great poetry can evoke (see Chapter 4 for further conceptual and theoretical discussions).

This study is guided by the following research questions to explore how different practices of imprisonment have been lived through by prisoners under different regimes in the period 1988 to 2018. The research questions consist of one main research question which runs throughout the dissertation and four sub-research questions which are addressed in one research paper each.

What experiences do prisoners in Myanmar go through and how are they affected by such experiences?

1. *How are experiences of imprisonment in Myanmar today shaped by legacies from the past?*
2. *How can experiences of imprisonment be accessed through ethnographic methods?*
3. *What factors cause differences in experiences of imprisonment?*
4. *Why do some prisoners experience being stuck in prolonged liminality unable to re-establish their lives after release?*

Question 1 is addressed in Paper I, through an ethnographic history of selected penal practices. This paper describes conditions in Myanmar prisons today and connects them to the historical legacies of dynastic, colonial and authoritarian periods. Question 2 is addressed by Paper II, which argues for a reconceptualization of access in ethnography. It presents lessons learned from doing fieldwork in a field with limited access and suggests that doing research outside prisons allows for building trust, following participants across different spaces and observing the participants in situations where they have more agency, and shows how this offers the potential to provide a different perspective on personal experiences. Question 3 is taken up in Paper III, which discusses similarities of spiritual experiences of receiving visits from spirits and hearing voices while in meditation and in solitary confinement inside prisons. The paper argues that these are liminal experiences, and that absence of some of the structures present in rites of passage when in solitary confinement explains why spiritual experiences in

solitary confinement are ascribed with more suffering than similar experiences during meditation retreats inside prisons. Finally, Paper IV addresses the final question in a discussion about the challenges political prisoners face after release and their repeated calls for recognition. The paper shows that when imprisonment is understood as a liminal experience, a post-liminal ritual is needed in order to establish a new status to enable re-integration after release. In the absence of such, political prisoners find themselves struggling and calling for recognition. Additionally, the paper argues that justice will not be served through recognition of their identity as political prisoners alone, but also calls for re-distribution which grants them access to parity of participation in society.

As a publication-based dissertation, this work consists of two types of texts: four publications in which the analytical contributions are presented and a synopsis, which frames the papers within a general project and shows the connections in between them. Ordinarily, the synopsis is followed by publications in appendices. In this dissertation however, papers are integrated within the synopsis to create a natural progression where papers build upon each other. The synopsis and the publications are written with different audiences in mind, depending on readers of the respective journals, and the publications are supposed to be stand-alone components. Therefore, this dissertation is a somewhat repetitive and polyphonic experience to read as one collected work. This is the nature of publication-based dissertations.

In addition to the textual 'voices' of this polyphony, there are visual 'voices'. As part of the research on recognition and re-integration after release (research question 4), an action research project has been conducted during fieldwork. The project was conducted with four former political prisoners, who took photos of the everyday lives of other former political prisoners, to document their life after release. The project culminated in an exhibition of 60 photos in Yangon, 40 of which have later been exhibited in Copenhagen. The action research project is described in detail in Chapter 3 (section 3.2) and informs the analysis in Paper IV. The photos will feature throughout this dissertation. They are presented as visual interludes in the form of photo stories told by the photographers. By each photo story, a short description adds information about the photos. The photos communicate to the reader, now becoming a viewer, in a different mode than the text and add a layer to the sensory experience of this research. The reader is invited to experience this dissertation as it exhibits experiences of imprisonment in Myanmar in multiple ways.

The dissertation is organised as follows. Firstly, the project is positioned in Chapter 2, through an introduction to the context (Myanmar) and research field (prison research). The introduction is immediately followed by the first publication: *'Royal, Colonial and Authoritarian Legacies in Myanmar Prisons of Today - An ethnographic history of punishment'* which is accepted for review in the book *Asian Prisons*, edited by Mahuya Bandyopadhyay and Rimple Mehta, to be published at Palgrave Macmillan. This publication connects ethnographic accounts of prisons today, to historical descriptions of the history of the present. As such, it familiarises the reader with life inside prisons in Myanmar, while presenting analytical insights about the historical developments of penal practices in Myanmar.

Chapter 3 presents reflections on methods, ethics and researcher positioning. The chapter is followed by the second publication: *'Looking through the Prison Gate: access in the field of ethnography'* published in English and Portuguese in *Cardernos Pagu*, 2019, no. 55. The chapter presents general reflections on methods used for this study, while the paper discusses the methodological dilemmas that arose as a consequence of not having access to prisons while doing prison research. The dilemma caused reflections on what 'access' and 'the field' is when doing research about prisons.

Chapter 4 returns to the theoretical framework already touched upon in previous chapters and unfolds it in detail. It fleshes out the connections between a critical phenomenological approach to reflexive ethnography, the ontological turn and a liminal conceptualisation of experiences of imprisonment. The chapter is followed by the two remaining papers. The first paper is *'Visited by Spirits - 'betwixt and between' in meditation and solitary confinement in Myanmar'* which is under revision after first review (minor/major revisions) to be published in *Incarceration*. The paper discusses similarities between the experiences of hearing voices in meditation during imprisonment and in solitary confinement, and shows the potential of applying a liminal understanding to explain why guidance, *communitas* and degrees of voluntariness affects whether experiences are possibilities for personal growth or lead to suffering. The final paper *'Beyond the Prison Gate - Recognition through photography with former political prisoners in Myanmar'* is under review for *Visual Anthropology*. This paper explores the potential of combining a liminal understanding of imprisonment with different conceptions of recognition, to understand the

challenges prisoners face in regard to becoming (re-)integrated after release.

Lastly, Chapter 5 discusses the connections between the four papers and combines their findings to present the contribution of this dissertation and discuss future implications of these findings. The overall contribution of this dissertation speaks to gaps in existing literature on three levels: empirical, methodological and conceptual. The dissertation contributes to the empirical gap of underrepresentation of prisons in the Global South in prison research and absence of empirical research in Myanmar prisons from 1988-2018. Further, the findings contribute to understandings of access within ethnography when working with human experiences, demonstrating how ‘the field’ of ethnography corresponds with the field in which research participants live and is not limited to the place in which the phenomenon studied takes place. Thus, for prison research, the field stretches beyond the walls of the prison to the places where people live before and after imprisonment. Lastly, this dissertation has argued for the potential of a liminal understanding of experiences of imprisonment and demonstrated its use in practice through application in Papers III and IV. In addition, application of the concept of liminality in prisons research, has led to theoretical developments by combining existing literature on liminality with existing literature on recognition and by proposing the continuum between forced and voluntary as a new dimension to the categorization of different types of liminality.

VISUAL INTERLUDE I

The photos in this project have been created through action research under the title *Beyond the Prison Gate* with four photographers. The photos in the project present the everyday lives of former political prisoners in Myanmar anno 2018. In this dissertation, they function as interludes that add a visual dimension to the dissemination and encourage the reader to engage with the material on multiple levels (for methodological considerations of the project, see Chapter 3, for analysis of selected photos see Paper IV)⁴. The current interlude introduces the photographers.



Photo: Chris Peken

Sai Minn Thein aka **Sai Bo Bo Soe** (1981) was arrested on August 23, 2007 for protesting against the rising fuel prices in the prelude to the Saffron Revolution. He was sentenced to four and a half years on multiple charges. He served almost four years in Hkamti Prison before his release on May 17, 2011.

⁴ Repetition occurs between photo texts in interludes and Paper IV and between the detailed description of the action research project in Chapter 3 and the shorter description of the project in Paper IV. Lastly, the final blog post in Annex 6 ‘Beyond the Prison Gate – Recognition through Photography and Action Research in Myanmar’ includes rewritten versions of the photo texts and thus also entails repetition. While repetition occurs, the different sections have different foci in their descriptions. The visual interludes focus on adding a visual layer to the dissertation, Chapter 3 focuses on methodological reflections, Paper IV offers a short description of the project but is focused around analysis of the process as a process of recognition and lastly, the blog post in Annex 6 was written with public dissemination in mind.

Through his pictures, Sai Minn Thein shows the double punishment many former political prisoners faced. Not only were they imprisoned, they were sent to remote prisons far from their families, just to aggravate the suffering. In his family portrait series, he elegantly shows how imprisonment tore a family apart for years. One by one, members of the family were arrested and placed in various prisons across the country. Those outside prison had to travel to faraway locations across the country just to visit their family members in prison. Today the family has finally been reunited despite their history of forced separation.

In his second series, he depicts a struggle that many political prisoners face after their release: dealing with health issues that have arisen after years of living in prison. Inside prisons, most political prisoners survive on a poor diet and minimal medical care. After release, many continue to suffer with ongoing health issues caused by poor treatment in the prison.



Photo: Chris Peken

Pho Nyi Htwe aka. **Myo Kyaw** (1973) was arrested three times for his involvement in the pro-democracy movement in 1990, 1991 and 1996. Each time he was charged under the emergency act, section 5J. He was last released in 2002. After release he continued the fight for democracy as video journalist during the Saffron revolution. In 2010, he was forced to go underground, but continued his work as a video journalist. Today, he works as an editor for a news journal.

Through three different stories, Pho Nyi Htwe depicts how various political prisoners live very different lives after release,

although they still have a shared cause. His pictures showcase survivors – those who have faced tremendous challenges and loss, but who continue to struggle for survival. These former political prisoners continue to fight, in part to make a living, by selling lottery tickets or weighing people on the street, and also for the good of the nation, by volunteering in HCPP and remaining politically engaged.



Photo: Chris Peken

Phyoe Dhana Chit Lynn Thike (1994) was arrested during the uprising for a new education bill in 2015. He spent one year detained in Thayerwaddy prison while awaiting judgement. He was finally released in April 2016. Today Phyoe Dhana is a photographer, and he is still strongly committed to supporting the development of an inclusive, just, and democratic society in Myanmar.

His pictures showcase the strong spirit of former political prisoners who manage to maintain a sense of happiness in spite of all the challenges they have faced. They find happiness in love, in kindness to others, and in a continued commitment to creating a better future for Myanmar.

There are many generations of political prisoners in Myanmar. Some of which go far back and are not alive to be photographed today. Phyoe Dhana's pictures reach across different generations of political prisoners still alive. The first of his subjects was arrested in 1989, while the last still has an ongoing case.



Photo: Chris Peken

Letyar Tun (1972) was first arrested in 1988 while working for the newspaper *Nyi-nyoot-yay* (To Unite). After his release, he joined the All Burma Student Democratic Front on the Thai/Burma border. He was re-imprisoned in 1998 when sentenced for high treason. He has spent 18 years of his life in prison, 14 of these on death row. He was finally released on November 19, 2012, via a presidential amnesty in connection with President Obama's visit to Myanmar. Today he is a writer, editor and photographer.

The idea for Letyar's photos sprung out of the project "Framing the Transition." This series show the families of political prisoners who died in prison holding portraits, documents, and other belongings of their deceased family members. In this ongoing series, Letyar continues to photograph these families over the years, poignantly reminding viewers how the lives of the family members go on as the remains of the fallen political prisoners stay the same. The pictures give voice to fallen political prisoners and raise awareness of the fact that these people gave their lives in the fight for democracy.

CHAPTER 2

Prison research in Myanmar

This chapter serves as an introduction to the context of this study on three levels. First, it describes the context in which fieldwork was conducted, to place the accounts by prisoners that will follow in later chapters within this context. Secondly, a short state of the art of prison research presents the context within which this research is placed. Finally, the chapter is concluded by the first publication in this dissertation, and in it, the first bits of analysis. Paper I is a book chapter for the edited volume *Asian Prisons* (edited by Mahuya Bandyopadhyay and Rimple Mehta) which presents an ethnographic history of selected penal practices in Myanmar. The paper explores four penal practices: the use of fetters for restraint, convict officers, amnesties and torture, which have been identified through ethnographic data and traces them back in time through a genealogically inspired analysis. As a whole, these two sections and Paper I provides the reader with a thorough understanding of the context in which this study is placed.

In addition to the literature reviewed within this chapter, each of the publications present relevant literature on their respective topics. Thus, Paper I presents historical sources on Myanmar prisons, Paper II presents methodological literature on ethnography, Paper III presents literature on spiritual experiences and solitary confinement and finally, Paper IV combines existing literature on recognition with that on liminality.

2.1 Finding the field – doing fieldwork in Myanmar

On the 5th of February 2018, I landed in the airport of Yangon to commence my second round of fieldwork. The airport had changed since I was last there. I walked through unfamiliar hallways in the

new building until I reached the area in front of the immigration gates, where only a glass wall divide arrivals from families and friends picking up their loved ones, I was happy to spot a familiar face. It was Myo Naing⁵. He was a former political prisoner and taxi driver and he had helped me during the two pre-investigation trips before I started fieldwork. I was happy to see him. As we drove through the city to the apartment I would stay at, he pointed out landmarks on the way. The first was right outside the airport, he told me this is a military compound, it used to be an investigation centre, he had been detained there. He only said he was detained; I knew he would have been tortured during interrogation. Along the way, he pointed out several sites of old military interrogation centres. I realised his mental map of the city was very different from what I saw around me, it was painted with the bloody history he had lived through. We passed Inya Lake, and I remembered the story he had told me the first time I arrived in Myanmar, when we drove past the northern shore. There, at the banks of the lake, the military and police had beaten up hundreds of students and pushed them into the lake in the Inya Lake Affair in 88. Today, the bank is a well-kept lawn with flowers beautifully arranged into the words 'welcome', in Burmese and English. The brink of the lake is lined by benches where students hang out and couples cuddle up.

Downtown Yangon is a vibrant place. Colour, scents and sounds can be overwhelming to a Scandinavian at first. There are many people in the streets. People on their way to somewhere, people selling goods, boys playing chinloun (cane ball), and groups of street dogs. The streets are lined with a mix of old colonial buildings and new high-rises built on crony money. In between them, trunks of huge trees that seem so old that they outdate even the colony, spread their branches. On the sides of the trees, there are shrines where people give offerings to the Nat spirits, the animist belief that continues to be practiced alongside Buddhism. Since Buddhism is the main religion, Pagodas, pointy temples, are also present throughout the city. Most famously, the Shwedagon Pagoda, which can

⁵ Pseudonym.

be seen from most places of the city, due to its vast size, its placement on a hill and its bright golden colour. Shwedagon is the most auspicious pagoda, not only because of its size and historical importance, but also because a lock of the Buddha's hair is said to lay under the pagoda.

This section serves to give a short introduction to the context of this study, it aims to give a taste of the flavours of Myanmar, a brief introduction to the political context and the main organisations with whom fieldwork was done. It is out of the scope of this section to give a thorough introduction to the history or current situation in Myanmar. For a more details on the historical developments concerning prisons in Myanmar see Paper I.

Myanmar, formally named Republic of the Union of Myanmar and formerly known as Burma has a population of 55,622,506 (estimate 2018). It is a melting pot of different ethnic groups, 135 of which are recognised as ethnic groups within the country. With them, they bring different religions – Buddhism being the majority, followed by Christianity and Islam. Animistic beliefs are also present, either in their pure form or in combination with the previously mentioned religions (Central Intelligence Agency 2019). The combination of Buddhism and animistic beliefs is very common. This composition of the population can be attributed to the geographical placement of the country by the Zomia (South East Asian transnational highlands) in an area where various ethnic groups migrated either as nomads, for trade, or to avoid being under the governance of various kingdoms (Scott 2009). Due to the isolationist politics of the previous authoritarian regime, Myanmar remains among the poorest countries in South East Asia. Approximately 26% of the population live in poverty (Central Intelligence Agency 2019).

The modern prison system in Myanmar was created by the British colonial regime from the 1820s. The system gradually developed as the colonial power established their rule over the territory that is known as the country Myanmar today. The British established the basic structures for a prison system: brick buildings, many of which are still in use today, and the legal framework of the penal code and the Burma Jail Manual (1883), which still applies. After independence in 1947, the prison system was handed over to the Burmese authorities, who continued to govern prisons by the rules established by the British.

Even before prisons existed in Myanmar, when punishment was corporal and confinement only took place while waiting for the real

punishment, punishment was used as a political tool to control the population and punish enemies of the king (Thet Thet Wintin 2006). During colonial times (1820s until 1947), the British imported the ‘modern prison’ and unruly subjects now faced imprisonment. Since 1962, when the authoritarian regime led by General Ne Win and the military took hold, counter regime uprisings began to take place and those opposing the state became political prisoners. This practice was continued by succeeding regimes during the uprisings in 1988, 1991, 1998 and 2007 and led to large numbers of political prisoners (Brown 2007b; Lintner 1990). Even today, in a political climate often described as a transitional and disciplined democracy, new political prisoners are still being arrested, though their numbers are counted in the hundreds instead of thousands, as was the case in the past.

Today, the main characteristic of prisons in Myanmar is the vast number of people they house. The prison population has seen a steady increase – an upward curve that is only broken by the yearly amnesties, which release hundreds, sometimes thousands of prisoners. As of 2018, there were 92,000 prisoners in Myanmar according to official figures. 12.3% of them were women (World Prison Brief 2018). This percentage is high when compared to the world average, but standard within the region, where drug trafficking by women is common (Jeffries 2014). The uneven distribution between men and women in the prisons is also reflected in the data collected for this project. Since majority of the participants are male, male pronouns are used when writing about prisoners in general and female pronouns used when speaking specifically about women prisoners.⁶

Inside the prisons, prison management struggle to provide healthcare and a decent living standard for a large number of people, on a scarce budget. Most prisoners live in dormitory cells, often with more than 100 people in the same room. When congestion is at its worst, they have to sleep back-to-back, only able to lie on their side, and only allowed to turn when everybody turns at once. The food served twice daily lacks nourishment. Many prisoners therefore supplement their diet with food from outside, brought by their families during visits. Families bring more tasteful curries, dried fish and fish-paste (*ngapi*) to add taste to the prison food. Prisoners who do not receive family visits have little access to supplements to their food. Some however do receive food from

⁶ When speaking about researchers, female pronouns are used, since the main researcher in this project is female.

fellow prisoners, are able to work for food or have the financial resources to buy food from others unofficially, since prisoners are not allowed to have money inside the prisons.

The prison provides some activities for rehabilitation or reform. Among these are work, meditation and school. Prisoners being able to sit for the matriculation exam has been broadly publicised as a success story. However, when looking closer at the numbers, it is clear that very few prisoners out of the vast prison population sit for the exam (Kyaw Ko Ko 2019). For most prisoners, serving time means waiting for time to pass until release. Fortunately for some, many get released early on amnesties. This, however, leads prisoners to wait in uncertainty about their final release date. Sentences given by the court are harsh, but many get years cut off the sentence through amnesties (see annex 6 for further discussion of the use of amnesties, Gaborit and Jefferson 2019). The historical development and political consequences of the use of amnesties is discussed in Paper I.

While the prison conditions described above apply to the general prison population, this dissertation is also concerned with a special group of prisoners who live under special conditions: The political prisoners. Generally, political prisoners have suffered less from the high congestion rates, since they were isolated in special wards. In these wards, political prisoners stayed either away from all other prisoners, or as was the case in Insein Central Prison, with other special categories of prisoners, such as those serving a death sentence⁷ or life imprisonment. In these special units, political prisoners stay in smaller cells. Sometimes in groups and sometimes in solitary confinement. Generally, the data collected for this project suggests that political prisoners often lived under better material conditions than other prisoners and received better treatment by prison staff. These better conditions, however, came at a high price, since political prisoners also had to deal with the Military Intelligence. Political prisoners were often arrested by Special Branch Police or Military Intelligence and taken to military investigation camps before their imprisonment. In these camps, they faced severe torture. In some prisons, Military Intelligence officers were present in the areas where political prisoners were housed. These officers were in charge of continued torture and humiliation of prisoners (AAPP 2005). This practice seems to have been phased out, but it has not been established when it ended or if

⁷ Officially, capital punishment has not been carried out since 1988. People are however still being convicted with death sentences. Often these are later commuted into life imprisonment and in some cases prisoners are later released on a second amnesty.

it has been completely abolished. Possibly, the focus of the U Thein Sein government on decreasing military presence in government offices has contributed to the decrease of military staff in prisons.

This project is concerned with experiences of imprisonment – experiences that take place inside prisons that I had little access to during fieldwork. Of the 15 months spent in Myanmar, only three days were spent inside the part of Insein Central Prison where prisoners live, and one day was spent in staff buildings. This raised questions about what kind of prison research one can conduct outside prisons, where ‘the field’ of such research was, and what it meant to get access to such a field. All of these questions are addressed in Paper II. During fieldwork, I learned that much data about experiences of imprisonment was available outside the prisons. While I did not have the ability to observe everyday interactions inside the prison, I was now able to interview former prisoners who were outside the reach of the prison system, and therefore felt free to share parts of their experiences that might have otherwise gone untold. This section describes the context outside the prisons in which fieldwork was conducted.

Fieldwork took place between October 2016 and August 2018. At this time, the National League for Democracy (NLD) led by Daw Aung San Suu Kyi had recently been inaugurated as the new government (April 2016). Thus, when the fieldwork began, there was a hopeful atmosphere. For the first time, a democratic election had led to an opposition party taking over power and the country was now led by a Nobel Peace Prize laureate who had promised peace, democracy and respect for human rights – the things that activists had fought for for more than half a century. Within the period of fieldwork, however, hope turned to disappointment for many, as the new political leadership did not lead to the changes people had hoped for.

One of the main priorities of the new government was to create a peace agreement with the ethnic armed groups in conflict with the Tatmadaw (Burmese military). While the new government had the political power to lead such negotiations, they still did not have control over the military. Thus, the tri-party negotiations between the government, Tatmadaw and ethnic armed groups (18 of which are included in peace talks with the government) proved too complicated a task to be solved within the first election period of the government. At the time of writing, the 2020 election draws closer, armed conflicts are intensifying and a peace agreement remains absent. Additionally, in 2017, fighting broke out in Rakhine State, leading to the exodus of Rohingyas who fled to

Bangladesh. The ethnic conflict in Rakhine and discrimination against Rohingyas has gone on for many years. In 2017, however, it escalated to a level previously unseen and resulted in more than 700,000 Rohingyas fleeing to Bangladesh and condemnation from the UN, who argued that the violence of the army represented crimes against humanity and lived up to several of the criteria for the definition of genocide (United Nations Human Rights Council 2018).

In addition to the horrifying consequences for the people suffering directly under this conflict, the conflict had an effect on Myanmar's international relations and the respect for Daw Aung San Suu Kyi. In connection with the conflict, she remained largely silent, and when she did speak, she often questioned the truths of the reports of violence in Rakhine. This conflict made it clear that Daw Aung San Suu Kyi, in spite of her iconic status, was not stepping in to secure human rights and that she was not in control of the military. This led to disappointment among the activists, who had fought for democracy and supported the NLD, whom they expected to fulfil their hopes for the country. During fieldwork, many of the people I interacted with were thus conflicted about whether to continue to support the NLD and Daw Aung San Suu Kyi, or whether to give in to the disappointment with their heroine and accept that they were still in a situation where their interests were not represented by the government.

In spite of the disappointment with the NLD government, major violations of human rights, and armed conflicts taking place, Myanmar has gone through a significant development. Since 2011, during the previous quasi-civilian government, led by the former General U Thein Sein, the country increasingly opened up to the outside. To improve international relations, the regime eased the repression of the people, by for example dismantling the censorship board, establishing a National Human Rights Commission, releasing significant numbers of political prisoners and allowing people who had previously been blacklisted to re-enter the country. This gave space for organisations concerned with political prisoners to start working in Myanmar. Three main organisations arose: Assistance Association for Political Prisoners (AAPP), Former Political Prisoner Society (FPPS) and the 88 Generation Peace and Open Society (88 Generation). All three organisations were founded by former political prisoners and engaged in support of current and former political prisoners.

AAPP was established in Mae Sot, Thailand, where the founders were living in exile. From exile, a group of former political

prisoners started to document the situation of political prisoners in Myanmar and support them and their families. The organisation received international support and grew in size and scope. They expanded their activities to include counselling of former political prisoners. Initially, they advocated for the rights of political prisoners, and took part in the Scrutinizing Committee, which was supposed to identify political prisoners⁸ for release on amnesty. As time passed, their focus on political prisoner have been somewhat expanded, as their advocacy now also focuses on prisoners' rights in general (AAPP 2016b; 2018). Through their documentation work, they have established themselves as a credible source of knowledge drawn upon by media, as well as by state agencies such as the Myanmar National Human Rights Commission and the Myanmar Prison Department themselves. During fieldwork, I interacted with the AAPP in several ways. Like others, I sought them out for information about the situation inside prisons. I had meetings with key actors in the organisation, interviewed staff and volunteers around their office, and at one point, I spend several days with their documentation team, looking through survey data, which they have collected from more than 3500 former political prisoners. Thus, the AAPP were a key gatekeeper to various types of data.

The FPPS similarly aims to support former political prisoners. They offer counselling to former political prisoners and their office in Yangon serve as an informal halfway house, where people stay just after release, when they come to Yangon from other parts of the country or simply when they are in need. The FPPS also participates in some advocacy and documentation activities, sometimes together with AAPP (AAPP and FPPS 2016). They are slightly smaller than the AAPP and have less involvement with international donors. During fieldwork, I visited the FPPS office on numerous occasions to do interviews and learn about the organisation.

The 88 Generation differs from the two other organisations, since it is not only focused on political prisoners. Rather, this organisation engages in the continued struggle to make Myanmar a better country. They do advocacy concerning democracy, human rights and education. Thus, they push for many of the same agendas as their comrades in the NLD, but have decided to do so as a CSO, rather than becoming part of the state. The founders of the organisation are U Min Ko Naing and U Ko Ko Gyi, who are

⁸ The committee used the term 'prisoners of conscience' as the term political prisoners is not recognised by the state. The committee was disbanded in the beginning of 2015 and replaced by the Prisoners of Conscience Affair Committee in which AAPP representatives were not included.

famous activists, who took part in the 88 uprising and who were closely connected to Daw Aung San Suu Kyi when she first entered the political scene during the revolution. While the 88 Generation focuses on contributing to the positive development of the country as a CSO, key actors from within the group also wanted to join politics. After the disappointment in the lack of results from the NLD government, a political party therefore sprung from the 88 Generation under the leadership of U Ko Ko Gyi. The party is named People's Party and is expected to run in the 2020 election. During fieldwork, I went to the office of the 88 Generation once to learn about their work.

These are the three key organisations when working with political prisoners in Myanmar. Due to their advocacy and their interest in furthering knowledge about political prisoners in Myanmar, the presence of these groups made it easy to get in touch with political prisoners who would participate in research. Finding former ordinary prisoners to interview was, however, a different matter. For this, I snowballed my way through personal relations to individual former prisoners. Some political prisoners stayed in touch with ordinary prisoners and prison officers they had met while inside prison, and these contacts were of key importance for me to get in touch with ordinary prisoners.

Additionally, I went on two visits to Myitkyina in Kachin state, to scope out the possibility of doing multi-sited fieldwork. Due to the considerations about finding the field when doing prison research outside prisons (Paper II) and the practical reality of there being fewer former prisoners in a smaller town like Myitkyina, the idea of multi-sited fieldwork was abandoned. However, while in Myitkyina, I visited a drug rehab three times and interviewed six patients of the rehab who had previously been imprisoned. Myitkyina is placed, not only on the border of an armed conflict, but also in an area where drug production and consumption is very high. Therefore, the populations of drug rehabs and prisons coincide. While in Myitkyina, I also visited two camps for internally displaced people and interviewed two former political prisoners.

The fieldwork for this dissertation was conducted in a space where developments over recent years had allowed many to re-enter the country and enabled organisations working for political prisoners to be public about their work without facing reprisals. However, it was still a space where new political prisoners were continuously being arrested. These new cases mostly concerned freedom of speech and defamation. The new political prisoners

were people speaking up against the Tatmadaw or, in some cases, against named NLD politicians. Thus, during this period, Myanmar was a place where it was possible to work for democracy, justice and prisoners' rights, though there was an awareness that this work was not without risks. In this uncertain situation, three of the participants in this study, all former prisoners, were re-arrested based on cases on defamation and freedom of assembly. Two of them have since been released and one remains imprisoned at the time of writing.

2.2 The prison – state of the art of critical prison studies

The above section described the geographical and cultural context in which the study took place. This section positions the study within the context of prison research. When doing so, it is important to note that 'prison research' is not a discipline in itself, but a multidisciplinary field concerned with studying the phenomenon of prisons. The disciplines involved include sociology, anthropology, psychology, criminology, penology, zemiology and law. This section gives a brief introduction to this field of research and discuss how this project is positioned in relation to previous studies.

Though not established as an independent discipline, critical prison studies have existed for centuries. Cesare Beccaria wrote one of the foundational texts when he published *On Crimes and Punishments* in 1764 (2008). His critique originated during the Enlightenment and argued for the reform of punishments towards more humane practices. Parts of his critique, such as his critique of the death penalty, are still relevant today. Beccaria was writing at a time when the idea of the modern prison as we know it today was taking form, when societies were replacing corporal punishment with confinement, and before the first modern prisons had been imported to Myanmar by the British colonial powers. Critique of the foundational ideas of prison as punishment have thus existed since the creation of the institution itself.

After the modern prisons had taken hold and been established as a key component of 'the state', other scholars contributed with studies of how prisons came to be and what role they play in society today. Foucault famously added his genealogical study of the birth of the prison in *Punishment and Discipline* (1977). His analysis added important understandings of the power at stake in prisons

through surveillance and the docile bodies created through this system of governance.

Scholars continued to criticize the shortcomings of the prison system and its role in modern society. David Garland, by drawing on and going beyond Foucault's analysis, argued against punishment and for social integration. He concludes:

Despite recurring Utopian hopes and the exaggerated claims of some reformers, the simple fact is that no method of punishment has ever achieved high rates of reform or of crime control – and no method ever will. (Garland 1990, 288)

In spite of the continued critique, prisons remain a corner stone of justice systems in most countries and imagining alternatives remains a challenge (Davis 2011; Pavarini and Ferrari 2018).

Most studies concerned with the role of prisons in society are written within stable contexts. Myanmar however, represent a different picture as it is in a state of transition. In her pioneering study of post-soviet prisons in Russia, Piacentini argue that societies in transition represent a particular case which call for special considerations. In her study, Piacentini argues that the human rights discourse, which is often used when talking about prisons in such contexts, has merit which can translate into improvement of life in prison, but that other factors must also be considered in the special case of transitional societies.

The social relations that characterise prisons in transitional societies should not just be about exposing inhumane physical conditions. They should also be about assessing the overall patterns of imprisonment, their institutional context, cultural attachments to penal sensibilities and the general causes and consequences of imprisonment in exceptional societies. (Piacentini 2004, 186)

Piacentini argues that prison research, unlike the specific critique of physical conditions by NGOs, has the potential to cultivate critical reflection and 'deliberating fresh frameworks for punishment in transitional states' (2004, 186). As shown in Paper I, Myanmar has transitioned between a series of regimes (dynastic, colonial, authoritarian and 'disciplined democracy'). In such a context there is an immense need for prison research which enables Myanmar authorities to reflect and decide for themselves what kind of justice system they aspire to and what legacies from past regimes should be continued, reformed or abolished. This study sets out to

produce knowledge that can be the foundation for such reflections, in a context where a bulk of existing knowledge has been produced by NGOs calling for alignment with international human rights standards (Amnesty International 2016; AAPP 2016b).

This study is placed within the growing field of prison ethnography. The aim of prison ethnography, different from some of the more sociological or criminological studies, is to study everyday life in prison as it is, rather than as it is supposed to be (Jefferson and Gaborit 2015).

Through observations of everyday life inside prison, prison ethnographers have identified important aspects of prison life, which differ from Foucault's description of the total surveillance of the panopticon and Goffman's descriptions of total institutions (Foucault 1977; Goffman 1961). Through prison ethnography, researchers have shed light on aspects of the prisons otherwise not revealed by the not-so-all-seeing eye of the panopticon and shown how even prison walls are permeable and that no prisons are truly total institutions, in every sense of the word (D. H. Drake, Earle, and Sloan 2015; Jefferson and Gaborit 2015). On a global level, the trend of carceral expansionism, privatisation which moves prisons further from the state and into a system of neo-liberal logics, and increased criminalisation of immigration expands notions of crime. Prison studies therefore remain as relevant today as ever.

While the classic studies of Beccaria, Foucault and Garland described the role of prisons in state and society, prison ethnographers tend to focus on the inner workings of prisons and their effect on those who go inside. The history of prison ethnography stretches back to 1958, when Gresham Sykes published *The Society of Captives* in 1958 based on fieldwork in New Jersey State Prison and famously described 'the pains of imprisonment' (1958, 63–83) as consequences of various types of deprivations. The deprivation of: liberty, goods and services, heterosexual relationships, autonomy and security. While Sykes identified these pains at a different time and in a significantly different context to that of Myanmar, it is worth noting that these deprivations still accurately describe what participants in this study have spoken of as the reasons for their suffering while imprisoned. Thus, while modern prisons were designed with an ambition of not only punishing, but also reforming or rehabilitating prisoners, it would appear they instead created a different way of inflicting pain on the convicted.

The research field of prison ethnography did, however, not steadily develop from the publication of Sykes. By the early 2000s,

the research field was so scarce that Wacquant argued there had been a '*curious eclipse of prison ethnography*' (Wacquant 2002). Others however, argued that this was a nascent field on its way to flourishing (Rhodes 2001). Little more than a decade later, the field had grown to a size which warranted the publication of *The Palgrave Handbook of Prison Ethnography* (D. H. Drake, Earle, and Sloan 2015), which not only served as a guide for future studies, but also demonstrated the existence of a strong group of prison ethnographers who contributed to the volume.

Prison ethnography added important insights about the inner lives of prisons. Among these are the conceptualisations of quality of life and moral climates inside prisons (Liebling and Arnold 2004). Through ethnographic methodology, Liebling and her colleagues argued for the importance of the moral climate and positive relations among prisoners and between prisoners and prison staff as key factors in determining the quality of life of prisoners. Further, Liebling describes how prisons are particular institutions that bring out aspects of human nature:

Both extremes of human nature – its capacity for good and evil – are present in prison in perhaps their starkest form. All variations on human behaviour – from our compassion and wisdom to abuse and lifethreatening violence – are observable, or implicit in the daily round of events... Prisons are raw, and sometimes desperate, special places. (Liebling 1999, 152)

These *special places* function as a prism for human nature, in which confinement of a group of people for periods of time push people to their extremes. What can be observed in prisons is also part of human nature outside, but just as a prism can refract and enlarge rays of light, the prison can allow us to see parts of human nature otherwise hard to see.

This study is not only placed within the field of prison ethnography, but also within the sub-field of prison ethnography in the Global South. Generally, most studies of prisons take place in Western contexts such as America (L. Guenther 2013; Reiter 2016; Rhodes 2015), the United Kingdom (Crewe 2012; Liebling, Arnold, and Straup 2011; McEvoy 2001) or Scandinavia (Smith and Ugelvik 2017; Ugelvik 2014). Research on Western prisons has a strong hold on understandings of 'the prison', due to the under-representation of studies of prisons in non-Western contexts (S. Armstrong and Jefferson 2017). However, across the world many prisons differ significantly from those in the West. Drake (2012),

for example, described how securitization and technology affect prisons in England, while in Sierra Leone, prison officers expressed their frustration with having to confine prisoners in a building that had no door (Jefferson and Gaborit 2015). Prisons in the Global South are often characterised by a poverty, which prisoners and prison staff alike have to cope with. This massive difference between the prisons from which theories about punishment are generated, and the prisons in the Global South calls for research on prisons in such different contexts. Some progress has been made within this field in recent years (Bandyopadhyay 2007; Darke 2018; Lindegaard and Gear 2014; Martin, Jefferson, and Bandyopadhyay 2014). Though progress has been seen in the generation of research about prisons in the Global South, the Asian prisons are still scarcely described by research (Bandyopadhyay 2016). In Myanmar, no prison ethnography had been conducted before this project commenced and little knowledge about the prisons therefore existed. The existing documentation consisted mainly of autobiographies (Aung Soe 2015; Kyaw Zwa Moe 2018; Ma Thida 2016)⁹ and NGO reports (AAPP 2016b; Amnesty International 2016). The only existing research was based on document analysis, the most important contributions being the historical studies of the pre-colonial and colonial prisons conducted by Thet Thet Wintin and Ian Brown respectively (Brown 2007b; 2009; Thet Thet Wintin 2006; Thet Thet Wintin and Ian Brown 2005). This dissertation represents the first in-depth study of Myanmar prisons from 1988 to 2018.

Above the broader research field on which this dissertation is based has been described and narrowed down to the specific position of this research within prison ethnography and studies of prisons in the Global South, it is however also worth noting what this research is not part of. Firstly, it is not a criminological study, in the sense that it is not concerned with criminal behaviour and does not seek to add to the stigma faced by prisoners by identifying them as criminal. It is positioned within critical studies that see prisons as a tool for social control and crime as the breaking of rules defined by the state (Garland 1990). It is also not a comparative study. Though comparison of prisons in different context can bring about insights (Lazar 2012), this study is concerned with prisons in Myanmar in their own right. This project devotes its full attention to the prisons in this context, where little research has been

⁹ See also Karen Connelly's 'The Lizard Cage' (2007) for an insightful description of life in Myanmar prisons in her novel based on thorough research with former prisoners in Myanmar.

conducted before. While it is not the focus of this study to compare prisons in Myanmar with those in other contexts, it should be noted that the aspects of imprisonment studied here are comparable with a variety of contexts. Thus, penal practices in all countries are affected by legacies from the past, ethnographers in all contexts can learn from reflecting upon how they access experiences of another person, solitary confinement has been shown to result in hearing voices in multiple contexts, and finally, re-integration in post-prison life has proved to be challenging for many. That these issues occur in contexts with vast differences, suggests that they are universally relevant to understandings of prisons and of human experiences. The universality of these phenomena also means that in some cases, it has been possible to draw on research from other contexts. When research from significantly different contexts has been drawn upon, it has been chosen based on its suitability within the context. Thus, when research from Western prisons is included, it is based on the observation that it is concerned with processes and phenomena also present in Myanmar contexts. This was the background for excluding subjectivity (Dreier 2003; Holzkamp 2013) and replacing it with an analysis of imprisonment as liminal experiences (Stenner 2017; V. Turner 1979; van Gennep 1960) in order to adapt the theoretical framework to a socio-centric rather than ego-centric context.

Finally, *experiences* of imprisonment are the primary focus of this dissertation. While resistance runs throughout the work as an underlying theme, actions of prisoners are not the primary analytical theme of this dissertation. This focus is an attempt to get closer to an understanding of what prisoners go through, but is not meant to suggest that other aspects of prison life are not relevant or that prisoners do not have agency or do not resist (Foucault 1977; Scott 1990). They most definitely do, in Myanmar and in prisons across the world. For an example of resistance in Myanmar, see the report by All Burma Student Democratic Front (ABSDF) about the legal consequences a group of political prisoners faced after producing a newspaper while inside prison (ABSDF 1997). There are many examples of political resistance through grand gestures or everyday resistance inside prisons. These deserve attention in their own right (Bosworth and Carrabine 2001; Cohen and Taylor 1972; Crewe 2012; Gaborit 2016; Gaborit and Jefferson 2019), but are not the focus of this dissertation.

2.3 Gaps in existing literature

This dissertation speaks to three identified gaps in literature, one empirical, one methodological and one conceptual. Firstly, this study speaks to an empirical gap on research on prisons in the Global South, Asia and Myanmar in particular. While accounts suggest major changes have taken place in Myanmar prisons, there is little way of documenting these changes without proper documentation of the situation inside the prisons. For prisons in Myanmar, the only existing research is historical (Brown 2007b; May Sapai Kyi 2009; Thet Thet Wintin 2006) or, in the one case of recent empirical work, conducted mainly by state employees (Le Le Win et al. 2010). Knowledge about the situation in the postcolonial prisons therefore mainly stem from grey literature in the form of biographies of former prisoners (Aung Soe 2015; Ma Thida 2016) and NGO reports (AAPP 2005; 2016b; 2018; AAPP and FPPS 2016; Amnesty International 2000; 2016). Both NGO reports and biographies are written with the purpose of conveying a message, either that of the lessons learned while in prison or advocacy for prison reform. This dissertation represents the first empirical academic research on prisons in Myanmar. While most of the fieldwork was conducted with former prisoners, four days were spent in Insein Central Prison. This represents a unique access to empirical data, which is normally only available to those NGOs who vow to keep information confidential from the public before they enter the gates of the prisons (such as ICRC). Thus, this study represents a significant empirical contribution to a context in which little research has been produced before.

In addition, while the literature reviewed above approached a multitude of aspects of prisons from various perspectives; much research on prisons maintain a focus on the institution and its role in society. When prisoner perspectives and experiences are included, it is often as a tool to understand the inner workings of the institution. Bosworth and colleagues have previously criticised criminology for being devoid of humans, even as it describes institutions filled to the brim with human beings.

Criminologists tend to present their analysis of the prison in the form of inhuman data. As a result, prison studies have become cold, calculated, surgical... These days, most criminologists make precision cuts – no blood – no humanity. Why? So no one will care. Keep it statistical, inhuman, no compassion. (Bosworth et al. 2005, 259)

This leaves a gap in the literature for research that explores experiences of prisoners in their own right. Thus, while Liebling aptly posed the question ‘what matters?’ to prisoners and prison staff, she did so in an attempt to understand the inner workings of the institution, and her work has later been adapted to become a tool for the evaluation of prison climate, used by the British prison service (Liebling, Arnold, and Straup 2011). This dissertation picks up where Liebling left off. It asks prisoners ‘what matters’ to them, not as prisoners but as human beings with a life before, during and after imprisonment. It stays with their experiences as human beings and relates it to literature on human experiences in other fields, rather than to literature on the prison experience. By doing so, it speaks to the empirical gap in prison research described by Bosworth and colleagues, a gap of research about prisons in which prisoners are not just prisoners, but human beings.

On a methodological level, this dissertation speaks to a gap in methodological reflections about how to understand experiences of imprisonment. Previous studies have pointed to the limitations of prison ethnography, even by stating that prison ethnography can only ever be ‘quasi ethnography’ due to the restrictions ethnographers face in prison (Murtagh 2007). Others have argued that the vast difference between academics and prisoners make prison ethnography an especially challenging endeavour (Wacquant 2002). Still, ethnographers continue to engage with this challenging context, and learn lessons from it that can be transferred to ethnography in other contexts (Gaborit 2019a; Reiter 2014; Rhodes 2015). This study reaches within and beyond the context of the prison as it studies experiences of imprisonment. It seeks to go beyond the prison wall to understand experiences of imprisonment as part of the life trajectories of those who lived through these experiences (Jefferson and Huniche 2009). This study approaches experiences of imprisonment not only by speaking to prisoners at different points in their life trajectories, before, during and after imprisonment, but also through shared experiences with research participants. Thus, the author took part in a ten-day Vipassana course on equal terms with other yogis, to become part of the *communitas* of yogis, of those who had gone through similar experiences. This enabled a change in the relation, not only to the yogis who took part in this specific event, but also those with whom the author later shared group sittings and with those interviewed in Insein Central Prison. When visiting Insein Central Prison, the shared *communitas* manifested itself, both in interviews where all

yogis inquired about the author's own meditation practice and during a shared group sitting with yogis who were going through a ten-day meditation retreat. This dissertation contributes to the gap in research on how to access other people's experiences through Paper II, which discusses the issue of access in ethnography.

The third identified gap in literature is conceptual. This dissertation proposes that approaching experiences of imprisonment as liminal experiences represents a significant potential to further understandings of what prisoners go through. Only few have previously used liminality as a theoretically informed concept in studies of prisons (Green 2016; Jefferson 2016; Jewkes 2005; Moran 2013; Suttner 2010). Much is therefore to be gained by further research applying this concept within prison research. This dissertation argues that understanding imprisonment as liminal experiences contribute to understandings of the distinctive character of life inside prisons (Bosworth et al. 2005) and inform understandings of the challenges faced by prisoners at release, when they exit liminal experiences and are re-integrated in society or stuck in prolonged liminality (Stenner 2017; Thomassen 2015; V. Turner 1985). Additionally, the final paper shows the potential of bringing together the extensive literatures on liminality and recognition in studies of post-prison life or other experiences of prolonged liminality (Fraser 2018; Honneth 1996).

This chapter has placed the study within a geographical and theoretical context and has demonstrated the three gaps in the literature, which this study addresses. The chapter is followed by the first of four papers in this dissertation. The following paper elaborates on the description of the context of this study by providing an ethnographic history of prisons in Myanmar. The ethnographic history takes inspiration from Foucault's genealogical approach and combines it with ethnographic data about life inside prisons of Myanmar today, as it gives insights into the penal practices in Myanmar and their legacies from dynastic, colonial and authoritarian times.

PAPER I

Royal, Colonial and Authoritarian Legacies in Myanmar Prisons of Today - An ethnographic history of punishment

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Abstract: This chapter traces inconsistencies and consistencies of penal practices in Myanmar from dynastic times until present day. With inspiration from Foucault's history of the present and Holland and Lave's history in practice, it is shown that penal practices are shaped by legacies of the past. Four practices of concern have been identified in interviews with former prisoners conducted during long-term ethnographic fieldwork. The four practices are: restraint through fetters, convict officers, amnesties and torture. These four practices are described in first-hand accounts by former prisoners, and traced back through time by comparison with existing research on penal histories in Myanmar. This tracing reveals that some practices have been used continuously across dynastic rule, colonial times and independence, while others have been discontinued only to reappear. The penal practices in Myanmar today are deeply influenced by their history.

KEYWORDS: prison • myanmar • ethnography • convict officers • amnesties • torture

This chapter is inspired by Foucault’s genealogical approach to the study of punishment. While Foucault (1977) focused on transformations of ideas of punishment and discipline, this chapter stays within the walls of the prisons, focusing on everyday practices. In so doing, it draws inspiration from Holland and Lave’s (2001, 6) study of *history in practice*. Where Foucault demonstrated the importance of studying the history of the present to understand what has shaped the present, Holland and Lave show the importance of understanding histories as they are practiced and negotiated between actors. Their perspective adds an understanding of the multiplicity of histories and how they are negotiated in social practices. This multiplicity allows for an understanding of how practices have continued across different penal regimes in Myanmar, in spite of changing ideas of punishment.

This is not a comprehensive history of prisons in Myanmar. Rather, this chapter traces four practices, identified in interviews with former and current prisoners, and shows how the history of these practices illustrate the continuities and discontinuities of penal practices across history. The practices are:

1. Restraint through fetters
2. Convict officers
3. Amnesties
4. Torture

The chapter draws on ethnographic data from 15 months of fieldwork conducted in two rounds from 2016 to 2018. During fieldwork, 43 interviews with former prisoners and one interview with a former prison officer were recorded in audio. Additionally, ten interviews were conducted with prisoners inside Insein Central Jail and recorded in handwriting (Gaborit 2019a). Participants were imprisoned in the period 1988-2018 and the prison officer had worked in the prison from the mid 70s until the turn of the millennium. The ethnographic accounts feature examples from a time when Myanmar had already gained independence, and reveal continued use of practices originating in dynastic and colonial times. Through this material, the chapter unfolds an ethnographic history of detailed first-hand accounts, tracing practices from the accounts back to the origin of prisons in Myanmar.¹⁰

¹⁰ This chapter is concerned with the prisons of State. It is limited to the subjects within the reach of the royal, colonial, authoritarian and democratic regimes of Myanmar’s history.

To trace the history of these practices, the chapter draws on Thet Win's (2006) work on pre-colonial prisons and Ian Brown's (2007b; 2007a) work on colonial prisons in Myanmar. These are supplemented by other sources, such as the narrative of Henry Gougher (1862), a British merchant imprisoned during the first Anglo-Burmese war in 1824-26, the Burma Jail Manual (1883), and NGO and news reports describing prison conditions after 1988. Since the historical descriptions are drawn from previous studies, and the chapter does not include additional archival work, it will not be able to describe in detail *how* the practices underwent transformations or were continued across regimes. This chapter sets out to indicate that practices persisted and mutated across regimes and that this must be considered in order to understand prisons in Myanmar today.

The chapter commences with a brief description of the history of prisons in Myanmar, to introduce the three important historical periods: the Burmese kingdoms (mainly the Kongbaung period from 1752-1885 as described by Thet Wintin 2006), colonial times (1824-1947)¹¹ and post-independence (1948 forward). These periods mark important shifts in the political situation in Myanmar, though some penal practices were carried on across regimes in spite of major shifts in ideas about punishment.

After the historical introduction, the analysis of penal practices begins. The first section shows that *the use of fetters for restraint of prisoners* originates in the dynastic period, where fragile bamboo structures of lock-ups made them a necessary tool to prevent escapes. The use of fetters has continued, even after architectural developments of prisons meant they were no longer necessary. The second section shows how *convict officers* during dynastic rule were part of a brutal regime of physical punishment, how the British tried to maintain the use of convict officers, but changed their role, and how even today, some of the brutal characteristics of convict officers remain, in spite of efforts to change their role. The third

All of them have however had their limitations within the geographical area defined as Myanmar. In the dynastic period, people could flee the kingdom to avoid punishment. In early colonial times, people could move between the lower part of the country, under British control and the upper part, governed by the Burmese king (Thet Wintin 2006). Even when the British defeated King Thibaw and when Myanmar gained independence, governance in the mountainous regions proved challenging. In these areas, alternative justice systems governed by ethnic groups exist (Harrison and Kyed 2019). While these systems call for research, and while a non-state-centric focus has great potential (Scott 2009) it is outside the scope of this chapter.

¹¹ The overlap between the dynastic period and colonial times corresponds with the period of the Anglo-Burmese wars, during which the country was divided into a northern territory ruled by the Burmese king and the south where the British gained influence.

section is concerned with the use of *amnesties*. This practice illustrates discontinuities in history, as it was introduced during the dynastic period, largely absent in colonial times and re-introduced in 1962, when General Ne Win took over power of the country. The last practice to be discussed is *torture*. During the Burmese kingdoms, when punishment was corporal, torture was an inherent part of the penal system. During colonial times, the British performed a targeted effort to remove violent practices within the penal system. After independence, with the introduction of Ne Win's authoritarian regime, torture reappeared as targeted towards a growing number of political prisoners.

History of prisons in Myanmar

This section gives a brief introduction to how prisons in Myanmar developed across the three historical periods: Burmese Kingdoms, colonial times and after independence, to create a basic understanding of the general characteristics of prisons in each period. The following discussion of how practices persisted and mutated across regimes shows that legacies are carried on between the regimes and understandings of past regimes are therefore key to understand present penal practices.

In pre-colonial times (mainly the Kongbaung period from 1752-1885 as described by Thet Thet Wintin 2006) the area known as Myanmar today consisted of multiple competing kingdoms. In the Burmese kingdoms, confinement was not a punishment in itself. Confinement did however take place in lock-ups, where detainees awaited corporal punishment. Lock-ups were basic bamboo structures and prisoners were restrained in chains to avoid escapes. Criminals were marked by tattoos that declared their crimes, enslaved, subject to corporal punishment or execution. Though prisons did not exist as punishment in themselves, the penal practices of the Burmese kingdoms continued in the prison system established by the British colonial regime and even until this day.

In 1824, the first Anglo-Burmese War marked the start of colonial rule. The transition to colonial rule was gradual, and only by the end of the third Anglo-Burmese War in 1885 did King Thibaw surrender, as the last king of Myanmar. When the colonial regime gained control, establishing a prison system was among the first things they did to assert their power (Brown 2007b). Gradually, the British imported and developed technologies for a modern prison system. The most significant change was the shift from lock-

ups as places where subjects awaited punishment, to prisons, where confinement was punishment in itself and in which the aim was to reform prisoners. To create this new system, the British had to build prisons fit for confinement. The architectural development was incremental. The first prisons constructed by the British were similar to the bamboo constructions of the Burmese lock-ups. Gradually, as the British established their control over a greater geographical area and imprisoned a greater number of people, the need and possibility to establish a different kind of prison arose and facilitated the break with past penal practices:

“It was only with the construction of brick and iron prisons, in Burma from the final decades of the nineteenth century-monumental institutions on the Pentonville model-that a decisive break with the past could begin.” (Brown 2007b, 229)

The Rangoon Gaol for example was erected as a wooden structure in the 1850s, only to be dismantled and rebuilt as a brick structure finished in the 1880s. The gaol has since been taken out of use, and the main prison in Yangon today is the notorious Insein Central Prison, built in 1887, to relieve the Rangoon Gaol from overcrowding. The panoptic design of the prison is apparent from the watchtower in the centre and the wards that surround it like spokes of a wheel. In these colonial structures, still in use today, majority of prisoners live in dormitory wards. Dormitories vary in size, but it is common that 100 prisoners will share the same cell, sleeping in rows on the floor. Within these structures, the British introduced a new approach to punishment, not only to punish but also to reform prisoners. Although the British introduced the idea of reform, implementation remained inadequate. The inability to reform prisoners led to a progressive discussion in reports by British authorities. Some reports questioned whether prisons would ever be able to reform prisoners and prevent crime (Brown 2007a).

Since the British left the prisons in 1948, the prison population has gradually increased. In 2018, it had reached 92,000 prisoners. These prisoners are housed in buildings that are mostly the same as what the British left behind, only with a few additions taking them to a capacity of 66,000 prisoners (World Prison Brief 2018). With an occupancy level of 139% and repeated reports about intense overcrowding from the Myanmar National Human Rights Commission (2015; 2016), contagious diseases like tuberculosis thrive in the prisons.

After independence in 1948, the prison population changed in accordance with the political situation. As opposition to the military regime grew stronger, the prison became home to a growing number of political activists. Political prisoners are referred to according to the year of their imprisonment, as the year of arrest indicates what regime they were protesting against and what kind of treatment they were subjected to. The first generation after independence is the '62 generation, who rose up against Ne Win's regime. Many generations succeeded them, most famously the '88, after the 8888 uprising, '91, in protest of the democratic election in 1990, the result of which the military regime overruled, '98 and '99 in connection with the 10 year anniversary of 8888 and '07 with the Saffron revolution.

When the authoritarian regime seized power, torture and amnesties were re-introduced to prisons. 'Justice' was defined according to the will of the leaders and merciful amnesties and brutal torture existed side by side. This created a 'culture of fear' not only in the prisons, but in all of Myanmar (Skidmore 2004). This culture of fear and inhumane treatment went on for decades, and parts of it still lives on in conflict-ridden areas of the country where the military influence remains strong. In the prisons, however, changes began while the brutal military regime was still in full control of the country. Former prisoners, who spent long periods inside Myanmar prisons, often point to 1999 as a turning point. This was the year when the ICRC conducted their first prison visit in Myanmar. Many narratives by prisoners are structured around before and after the visits of the ICRC. Prison life before 1999 is described as characterised by inhumane treatment and time spent confined within the cell, except for during the 15 minutes prisoners got to shower and empty toilet bowls. When ICRC started working with prisons in Myanmar, they focused on identification of incommunicado prisoners and connecting prisoners with their families, simultaneously they engaged in simple improvements that benefitted all prisoners. They provided beds, blankets, medicine, books and board games. In parallel, the governance of prisons loosened up. Prisoners gained more freedom in their daily life, through access to reading materials from the outside and more time outside the cell with other prisoners, and many experienced a decrease in inhumane treatment. From interviews with prisoners who lived in prisons after 1999, it is however clear that these reforms towards more humane treatment were not comprehensive throughout the prison system. While some report major

improvement in their living conditions and the treatment they faced, others continue to report degrading treatment and severe torture.

Within recent years, significant developments have taken place, during what is a time of transition for the country (Cheesman, Skidmore, and Wilson 2013). Yet, in spite of the accession of the country's first civilian government, little change has been seen within the prisons. Though a new Prison Law was drafted in 2015, it remains to be revised and approved (Amnesty International 2016). And, though the previous quasi civilian government had a committee working on the release of political prisoners, initiative to finish this work remain absent, and arrests of new political prisoners continue to take place.

Restraint as a means of preventing escapes

Lock-ups in the Burmese kingdoms were significantly smaller than prisons in Myanmar today. The estimated capacity of the East Gate Prison at Mandalay Palace, the main jail in 1865, was around 300 prisoners (Thet Thet Wintin 2006, 194), whereas the current capacity of prisons in Myanmar are 66,000, with Insein Central Jail being having capacity for 5000 prisoners (AAPP 2018).

Lock-ups were bamboo structures unable to prevent escapes. This explain the extensive use of restraint technologies. One such technology consisted of a wooden log with holes for the legs of detainees. These logs could hold a number of prisoners and were also a possible means of torture, as some detainees would have their legs placed in holes with such great distance that it caused them great pain and possible damage to their hips (Gouger 1862). This stock features even in accounts from people imprisoned after independence (under military regime).

Fetters (in Burmese *che chin*) are another common restraint technique, which have been used throughout the periods under consideration here. Standard fetters consist of metal anklets connected by a chain, which is sometimes connected to a waistband, or a ring the prisoner can hold, to keep the chain from touching the ground when walking. Though the bamboo structures created the need to restrain detainees as a means of preventing escapes, fetters were also used for punishment. If a detainee misbehaved inside the lock up or represented a special security risk, they could be placed in multiple fetters. In recognition of the harm fetters cause – in the form of wounds on the skin where the iron rubs against it for extended periods – special rules applied to royals or high-ranking

officials, those detainees were allowed a piece of cloth in between their skin and the fetter for protection (Thet Thet Wintin 2006).

Initially the British continued the use of fetters and chaining rows of prisoners to the prison walls at night. By the late 1860s, the use of additional restraint during nights was abandoned. After 1880, the use of individual fetters was significantly reduced, for short-term prisoners and others who were not evaluated to be a security risk. Thus, with the arrival of brick walls and gates that reduced the risk of escapes, the practice was transformed from a general mechanism to keep all prisoners from escaping, to a practice only applied to those evaluated to be a security risk or as punishment (Brown 2007b).

Accounts by former prisoners reveal that in recent times, fetters continue to be used for punishment and restraint when a security risk is assessed. The standard fetters, where ankles are connected by a chain, are also used in instances when a convicted prisoner is transported to court to face additional charges. Fetters are moreover used in labour camps when prisoners go to work outside the camp. Such use has been criticised by the UN Special Rapporteur Yanghee Lee (2017), and documentation shows the use continued after her critique (Swe Win 2017). Other models of fetters are used for the purpose of punishment. These are called ‘the handicap,’ or the more literal, ‘the iron bar’ (in Burmese *dout che chin*). In these fetters, the chain between the ankles is replaced by an iron bar. Different lengths of iron bars cause different kinds of difficulty for the prisoners. A short iron bar makes it harder to take steps and causes the prisoner to take many small steps when walking, and increase friction between the anklets and the skin. Longer iron bars force prisoners to keep their legs far apart and wide open. These limit movement by forcing prisoners to turn from side to side, taking big steps forward, and cause pain in the hips from keeping them wide open all day.

One former political prisoner described how he was put in fetters as punishment for an offence committed in prison. He was informed the punishment would only be for a moment, but it continued indeterminately, until the shackles were finally removed 500 days later:

“I could spend my time walking with the fetters and shackles, clang clang clang clang, aaahr very noisy all the time. While sleeping... if I wanted to turn from right side to left side or, right, upside down, when I turned, the fetter and shackles, brrr, because of these sounds made me, wake up again. So many

times wake up! But, after many months I got used to them. But, when the weather was cold in the cold season, that iron bar was very cold. When the weather was very hot, the iron bar was very hot and sweaty. So my body was sweating, with the sweat and the rust of the iron metallic bar, so the yellow colours, the sweat, my skin got yellow colour, I cannot wash it, around this area, ankles area.

Q: still today?

The skin is always yellow. Because the yellow rust colour, you know, infiltrated into the, get into the skin. Till now! The skin of that area is still thick. So, exactly 500 days in fetters and shackles. According to the Jail Manual prisoners can be kept in fetters for the first month after they are placed in a prison. According to prisoners however, the period they stay in fetters depends more on the attitude of the Superintendent of the prison, than on the written rules.” (Interview, Former Political Prisoner, August 2018)

He showed me the scars on his ankles, still present more than twenty years later. While 500 days is an extraordinarily long period to be in fetters, many former political prisoners have yellow markings and scars on their ankles, that reveal they have spent long periods in fetters for punishment.

Though bamboo structures have been replaced by brick walls and the risk of escapes significantly decreased, the use of fetters continue. Fetters are no longer used on all prisoners, but continue to be used when an increased risk of escape is assessed, for punishment, and in connection with forced labour outside labour camps.

Convict officers

Another practice, first seen in the lock ups under dynastic rule, is the use of prisoners as convict jailors, also called prisoner officers. Convict jailors were convicted criminals who had little chance of a life outside prison. They were marked by tattoos – circles on their cheeks, and the crime they had committed written across their chest. These tattoos served to warn other people and made it impossible for convicts to return to normal life after punishment. In the lock-ups, the convicted had a chance for a life

as a convict jailor. They lived off the money they could extort from detainees, which gave rise to a culture of corruption (Thet Thet Wintin 2006). Furthermore, according to Buddhism, harming someone is believed to result in losing merit and having to return to suffering in future lives (Walton 2016), so having convict jailors carry out punishments and interrogation served as a way for officials to avoid hurting other people directly. Henry Gouger, a British merchant detained during the Anglo-Burmese war in the 1820s recounted his experiences in the book 'A Personal Narrative of Two Year's Imprisonment in Burmah'. He described the convict jailors:

“They were all condemned malefactors, whose lives had been spared on the condition of their becoming common Executioners: the more hideous the crime for which he had to suffer, the more hardened the criminal, the fitter instrument he was presumed to be for the profession he was henceforth doomed to follow. If a spark of human feeling remained, it could hardly be expected that any of these men would voluntarily adhere to their calling;” (1862, 144)

Under colonial rule, the practice of assigning chosen prisoners with roles within prisons continued and rules for whom could be assigned as convict officer and what tasks that involved were written down. The role of the convict officers changed significantly in the written rules. While the previous regime had chosen the “most violent person to carry out most vile punishments.” (Thet Thet Wintin 2006, 117), the British formalised a system where convict officers were like civil servants contributing to the management of a state institution. The Jail Manual (1883, Chapter IV) defined three grades of convict officers: night watchmen, overseers and warders. To qualify for these roles, prisoners had to have been on good behaviour and to have served at least a sixth of their punishment. There was a hierarchy between the three grades of convict officers, and prisoners had to serve first as night watchman to qualify for the role of overseer, and as overseer to qualify as warder. The tasks of convict officers were to assist the jailors (prison staff) in different ways and they had to be under supervision of a jailor. In return, they earned the right to certain privileges. The privileges of the convict warders, the highest obtainable role, were:

“[C]onvict warders shall be allowed (1) to eat their food apart from the other prisoners; (2) to sleep in places specially allotted to them; (3) a small mat or for spreading darion the floor; (4) a piece of white cloth, as a bedsheet; (5) a pillow of gunny, stuffed with coir; (6) a cake of country soap; (7) beef or fish once a week; (8) the use of tobacco in the shape of pipe-smoking, twice daily, in the presence of a jail official; (9) a gratuity not exceeding eight annas a month.” (*Burma Jail Manual* 1883, 105)

In addition, convict warders could be rewarded with a decrease of their sentence of up to two months per year they served as convict warder without misbehaviour.

Though the formal description of tasks of convict officers changed, accounts from prisoners continue to describe physical punishment at the hands of convict officers even today. For example, some former prisoners described during interviews how they were beaten with sticks by convict officers for not working fast enough while in a labour camp. Thus, while the British formally redefined the role and practices of convict officers, they were unable to abandon the legacy from the era of lock-ups dating back to the dynastic period.

During colonial times, the majority of jailors, to whom the convict officers reported, were Indian. Though attempts were made to recruit Burmese prison staff, Burmese people showed little interest for these jobs. While working for an institution that performs punishment can itself be problematic for potential Buddhist candidates, the main reason for their lack of interest in the job appeared to be low salaries. The low salary is believed to have resulted in the recruitment of Indian prison officers of very low quality. Reports by colonial authorities even suggest that the Indian jailors were more immoral than the prisoners.

“In 1880, with a total warder staff in the gaols of British Burma of 282, warders were punished for serious offences and failures on no less than 328 occasions. They were possibly more criminal than the inmates.” (Brown 2007b, 244)

The poor quality of staff and racial tensions between Burmese and Indians in Myanmar in general, led to tensions inside prisons which mirrored the political situation of the country. When independence was gained, British and Indian staff left the prisons. As they did, they released all prisoners. Though both staff and prisoners were exchanged when the Burmese regime took over the

prisons, the Burmese regime also reflected the social structures outside the prison.

After a tumultuous democratic period (1948-1962), Myanmar became a military regime led by General Ne Win. Under his regime, the military became an elite with access to power and resources. This affected prisons where military officers were transferred in to powerful positions, with little if any experience within the prison service. A former prison officer, with no military background, described how the prisons had two kinds of staff: those for whom being a prison officer was a family trade and the military officers:

“There are two kinds of prison officers; one is called, *Thandey*; it is the prison officers’ family who each of the generation work as prison officers. However, the commanders come from the Military. The military commanders are transferred to prison in order to be a commander in chief; 90% of them are really strict and only 10% of them can interact with the rest of the prison officers. These military commanders rarely become chief jailors, they, at least, become a deputy superintendent and superintendent. They are strict because they do not usually interact with prisoners and they do the decision-making. The prison officers who actually interact with prisoner never became a superintendent so that is the reason why – although there are prison officers who actually care for prisoners, the prison is still notorious among the public.” (Former Prison Officer, interview, May 2017)

For the management of prisons, it meant that prisons were governed by people who had little understanding of the social dynamics at stake. The former prison officer interviewed described how he would know when to follow the rules and when to let infractions slide. He recounted how staff kept an eye out for the fire hazard when they smelled prisoners burning plastic to cook in their cell, but that he saw no reason to punish for such infractions that caused no harm. The military officers, who transferred directly into high-ranking positions, were not in a position to experience this kind of daily management and navigation of the social dynamics inside the prison. They were thus ill equipped to make decisions for the prisons they governed. While there are *thandey* prison officers with intimate knowledge about the nuts and bolts of prison life, their low positions in the hierarchy and consequent limited power, restricts their influence on the moral climate of prisons.

Relations between prisoners and prison staff were characterised by distance, which was increased by language barriers during colonial times and lack of familiarity with everyday life in prison when military staff entered prison management under authoritarian rule. According to current understandings of prisons, and the importance of a positive moral climate, this likely contributed to poor quality of life for prisoners and prison staff (Liebling and Arnold 2004).

Meanwhile, below the military and non-military prison staff, the practice of convict officers remained in place. Formally, convict officers are appointed as per the rules of the Jail Manual. When speaking about prison life however, prisoners refer to different titles than those described in the Jail Manual. A key position of convict officers is that of the '*Thansee*' which refers to the leader of a cell or area of the prison. In some cases, such as dormitory cells, there is a main *thansee* and sub *thansees* (*Si Kan Thein*). Though *thansees* are referred to as 'prisoner leaders', they are not appointed by prisoners, but by the superintendent. The *thansee* maintains discipline in the cell and prisoners have to go through him to access privileges. *Thansees* rule over sleeping arrangements and are able to charge people for the more favoured places – away from the toilet, closer to a window – while people who are unable to pay must resign themselves to temporary spaces far from windows and closer to the toilet. As such, being a *thansee* can bring a significant income, one from which prison staff expect to get a cut.

This also applies to other roles prisoners can be assigned to, some of which are of a more practical nature and which are not described in the Jail Manual. U Aung Soe, a former prisoner, describes in his autobiographical book '*Bad Guys behind Fences and Barbed Wire*' how he gained the position as 'Board of the Bathroom' by paying a bi-monthly fee to officers. He in turn made money as people paid him for access to showers and paid extra for special treatment, like cutting the queue, showering more often or using extra water.

"I became the Board of the Bathroom, I had to pay to get that position, and I spend 500,000 for all 4 year to be the board person. Every prisoner has to pay 2000 per month if they want to take bath really nicely with efficient water. Seventy out of one hundred prisoners could afford to pay it. I had to save money as well because I needed to offer the authorities 10-20 thousand once in two weeks. If the bathroom's board person could not return any

money to authorities, he will not last long, for one month or may be two.” (Aung Soe 2015)

The rules of the prisons stipulate that all prisoners can bathe, but they do not stipulate that it has to be ‘really nicely’. Thus, convict officers and prison staff exploit the prisoners who can pay for improvements of their conditions for personal gain.

While U Aung Soe described the income he generated from taking a position like ‘Board of the Bathroom’, a former prison officer described how management used prisoners in such positions. He described how he used ‘Toilet Boys’ to gain information about the prison he governed. The main task of Toilet Boys is to empty toilet bowls both in their own dormitory cells and in small cells housing one or a few people. To empty the toilet bowls, Toilet Boys move around the prison. The former prison officer recounted how Toilet Boys were a useful source of information.

“We have our ways of getting information as well; we received information from Toilet Boys who can go anywhere in order to collect toilet pots. These Toilet Boys are the ones who were about to be released within 3 months and less. These Toilet Boys inform us what is happening and where is it happening. For example, they will report to us like there is a group of prisoners who are playing cards in the farm and there is a group of people who are planning to escape from the prison. Prisoners do not care whether the Toilet Boys are around them or not because they do not even think that they are exist because everyone knows that these Toilet Boys are going to release sooner or later.” (Former prison officer, Interview)

Under his governance, Toilet Boys were selected among prisoners who were serving the final part of their sentences. The officer described how, since emptying toilets is a dirty job, people showed little respect or care for the Toilet Boys. This also meant that prisoners were careless about what they said around Toilet Boys, and they were therefore a particular good source of information.

As described above, convict officers have existed across the periods described in this chapter and the practice is also widely used in other prison systems in the Global South (Darke 2018; Narag and Jones 2017). Convict officers enable prison systems to function where the prisoner to staff ratio is high – such as in Myanmar where

there are approximately 7800 employees in prisons housing 92,000 prisoners (Phyo Wai Kyaw 2019).

In Myanmar, convict officers have been corrupt since the dynastic period. When the practice was established, the prisoners working as jailors did not receive a salary. Corruption was therefore necessary as subsistence. During colonial rule, convict officers were rewarded through the privileges described above. However, the low paid jailors, looking for ways to supplement their income engaged in smuggling drugs and other illegal activities from which they could earn money from prisoners. Since convict officers support jailors in carrying out their tasks, they were also involved in these practices. As the examples above show, convict officers are involved in corruption in even mundane tasks such as taking a bath. Thus, though major changes of the prison system have taken place, and in spite of targeted effort by the British, it appears that some characteristics of convict officers have persisted since dynastic times. Because of continued corruption and violence, having convict officers appears to be beneficial only to those directly involved in the system.

Amnesties

Amnesties is the first example of a practice, which was discontinued during colonial times, but re-appeared in 1962 with General Ne Win's authoritarian regime.

Amnesty is when the ruler of a country release or decrease sentences of a group of prisoners. In legal terms, a pardon signals a forgiveness for a wrong act committed, while an amnesty signals the imprisonment was wrongful and the act should not have been criminalised. This is especially the case when amnesties are used in times of transition (Jeffery 2014). In Myanmar, however, the two are often conflated and the word amnesty is used by officials and prisoners to describe practices more akin to pardons. This chapter follows the emic use of the term amnesties, though it should be noted that this use does not correspond with the legal definition of the term. Former prisoners show little concern for this legal distinction. Some were imprisoned for acts they did not commit or believe to be wrong, while others see their imprisonment as a result of political oppression. Amnesty thus appears as a road to release but not as justice. In this section, the emic term amnesty is used to describe releases of groups of prisoners that could legally be defined as group pardons, in line with the way former prisoners

interviewed spoke of their release. An important characteristic of these amnesties is that they are given to groups (hundreds or thousands) of prisoners, often with various sentences and different cases. They are thus different from amnesties or pardons in which a president or governor makes a decision with regard to a specific case.

In the dynastic period, amnesties were used by kings of Myanmar to demonstrate sovereignty and omnipotence. General amnesties were given when a new king took power, as prisoners of his predecessor had not challenged the authority of the new king. New kings did not leave lock-ups empty for long, as they would soon be used to detain people who the king feared might challenge his authority. In the royal palace of Mandalay, there was a special lock-up for detainees from the royal family, high-ranking officers and monks. In addition to amnesties given at accession, it was a tradition for kings to grant general amnesties on important dates such as the Burmese New Year, *Thingyan*. These amnesties demonstrated the sovereignty and mercy of the king and earned him merit. In the dynastic era, there was one other actor who had the power to pardon and show mercy for convicts. This was the monks. On the day of execution, a monk could demand mercy for a convicted felon and bring him to the monastery. In the monastery, a prisoner would be unable to attain monkhood and would serve as monastery slave (Thet Thet Wintin 2006). Thus, while amnesties normally demonstrate the ruler as the highest power, even above the law, amnesties in connection with *Thingyan* and monks having power to pardon individual cases, illustrate how Buddhism is at the foundation of the moral universe of politics in Myanmar (Walton 2016).

Under colonial rule, the number of prisoners increased significantly, as such, the number of people whom could receive amnesties increased. In spite of the increasing population, the number of prisoners receiving amnesty did not increase. Records show pardons¹² were given only in connection with the Sayasan uprising in the 1930s. From 31 to 36 pardon was given to 173 ‘rebel convicts’ (May Sapai Kyi 2009, 106). No more pardons or amnesties were granted until the colonial regime withdrew in 1948, when all prisoners were released. Rather than demonstrating the authority of the leaving regime, this was an attempt to complicate things for the new Burmese government, and a necessary humanitarian act, since the staff vacated the prisons and there would

¹² Pardon is used here to reflect the phrasing of the colonial regime.

no longer be anyone to care for prisoners (Brown 2007b). Thus, under the British, the use of amnesties on a regular basis did not take place.

Since the British had emptied the prisons, there were no prisoners for the new Burmese regime to grant amnesties to after independence. Fourteen years later, when the young democracy was taken over in a coup d'état by General Ne Win and the Burma Socialist Programme Party, amnesties were granted in connection with the transition to a new political regime. In 1962, General Ne Win declared a general amnesty and established the practice of amnesties as an action the president could perform without consulting with the parliament, as a political issue above the law. With the military regime, Ne Win brought back a practice of the kings of Myanmar and demonstrated his sovereignty (Taylor 2015; Cheesman 2015). Since Ne Win implemented the first amnesty in 1962, amnesties have continuously been granted in connection with significant holidays such as *Thingyan* and Independence Day. As the prison population grew, so did the number of prisoners released on amnesties.

When the country started to open to the outside world around 2011, amnesties became an important tool, not to show the sovereignty of the ruler, but to show the mercy and good will of the regime. Thus, many former political prisoners recount being released on amnesty in 2012 in connection with the presidential visit of Barack Obama. While these amnesties declared a sign of good will to the international society, activists pointed out that while many political prisoners were included in the amnesties, most amnesties went to ordinary prisoners. Notably, after Obama's visit, some were re-arrested for shorter periods to be interrogated about what took place during the visit. Thus, amnesties were used as a political tool in a time of transition, as a bargaining chip for rekindling international relations after years of isolation, rather than as part of transitional justice as seen in similar cases (Jeffery 2014).

In 2015, the first civilian government from an opposition party was elected. As the use of amnesties demonstrated the omnipotence of the king, it fit within the framework of an authoritarian regime, but is less suited for a democratic regime.¹³ Abolition of amnesties was therefore a logical consequence of the regime change. Even without amnesties, the National League for Democracy (NLD) government released 199 of their supporters after being elected.

¹³ Individual amnesties practiced in some democracies, such as the USA, differ significantly from the group amnesties discussed here.

This happened through a legal manoeuvre in which the now late U Ko Ni¹⁴ managed to get charges dropped against student activists arrested only one year previously, for their protest against a new education law (AAPP 2016a). This approach aligned with the new government's strong support for rule of law. Internationally however, transitional times are perceived as the time in which amnesties can be used as a tool to support peace and establishment of a new regime. Such practices imply distancing from the previous regime whom imprisoned the opposition (Jeffery 2014). Though U Ko Ni found a way to release some political prisoners, others remained in prison (64 according to AAPP 2016a). Daw Aung San Suu Kyi, leader of the NLD government, did thus not deliver on her pre-election promise to 'free all political prisoners' (2010). By not releasing prisoners on amnesties during the transition, the NLD government not only upheld their approach to the rule of law, they also refrained from making a clear break with the military regime of the past through transitional justice. This approach could be viewed as be a strategy to deal with the political situation, where the military is still a strong power holder even without being in full control of the government. However, such an approach enables the continuation of authoritarian practices.

From 2016-17, the NLD government refrained from granting amnesties. In April 2018, however, as U Win Myint, also from the NLD, took over the seat of president, amnesties were re-introduced. The amnesties he granted were not targeted at political prisoners. Rather, the primary beneficiaries of his amnesties are people convicted of petty drug crimes. This is in line with the political movement towards a decriminalisation of drug users (Central Committee for Drug Abuse Control 2018), but does not allude to the transition to democracy.

The practices of giving out amnesties illustrate how historical developments are not always linear. The legacy of the kingdoms concerned with amnesties was not enacted during colonial times, but reappeared after independence. When the first civilian government was elected in 2015, it appeared as if the amnesties had been left behind with other legacies of the authoritarian regime. Yet, only two years later, the amnesties returned. This historical observation raises questions for the future: Is the return to such amnesties a symptom of the weakness of the democratic regime?

¹⁴ U Ko Ni also created the position of State Counsellor, allowing Aung San Su Kyi to occupy that position, when she was prevented from becoming president by the 2008 constitution. Many saw him as a key actor for the creation of a new constitution. Tragically, he was violently assassinated in 2017.

Or, can such a legacy in itself contribute to the erosion of the democratic regime by undermining the rule of law?

Torture

During the Burmese kingdoms, torture was an inherent part of the justice system. Verdicts relied mainly on confessions, often obtained through torture. Thet Thet Win lists five ordinary methods of torture used in lock-ups: stocks, special stocks that are more uncomfortable, breaking leg bones between bamboo sticks, putting nails under fingernails and applying pressure to the temples by clamping the head between wooden sticks (2006, 61). After sentencing, the convict risked further violence. Punishments during the Kongbaung era were: death penalty, mutilation, tattoos, slavery, forced labour, exile and confinement¹⁵ (Ibid., 104).

During the rule of King Mindon, reforms made the justice system more similar to the British system that had taken hold in the southern part of Myanmar. This led to the introduction of confinement as punishment in itself and to attempts to reduce some violent practices:

“In 1855 there were complaints that many accused had died during interrogation and also during punishment. Therefore, the royal order dated 17 July 1855 stated that no prisoner should die as a result of harsh treatment, especially when amputation, tattooing, and flogging were carried out.” (Ibid., 62)

Under British rule, efforts were made to reduce the use of violence. Though implementation of a new justice system formally removed most violent practices, some continued. The death penalty was maintained. But the previous practices of execution “...by being burnt alive, impaled, or trampled to death by an elephant...” (Brown 2007b, 229) were replaced by hanging. Still, flogging remained a common disciplinary tool inside prisons. In 1878, 2,953 occasions of physical punishment were recorded. By 1877, the Chief Commissioner, head of the Burmese colony, publicly denounced the flogging of prisoners. The use of flogging continued

¹⁵ Though imprisonment was not ordinarily used as punishment, confinement was used in some cases. For example, it was believed immoral to kill a monk. A monk who posed a threat to the power of the king was therefore kept in confinement rather than executed (Thet Thet Wintin 2006).

to decrease throughout colonial times, by 1940 only seven cases of flogging were recorded (Ibid., 238).

After independence, under the military regime, systematic torture was re-introduced during interrogation and as a disciplinary tool inside prisons. Most accounts of torture stem from political prisoners. The use of torture, however, led to a violent culture that spilled over into regimes concerned with ordinary prisoners (Swe Win 2018; AAPP 2005).

Most accounts of torture start in military interrogation centres, where students were interrogated. Former political prisoners recount how they struggled to endure torture without revealing information about their comrades. Meanwhile, they were interrogated by officers who went at them in shifts, going over the same series of questions repeatedly. The accounts present varying degrees of physical torture and starvation, but all describe interrogation amounting to psychological torture. Many describe not being allowed food or water during interrogation, which could go on for days, weeks or months. Several former political prisoners described drinking out of the water bowl in the toilet, meant for washing after having defecated. Some recounted the humiliation of having to drink toilet water, while others proudly described it as an act of resistance.

Inside prisons, the prevalence of torture varied across time, where the amount of torture appears to have lessened significantly over the years, and between institutions. Mingyan Prison is often described as ‘the worst prison’, and many of the most horrible accounts of torture stem from there. Another factor that affects whether a prisoner is subject to torture is whether they continue to engage in politics during imprisonment. Prisoners who engaged in political struggles either, on local level for prisoners’ rights, or on national level, risked torture as punishment. One such instance happened to a political prisoner who engaged in politics while imprisoned in Insein Central Prison. As punishment, he and others were beaten up and he was sent to the notorious ‘dog cells’. The dog cells were built by the British to house military dogs and when he was sent there, dogs were still present in some cells:

“Once at midnight, I was brought to interrogation office with hands cuffed from behind and a black hood [was put] on my head by prison officers, military intelligence and police officers, in total there were 7 of them. Inside 40 cells there were 30 dogs, not in every cells, they barked when they see white dresses [prisoner uniforms]. I had sensed that

I was brought to somewhere else but not the place they had brought me before. One man pushed me from behind suddenly so I fell down into the dog cells, I supposed, because I was so weak too. When I fell down, dogs beside me bit me so I tried to move to the other sides but I hit the bar of the other cell and dogs from that cell barked at me. I could not stand anymore and I could not stop my heartbeat, I was so scared, even now talking about this story make me visualise these events. I thought I was in the dog cell before but I was not because they touched me with bamboo stick and told me to keep walking. I think I could walk half of the hallway but then I passed out.” (Interview, Former Political Prisoner, May 2017)

He went on to describe sleeping on the cement floor with no roof above him while the dogs had blankets and shading. He was served standard prison food consisting of a thin vegetable curry and rice and only got meat once a week, while the dogs were fed beef every day. He recounted: “Dogs were more valuable than people during that time.” And said it made him feel devalued. This example shows how the suffering caused by torture arose not only from the brutality of the violence but also from the humiliation felt.

Though there are no formal statistics, the use of torture inside prisons appear significantly reduced today according to accounts by former prisoners. Other reports, however, suggest that torture is still taking place in Myanmar, in labour camps and conflict areas (Swe Win 2018; Amnesty International 2000; United Nations Human Rights Council 2018). Like amnesties, torture is thus an example of a practice that has been discontinued (at least partly), only to reappear. Where amnesties were a practice exclusive to prisons, torture however also exists in other contexts. Though the use of the practice appear significantly reduced inside prisons, it seems to live on in other contexts and thrive in conflict areas without oversight.

Conclusion

The chapter has told the story of the birth (or adoption) of prisons in Myanmar and how practices dating back to before the prison existed are still in place today. This is a history of how pre-colonial legacies found their way into an institution imported by the colonial regime and how this institution remained after independence, while practices inside it mutated and persisted. It is

a history that demonstrates that practices persist even across significant regime changes, as when the British invaded the colony and when Myanmar gained independence. It is also a history that shows how during the rule of a brutal military regime, some practices changed to be more humane, while other inhumane practices were continued. In some cases, it is a history of practices that are discontinued for a century, only to reappear and make their way from an authoritarian regime into the ‘disciplined democracy’ of today. The history of prisons in Myanmar is far from a straightforward linear progression. It is a complex ruptured affair influenced by multiple actors who draw on differing logics to justify practices inside prisons.

VISUAL INTERLUDE II

U Nay Win was first arrested in 1989 and served 15 years and 4 months for being part of the communist party. He was released in 2005 but arrested again in 2008 while burying victims of the Cyclone Nargis and charged with harbouring a fugitive. The fugitive was his daughter, Phyo Phyo Aung, who was fleeing charges for her part in re-establishing the All Burma Federation of Students Union. In the pictures, you see him together with Phyo Phyo Aung and his grandson and working as an acupuncturist offering free treatment to people in need. (Photo: Phyo Dhana Chit Lynn Thike)







CHAPTER 3

Reflections on methods, ethics and positionality

This dissertation is a multidisciplinary project using a set of ethnographic methods. This chapter presents a short introduction to methods and data and a discussion of selected issues in connection with these methods. The set of ethnographic methods chosen for this project and the ways in which they have been used aimed at getting a deeper understanding of experiences of imprisonment.

Due to the abductive approach of this project, methods, methodology and theory work together through dialectic processes. Given the structure of this dissertation, methods are presented first, because they give an overview of the research project, which equips the reader for the readings to come. As a consequence of this approach, methodological considerations are distributed across Chapters 3 (on methods) and 4 (on theory).

Following the phenomenological tradition, the starting point for analysis is first person experiences. However, in accordance with the intersubjective definition of selves and thus also of experiences described in the introduction, first person experiences serve as point of departure for methodological reasons rather than representative of an ontological stance about the self. Selves are conceived as always intersubjective, as the first I observed is the Thou, in which the self is mirrored. Based on the perception of the other, an I is formed, and in continued interactions with others in this world, the I is shaped (L. Guenther 2013, 23–38). Still, the I remains the entry point through which human experience can be studied. Thus, in this study, the phenomenological approach is reflected in continued attempts to get closer to understanding the first person experiences of current and former prisoners in Myanmar. The intersubjective character of experiences reveals itself in the experiences recounted in the analysis and in the experiences of those who become ‘unhinged’ in solitary confinement in the absence of others (for further elaboration see Paper III and L. Guenther 2013). The

intersubjective character also revealed itself in shared experiences between researcher and research participants in the field and in the formation of relations between the two. In becoming part of the *communitas* (of those who have lived through experiences together) and *community* (of those gathered around a common third) the researcher herself participated in the intersubjectivity that shapes some of the experiences recounted.

[U]nder liminal conditions the contrast between individual perspectives is lifted and the shared experience leaves common imprint. (Szakolczai 2015, 22)

While the researcher never experienced imprisonment on her own body, shared intersubjectivity informed understandings of accounts of experiences of imprisonment. Shared experiences took place when researcher and research participant went through significant liminal experiences together. When we transitioned from strangers to friends, from lay people to yogis, when we became those who created an exhibition, those who marked the thirty year anniversary of the 8888 or those took part in the first research interviews in Insein Central Prison. Such shared experiences left their mark on all of those who participated in them and allowed for the researcher to find new vantage points as she studied experiences of imprisonment (Gaborit 2019a; Gaborit and Jefferson 2015; Schatz 2009).

The present chapter consists of four sections. The first section is a brief description of the fieldwork and data created. The second section describes one specific part of fieldwork, the action research project, which resulted in the photo exhibition ‘Beyond the Prison Gate’, from which all photos in this dissertation originate.¹⁶ The third section describes ethical considerations. Finally, the fourth section discusses positioning of the researcher in the field and in academia. This chapter is not an exhaustive description of the methods used or issues that are relevant to discuss, but a short discussion of central issues. The chapter is concluded by Paper II ‘*Looking through the Prison Gate: on access in the field of ethnography*’ (Gaborit 2019a).

¹⁶ With exception of some photos in Annex 6, which were taken by the author during fieldwork.

3.1 Description of data and methods

Before fieldwork started, I had already been to Yangon twice while preparing a funding application for the research project Legacies of Detention in Myanmar, of which this PhD is part. During these trips, we (co-supervisor Andrew Jefferson and I) assessed that there were former prisoners who were willing, even eager, to share their stories. We had established contact with organisations working with prisons in Myanmar (such as AAPP, FPPS, UNODC) and identified a starting point for snowballing during fieldwork. Funding was granted for Legacies of Detention in Myanmar and the project commenced in June 2016. In addition to the PhD leading to current dissertation, Legacies of Detention in Myanmar included funding for employment of four researchers at a local law firm (JFA), two Myanmar PhDs at Mahidol University in Thailand (who started in 2019) and the involvement of two senior researchers at DIGNITY – Danish Institute Against Torture (Tomas Martin, as a full time post.doc for two years and Andrew Jefferson, as a part time Primary Investigator throughout the five year project). While the author has engaged in continued discussions and received feedback from other members of the team in Legacies of Detention in Myanmar, the data collection for current dissertation has been conducted independently.

When the project commenced, data was collected during fifteen months of fieldwork, conducted in two parts of respectively nine and a half months of exploratory fieldwork, and six and a half months of fieldwork focused on recognition, solitary confinement and meditation (October 2016 – June 2017 and February – August 2018). Fieldwork was conducted mainly in Yangon, though trips were taken outside the capital to scope out the possibility of doing multi-sited fieldwork (Marcus 2011). Based on these trips, it was decided to conduct fieldwork only in Yangon, due to the higher number of organisations working with former prisoners, which facilitated access to participants.

Through ethnographic fieldwork four types of primary data were generated: field notes, interviews, documents written by former prisoners and photos.

The main bulk of data produced consists of field notes. When possible, I recorded field notes by hand while observing. This was, for example, the case when I participated in meetings or public events where taking notes was possible for me and acceptable to other people present. In other cases, it was not possible to write notes because I was on the move or in the rain, or had similar practical challenges. In some cases, I abstained from recording

notes in the situation, to facilitate a more informal space for conversations. Finally, sometimes, when I thought I was off the clock, simply relaxing and spending time with friends, things would occur that I thought relevant to field notes. In such cases, I wrote a note on my phone to remember important details.

After events had taken place, I entered the field notes on my computer. When it had been possible to make handwritten notes during observations, this proved to be advantageous both in regard to the level of detail, sometimes even quotes from people present, and as a trigger to my memory that enabled me to write the field notes days or weeks after the events had taken place. For instances where I was unable to, or chose not to write notes by hand during the events, I tried to write field notes as soon as possible after the events. This often meant the day after they had taken place.

The length of field notes varied according to the method of note taking. Thus, when I did a meditation retreat, during which yogis were not allowed to write, I wrote 13,742 words of field notes after the retreat, to describe 11 full days. When I got access to prison visits in Insein Central Prison, I was aware of the unique access I had gained and tried to squeeze every final drop of data out of the visit. For these visits, three days of 5-7 hours, I recorded 38,510 words and used up several notebooks and pens while inside. Thus, types of field notes varied depending on practical possibilities in the field, concern for how my behaviour affected the field and on the importance I attributed to the observed events (Emerson, Fretz, and Shaw 2011).

The field notes include descriptions of the events that took place as well as my reactions to them, both while they took place and sometimes additional reactions as I was entering the field notes on a computer (Davies and Spencer 2010; Jewkes 2012). They also include descriptions of my life in Myanmar, to ensure my way in to and relation to the field was documented to enable methodological reflections about my own position (for an example of field notes see Annex 2).

While most observations took place where I was physically present, there were also a virtual dimension to observations. Within recent years, internet penetration has increased dramatically in Myanmar and Facebook has become a major communication channel (Shadrach 2018). It was therefore a natural part of fieldwork to connect with people via Facebook and to receive information through debates on the platform. In a few cases were the interactions via Facebook recorded in field notes. However, as a means of communication, this social media platform has proven

valuable. Moreover, given the virtual nature of this platform, it has affected the process of leaving the field. Even after I physically left Myanmar, I have been in touch with some of the participants in this project. This continued connection represents a continuation of relations established in Yangon and continued access to information about the subject of study (Georgakopoulou, Spilioti, and Varis 2016). Such continuations on one hand represents a potential, for the human relations as well as the research, but on the other also complicates the process of taking a step back from the field to reflect on a different analytical level (Emerson, Fretz, and Shaw 2011).

The second type of data is interview data. The categorization of which conversations ‘count’ as ‘interviews’ can be complicated when doing long-term fieldwork. Many conversations I had could be described as ‘unstructured interviews’ (Kvale 2009), while also being interactions engaged in during participant observation (Hammersley and Atkinson 2007). For this project, I define the conversations in which I had an interview guide and created a detailed record, either in written notes or audio recording, as interviews. These interviews were of a semi-structured nature (Kvale 2009). I had prepared an interview guide, which consisted of one page of handwritten questions structured chronologically according to the experience of imprisonment (for examples of interview guides see Annex 3). Thus, interviews started at the arrest and finished with questions about release and thoughts about the future. This structure ended conversations by taking us back to the present situation and discussing hopes for the future. Since interviews often included emotional and traumatic experiences, I sought to end the conversation with the interviewee in a calm mental state, thinking about hopes for the future (more on this topic in the section on ethics below).

43 interviews were recorded in audio. These interviews included 1 former prison officer, 34 former political prisoners and 8 former ordinary prisoners. Some people were interviewed multiple times and one recorded interview was with a group of four political prisoners. 16% of interviewees were women, this is reflexive of the prison population in which 12% are women (World Prison Brief 2018). The gender distribution in these interviews is thus indicative of the gender distribution in prisons, rather than reflexive of a methodological choice to focus on any gender. 26 of the recorded interviews have been transcribed. The interviews that were transcribed have been chosen based on their richness (for an excerpt of a transcribed interview see Annex 4). In addition to

interviews with former prisoners, ten interviews were conducted with prisoners inside Insein Central Prison. These were recorded in handwriting.

Quotes appear verbatim to the furthest extent possible. In some cases however, quotes have been edited for grammatical errors to avoid such errors clouding the message. These corrections have been made based on my knowledge of Myanmar language (see section 3.4 for further elaboration). Due to major differences in grammar rules between Burmese and English, some mistakes are common when translating between these two languages or when a native speaker of one speaks the other language. One example of such systematic mistakes is the case of male and female pronouns. In Burmese, the pronoun is defined according to the one who speaks, while in English the pronoun is defined according to the one spoken about. This led to a pattern in the mistakes made by Burmese speakers when speaking English. Such mistakes have been edited when occurring in quotes.

A third type of data for this project is the written accounts by former prisoners and prison officers. Several of the participants in this study had published memoirs about their experiences in prisons. Most of these memoirs are in Burmese and were only available to me after translation by research assistant Michael Muelay. Since these translations were unofficial and not checked by the authors, they have mainly served as background knowledge before repeat interviews. Furthermore, I was given the privilege of reading the diary of a political prisoner, written during the last three years of his imprisonment. Most of this diary was recorded in English, to make it harder for prison officers to read. The diary added rich detail to descriptions of everyday life inside prisons. These sources differ from the material created through fieldwork. The main difference being that here, the former prisoners and prison officers have deciding power as authors. Thus, they both added detail to the topics I identified as relevant during fieldwork, and spoke to other topics which the authors found more relevant. Such writings, together with convict criminology, add invaluable insights to prison research (Narag 2005; Newbold et al. 2014).

Lastly, visual material has been produced for the project. During fieldwork, I occasionally took photos in public spaces or at public events. These photos serve as documentation and are used in connection with dissemination (e.g. in blog posts, see Annex 6). Additionally, photos have been produced as part of an action research project (described below) for the exhibition 'Beyond the Prison Gate'. These photos are taken by former political prisoners

and portray everyday life of former political prisoners in Myanmar in 2018, 30 years after the 8888 uprising. 60 photos were part of the exhibition and three of them are included in Paper IV.

One regret of this dissertation is that I am unable to fully unfold the richness of all the data generated. Much of it is not used directly in the dissertation. All of it, however, has contributed to the understanding of prisons in Myanmar presented here. The data calls for many additional topics to be explored than what is possible within the scope of this dissertation. Among these are, for example, the diary of a former political prisoner, the 57 photos not included in the publications and several interviews; all represent the potential for additional publications. While the four papers in this dissertation address core issues in the data, more remains to be said. Hopefully this dissertation only represents the start of what will be a long series of publications based on this data. I am deeply thankful to the people who shared their personal stories with me. For those who do not see their stories featured in this dissertation, I urge you to be patient as I continue to publish based on the material created for this project.

3.2 Beyond the Prison Gate – doing action research

When I started my first of two rounds of fieldwork in 2016, I wanted to include a visual element to my research, though it was still undefined what form this visual element should take. During the first round of fieldwork, I took photos myself and participated in a photography workshop in Myanmar. In between my first and second period of fieldwork, an idea crystallised. The idea sprung from the identification of recognition (Honneth 1996) as an important analytical concept and from conversations with former political prisoner artists in Yangon. One former political prisoner artist recounted how his exhibitions were places where former political prisoners gathered and a way to receive recognition for their role as former political prisoners (Dunant 2018). Recognition and support from the state is otherwise non-existing for this group, in spite of high numbers of former political prisoners among members of parliament and several former political prisoners having been elected as president. Recognition from other sources exists to some degree, but still the former political prisoners call for recognition after release.

Meanwhile, 2018 marked the 30 year anniversary for the 8.8.88 uprising. On August 8 in 1988 students gathered in mass

demonstrations against the then military regime, which later faced a violent crackdown from the military and the imprisonment of thousands of political prisoners. The original idea for the project was therefore to create a photo exhibition, in collaboration with former political prisoners, under the title '88 today'. The exhibition was to show where political prisoners are today, 30 years after the big uprising and after having been released for a substantial amount of time. While having gained freedom from the prison, many former prisoners still suffer due to challenges in gaining employment, employers having faced harassment for hiring former political prisoners in the past and the interruption of education for imprisoned student activists. In addition, their relationships with friends and family had been strained by years of separation during imprisonment (AAPP and FPPS 2016).

The original idea was adapted at the very first meeting I had with a possible participant, as he called attention to the fact that the title '88 today' would make other generations feel excluded – such as the '62, '91, '99, '07 and '15 generations. Therefore, the project got the working title *Former Political Prisoner Photographers*, or FPPP, an acronym resembling some of the other acronyms of groups concerned with former political prisoners (Assistance Association for Political Prisoners, AAPP and Former Political Prisoners' Society, FPPS).

Through my existing contacts, I spread the word about this project among former political prisoners in Yangon and about the opportunity to participate. After having met with five photographers who expressed their interest, I called for the first group meeting. Some of the photographers invited others to come along to the meeting. When the meeting finally happened, only three people showed up. For several months, it was a pattern that some people who were expected to come did not show up and while new people kept joining. At the meetings, I tried to explain the idea for the project – we were producing pictures about everyday life of former political prisoners today, in order to contribute to a better understanding of the challenges they face. Often I had to start over with my explanation for newcomers. Aside from the introduction at these meetings, I tried to facilitate development of ideas for pictures and photo essays.

After two months of chaotic and futile meetings, a group of photographers formed. The group consisted of: U Letyar Tun, the first photographer I had approached and a contact from previous fieldwork. I approached him to help me facilitate the project and get in touch with other photographers. From the very outset, he made it

clear he would not have time to take new pictures, but that it would be possible to use pictures he had taken previously. The second photographer to join was U Pho Nyi Htwe, an experienced photographer who had been part of the Burma Video Journalists¹⁷ and contributed to a previous campaign with photos of former political prisoners campaigning for the release of political prisoners who were still in prison. He was an editor and news photographer and had a strong motivation to tell the world about the struggles of former political prisoners. The third photographer to join, who made it in time for our first full day workshop was Ko Phyo Dhana Chit Lynn Thike. He was the youngest of the group and had been imprisoned in the 2015 demonstrations against a new education law. At first, he was in doubt about whether to claim the title as political prisoner, since he had never been convicted, but ‘only’ spent one year in prison as pre-trial detainee. I decided to include him under the label of political prisoner for this project and the others accepted this categorization.¹⁸ Phyo Dhana worked as a professional wedding photographer and was excited about the opportunity to take a different kind of pictures. The last to join was U Sai Minn Thein, a professional portrait photographer with great technical skill. He was initially very critical of the project and doubted the genuineness of the declared aim to increase the understanding of lives of political prisoners and contribute to their recognition. After being very critical at the first meeting, he came around on the second meeting and became a strong supporter during the rest of the project.

I attempted to recruit photographers from various backgrounds for a broad representation. It proved complicated to recruit people from different religions, other ethnic backgrounds than Bamar (the majority in Myanmar) and to recruit women. One dimension in which it proved possible to recruit a diversified group was in age. Having photographers of different ages also meant that the project represented the different generations of political prisoners. Thus,

¹⁷ Burma VJ are a group of video journalists who famously documented the violent crackdown on the Saffron revolution in 2007 and smuggled the videos out of the country for the world to see. They are most well known for their contribution to Democratic Voice of Burma, a news platform based in Norway, and the documentary *Burma VJ* that tells the story of how they worked.

¹⁸ The issue of who can be categorized as a political prisoner was also raised in connection with another photographer who participated in one meeting. For this person, it was the fact that people disagreed about whether he was imprisoned for political reasons, which led the group present to categorise him as not belonging to the category. To my regret, he decided not to participate in the project after one meeting where it was clear he was not accepted by other participants as part of the group. For a critique of the concept ‘political prisoner’ see Llorente (2016).

the photographers have been arrested in connection with the 1988, 1998, 2007 and 2015 demonstrations. Other generations do exist (e.g. '62, '91 and '99). While the photographers do not cover all generations, the group reaches across different generations, displaying to the audience that this project does not belong to a certain generation and thus excludes others. While this served to show inclusiveness, it also made it harder to create cohesiveness in the group. While I had imagined the group members would support each other in the development of their ideas and through discussion of photos taken, it proved hard to create a team atmosphere where that was possible. At meetings, I facilitated discussion and shared my reflections upon ideas and pictures taken, but the exchanges of feedback between photographers was limited. When feedback was given by one photographer to another, it was often ill received. The kind of peer support I had imagined the project would include, did not fit well with the very hierarchical culture of Myanmar or the fact that these photographers came from different generations of political prisoners, and represented some of the internal struggles in the political prisoner community.

Harald Wydra has proposed a way to understand such generational differences. According to Wydra, generations are formed around the magnetic field of threshold experiences – such as, for example, a specific uprising. These threshold experiences affect the temporalities and ontologies of generations (Wydra 2018, 9). Therefore, generations can have differing perceptions of the past and current situation in Myanmar, which can lead to conflicts between generations. The differing perceptions of different generations explain some of the challenges faced in this project. However, the group managed to unite around the cause of creating recognition through the exhibition. It was of key importance for this unity that they all agreed to demand recognition from the current government, rather than the actual perpetrators from the past.

While it was defined from the beginning that the project would lead to an exhibition in Yangon, later to be repeated in Copenhagen, it was not defined where or in what form this would be. Several places were discussed as possible venues. A prominent exhibition space was offered – ‘The Secretariat’, the old parliament in Yangon and the place where General Aung Sang, father of the nation, had been assassinated. An exhibition here would have received a large number of visitors, as we would be showing our photos next to an exhibition by former political prisoner artists and would be sharing the audience that either exhibition could draw. Today, however, The Secretariat is maintained by a group that includes ‘cronies’,

tycoons with ties to the former military government, and the photographers did not agree with the idea of our exhibition supporting these cronies in any way. The other former political prisoners who exhibited in the buildings took a more pragmatic stance to this, and used their show as a way to take back these historical buildings. Since the photographers had strong opinions on the issue, and I wanted to act according to their ideals for our exhibition, we had to find another venue. Some of the photographers approached the city council of Yangon and were offered Mahabandoola Park – a big park in central downtown, which also hosts the yearly photo festival. This option was declined due to the high workload that would entail – building scaffolding to stick the pictures on, the quality of the pictures that could be exhibited – vinyl prints, and the risk of the weather making the exhibition inaccessible and blowing away our pictures. In the end, we settled on a model with two exhibition spaces in Yangon: first, the pictures were exhibited at Healthcare Centre for Political Prisoners (HCPP) and then they were moved downtown for a short period to be exhibited in a private gallery. The idea for this model sprung out of long discussions about how to give back to political prisoners. The photographers wanted to give money to the people we took pictures of, which would be in line with the Burmese tradition of giving donations. Meanwhile, I referred to scientific standards, traditions within photography and the rules of the donor¹⁹ to explain why this was not a possibility. The issue was discussed several times in heated discussions. In the discussions, it was hard to find a compromise, as the two ethical systems combined in the project were not in agreement on this topic. In the end, I found a compromise acceptable to all – if the pictures were exhibited in a place that supported former political prisoners, we could indirectly support the subjects, by contributing with rent for the exhibition space to an organisation, which potentially benefitted the people who had been part of the project or people like them. Therefore, we decided to exhibit the pictures at HCPP. A benefit of having HCPP as exhibition space was that the pictures were in a space where former political prisoners normally came. Thus, more former political prisoners saw the pictures and the visitors who came from the outside were ‘closer’ to the people in the pictures, as they were surrounded by people with similar stories. The only downside to the exhibition space at the HCPP was that it was located in North

¹⁹ The project was funded by the Danish Ministry of Foreign Affairs through the research project Legacies of Detention in Myanmar at DIGNITY – Danish Institute Against Torture.

Dagon, a suburb of Yangon almost an hour's drive from downtown. This meant that many visitors would not come simply because of the location. Therefore, we decided to also have the exhibition downtown, though for a shorter period. Thus, the exhibition took place on July 7 – August 2 in HCPP and on August 4 – 6 2018 in Moon Art Gallery. The negotiations of exhibition space represent a classic case of 'the paradox of participation' often present in participatory action research (Arieli, Friedman, and Agbaria 2009). While participatory action research methods include ideals about democratic values and equal influence of researcher and other participants in the project, such ideals are in many cases unobtainable. Thus, while I tried to facilitate democratic dialogue during our meetings, it was clear that I was facilitating. It was also clear that I had decision-making power over the budget and that I had to answer to my employer, the university and the donor. At certain stages, the disagreements seemed to risk the whole project, but in the end, after the compromise was reached, all participants engaged and worked hard to reach the goal of creating the exhibition in the spaces selected. The commitment of the photographers after the discussion is a sign that the paradox of participation was resolved to a satisfactory degree for all participants, it is still however important to be aware of how inequalities like this seep in, even to the parts of research that aim for democratic ideals.

For the content of the pictures, I tried to brainstorm with the photographers to identify relevant topics. I asked them – what is our message? What does the audience need to see to better understand the life of former political prisoners? While I tried to speak conceptually and get the photographers to think about what themes and topics they wanted to depict, the photographers tended to think about the people they wanted to take pictures of and tell me about all the different aspects of the lives of the subjects they wanted to take pictures of. Somewhere in between these different approaches to taking pictures, we discussed what stories could be told that covered the different subjects each photographer had chosen. I recorded our discussions in audio and handwritten notes to be able to follow the process and learn about their conception of political prisoners. The photographers sometimes took pictures during meetings – sometimes with their phones to upload on Facebook or sometimes with each other's cameras, playing around with the equipment.

The exhibition had approximately 400 visitors in Yangon and was featured in national and regional media in 6 different articles

and videos (Burmese and English language) (see Annex for an overview of media coverage, e.g. Dunant 2018; San Lin Tun 2018). At the launch, the audience was composed of Myanmar people as well as foreigners. There were other political prisoners, friends and families of political prisoners, NGO workers from organisations concerned with the topic and expats who had not encountered political prisoners in person before.

From March to August 2019, the pictures were exhibited in Copenhagen at a public community house (Kulturhuset Indre By). U Letyar Tun came to Copenhagen for the launch of the exhibition and shared his reflection about being part of the project and being a political prisoner himself (see Skov 2019 for an article about the exhibition in Denmark). After being exhibited at the community house for 5 months, the exhibition was moved to Roskilde University Library for exhibition in September and October 2019. Both exhibitions were in public places where people encountered the pictures in connection with other activities. Such places were chosen to reach an audience who would not normally seek out information about political prisoners in Myanmar. After the last exhibition, a blog post has been created with a selection of the photos to give the exhibition a continued online life (Gaborit 2019b, reprinted in Annex 6).

Thus, the action research project *Beyond the Prison Gate* generated visual data for research, while disseminating in a form that had an outreach few academic publications can claim. The photos were able to reach people who spoke different languages, people who do not normally engage with academia and people who would not necessarily have sought out information about prisons in Myanmar. Dissemination through a photo exhibition also differs in the content disseminated. Through these photos, viewers were able to get one step closer to shared experiences with former political prisoners, by adding the sensory experience of a photo, to the cognitive process of reading a picture text and a catalogue. The experience of the viewer is, however, also open to interpretation (Banks 2007; Pink 2006). Interpretations varies from the Burmese audience, among which, many had personal memories about or relations to subjects in the photos, to a Danish audience, among which some did not even know the country Myanmar, much less the political struggles of its activists. The goal of the exhibition was to raise awareness and show that these activists, who became prisoners and are now released, still go through struggles, and are still in need of recognition. Hopefully, this central message has

made it across, while the interpretations of photos surely vary among the different audiences of the exhibition.

VISUAL INTERLUDE III



Ko Ye Lwin was a famous singer, guitarist and composer in Panyelann (Path of Flowers). He was arrested in September, 2007 and released in December 2007. He was known for playing at teashops and in the streets to collect donations for IDPs and support the NLD. These pictures were taken while he was a patient at Healthcare Center for Political Prisoners. Ko Ye Lwin died on the 10th of July 2018 year, only two days after these pictures were first shown to the public. (Photo: Sai Minn Thein)





Ko Kyi Soe, was arrested on May 25, 1991 and sentenced to 6 years. He was released on December 28, 1995 from Insein. In the pictures he is earning for his daily living selling lottery tickets and volunteering for the HCPP. (Photo: Pho Nyi Htwe)





3.3 Ethical reflections

For this project, many ethical issues have been considered and several ethical dilemmas were encountered. Formally, there was no demand for ethical approval from either Roskilde University or DIGNITY – Danish Institute Against Torture. There was however a demand for a project description to be approved by the PhD school at Roskilde University within the first three months of the project. This project description included a discussion of ethical consideration for the project. The description of ethics included references to relevant ethical guidelines (Dansk Psykolog Forening 2016; The Council of the American Anthropological Association 2012) but also emphasised that ethics during long-term fieldwork has a processual nature and must be considered and discussed from beginning to end of a research project like this (Hammersley and Atkinson 2007). Ethical dilemmas have thus been raised and discussed with supervisors and research participants before, during and after fieldwork. This section presents reflections on some of these considerations and dilemmas.

From the outset, it was clear that this research topic was sensitive for numerous reasons. In the political context of Myanmar, speaking about political prisoners and torture has previously carried the risk of reprisals. During pre-investigations, we were told that torture was still taboo and we were careful when speaking about it. Human rights on the other hand were becoming a more acceptable topic of conversation and mandatory courses in human rights were implemented at law departments in Myanmar universities while this research was carried out. Though torture was not the focus of the research, it was part of many interviews. Additionally, the name of the host organisation of the project: DIGNITY – Danish Institute Against Torture, explicitly referred to this tabooed topic. For the first round of fieldwork I edited the logo on my business cards, so it only showed the shortened version of the name: DIGNITY.²⁰ This was to prevent that the business card in itself was frightening to people. When asked, I was however open about the nature of the organisation and presented it as a human rights organisation working against torture.

When torture did enter the research field, it was not as an abstract phenomenon, but in deeply personal accounts of traumatic experiences. When doing research about such traumatic experiences, the researcher must be sensitive to the well-being of

²⁰ During the second round of fieldwork it was possible to bring business cards from Roskilde University to avoid this issue.

research participants. In dealing with traumatic experiences recounted by research participants, the researcher has drawn on extensive experience and knowledge of the field. In addition to being a researcher, I am a trained psychologist. I have received training in crisis psychology and I have experience with working with suicidal clients in Denmark and torture survivors in prisons in the Philippines. Moreover, I have worked with prison research in several countries with conditions similar to those in Myanmar. This served as a foundation for conversations about some of the traumatic events research participants had lived through.

While these traumatic experiences were not shared by the researcher and research participants, familiarity with such events equipped me to get closer to an understanding of the experiences and engage with research participants in ways that showed I could relate to their experiences.

Once, a research participant was asked by a common friend of ours, if it was hard to talk about these things and if I asked hard questions. He told her:

No, it is not hard. Liv knows, she has been inside.
(personal conversation, March 2018, answer of
research participant as recounted by common
friend)

At this point, I had not been inside prisons in Myanmar. But my past experiences inside prisons in other countries (Philippines, Sierra Leone, Lebanon, Denmark and England) combined with intercultural skills and empathy had been sufficient for me to display insights on a level that qualified me as an insider in his mind. As illustrated by his answer, this insider perspective made our conversations less challenging.

Doing research about violence – about the slow grinding structural violence present in experiences of imprisonment, which was a primary focus, and the brutal violence of torture which was closely connected to the experiences in focus in this research – confronts research participants and researcher with painful memories from the past. One might question whether it is ethical to ask people to recount such experiences and having them be confronted with painful memories. Might it not be better to leave such painful matters in the past? On the contrary, this study argues that light must be shed on these practices in order to further understandings and ultimately prevent them from occurring again. In arguing so, this dissertation is positioned in line with the paradigm within trauma research that privileges an experience-

focused perspective (Das 1990). Priya and colleagues argue that this paradigm represents a shift from a medical materialist views on trauma, such as those behind the diagnosis Post Traumatic Stress Syndrome. Priya and colleagues write that with the work of Veena Das (1990) a paradigm change took place within trauma research:

[F]rom predominantly psychiatric perspective towards an experience-focused perspective that locates trauma experiences within the cultural and structural contexts. (Priya 2019, 81)

This paradigm is in line with the approach in this study, which privileges experiences as seen through a critical phenomenological perspective and speaks against pathologisation of reactions to imprisonment. Based on this approach to trauma, Das argues that sensitively conducted research represents a potential for survivors rather than a risk for victims:

Das accentuates that one finds voice ‘in company of others’, and once a survivor shares his or her experiences, ‘even if it’s fallible, then other voices will join, either to correct or to amplify, or to revise one’s view’ (p. 139). (Das quoted from interview with DiFruscia (2010) in Priya 2019)

Thus, by giving voice and being truthful in the depiction of experiences people live through, this research represents a chance to create a shared story and find strength in community.

For ethical considerations, two sets of guiding principles have been used: The Ethical Principles for Scandinavian Psychologists (EPSP, Dansk Pyskolog Forening 2016) and the ethical guidelines of the AAA (The Council of the American Anthropological Association 2012). The EPSP presents a set of guidelines useful for conversations with people who have gone through traumatic events and offer a description of the confidentiality I offered participants as a Danish psychologist. The AAA presents a more flexible set of guidelines, which reflect the situational character of ethical considerations during ethnographic fieldwork. These add guidelines for how to act when doing observations, which is not a usual task for psychologists. Based on these guidelines and considerations of the local context, it was decided to work based on informed oral consent when doing interviews and with transparency about my identity as researcher when doing observations. Additionally, consent forms were designed for the photographers who contributed to *Beyond the Prison Gate*, to make sure

documentation for shared copyright could be presented if requested by a journal and to guarantee the photographers that I could only use the photos for research purposes, while they were also allowed to sell them and were only obliged to consider the dignity of those depicted in photos. During negotiations about the phrasing of the consent form, the photographers made it clear that they perceived the written form as a symbol of lack of trust in the relation rather than a guarantee of their rights. Based on this discussion, we agreed they could work with oral consent from the people photographed. In addition, it was decided to include the identity of photographers and the people depicted in the pictures in order to be true to the purpose of the photo project: to contribute to the recognition of former political prisoners. This decision was made based on reflections about the politics of naming and not naming research participants. While anonymization is a standard practice within most qualitative research, Katja Guenther has aptly pointed out that such practices are not always in line with the interests of research participants. Especially in the cases where researchers seek to give voice to the voiceless or work with political activists, it is often against the interests of research participants to work with anonymization and this practice rather reflects the interests of researchers and research institutions to protect themselves (K. M. Guenther 2009). With the decision to include names in the work about recognition, followed ethical consideration about what information to share about the people who had been named. Because of these considerations, most people depicted in the photos have not been interviewed, since the intimate details revealed in interviews could not be shared with names. In some cases, photos were taken of people whom I had already interviewed. In these cases, interview data has not been used for the analysis in which they are named.

In the remaining part of this dissertation, research participants have been anonymised. This was done to enable sharing of intimate details about experiences of imprisonment, which research participants might not feel comfortable sharing with people who knew their identity. Thus, for example, some interviewees remarked that they had never spoken this openly about their experiences, not even to close family members or friends. In other cases, I witnessed the increased openness that accompanied the development of my relationship with research participants. As we had interacted repeatedly over longer periods of time, some relationships took on a character more akin to friendship than to researcher and research participant. In regard to information shared in such trusting

relationships, it is especially important that the researcher considers what can be shared and how such information can be shared. Lastly, some of the research participants were key actors in political uprisings and as such are famous in Myanmar. When these people chose to share sensitive information, which might hurt their public reputation if shared, it was my responsibility to protect their identity, to do no harm.

To enable anonymization, quotes are marked by year, month and title of the person quoted. Information about the place a given interview or observation took place is left out, since it would in some cases enable identification of research participants. Concerns about anonymization also means that, while this chapter describes general processes and examples of encounters from the field, parts of the process is left out due to concerns pertaining to confidentiality. Among the participants and gatekeepers are people who would be easily identified based on their position in a certain organisation, government agency or because they are well-known political actors. Such people are only referred to directly when they have given their explicit consent and I have evaluated that the writing does not pose a risk to them.

3.4 Researcher Positions

Doing ethnographic research entails stepping into a series of different positions (Alvesson and Sköldbberg 2012). Some are carefully tailored through impression management (Hammersley and Atkinson 2007), others might be uncomfortable and reflect how the researcher is perceived by others (Gaborit and Jefferson 2015). Most, however, are a combination of attempts by the researcher to be perceived in certain ways and the perceptions of others. In Paper II, reflections are presented on positions during fieldwork in connection with gaining access. This section discusses positions not only in the field but the reflections upon my role as a researcher in general, which arose from interactions in the field.

My very first encounters with Myanmar, during pre-investigations, confronted me with dilemmas about not only how to position myself in the field, but also as an author of scientific publications about this place. During the first visit, I was faced with emotionally charged accounts by former political prisoners in a political climate where remnants of the authoritarian regime were still present. I visited organisations that were not allowed to register officially, and who were therefore always at risk of being shut

down. The air was heavy with the fear of repression. Thus, from the onset, it was clear I was now working in a context where there were political forces operating, which strongly conflicted with my basic human values. While I was familiar with how the ideal of a neutral researcher has been left behind in reflexive parts of anthropology, I was unfamiliar with doing research in a context where I was so clearly opposed to some of the actors in the field. This presented me with a dilemma: What role would my political stance against authoritarianism and oppression play for this research? Would it be possible to include such values in the research? Or would I have to repress them while doing research?

Other researchers have struggled with similar dilemmas when working with Myanmar. Monique Skidmore, for example, has studied the culture of fear in Myanmar. In her fascinating book *'Karaoke Fascism Burma and the Politics of Fear'* she describes the position she took:

Ethnography conducted under conditions of fear and terror defies traditional methods of data collection. My fieldwork interpretations and the very framework by which I determine whom to interview and why are consciously embedded in a belief in the need to write against terror (Taussig 1987). I am an activist-by-proxy... I also place myself, as one opposed to human suffering and authoritarianism, in the ethnography. (2004, 33–34)

Thus, doing research in a context such as Myanmar or on topics such as prisons, resistance and dissent can call for writing against terror, human suffering and authoritarianism. It can call for not only placing oneself within the reflexive approach to anthropology (Hammersley and Atkinson 2007), but to actually become an activist-by-proxy by acting as medium for voices that are normally overheard or to engage in action research and attempt to generate knowledge that can alleviate some of the observed human suffering.

This, however, raises further dilemmas about how the researcher is implicated by the people she researches with. Such dilemmas are dealt with in vastly different ways by prison researchers who find themselves doing research about practices they are critical towards.²¹ The spectrum ranges from abolitionists who argue that doing research with prison authorities and working

²¹ Prison research which is not critical towards the prison as institution does exist. This dissertation, however, is placed within critical prison studies. See State of the Arts (Section 2.2) for more details.

for prison reform legitimises the prison as institution and therefore counteracts the final goal of abolishing all prisons (Pavarini and Ferrari 2018). At the other end of the spectrum are prison reformists, who work for improvement of conditions inside prisons through reform (Crewe 2011; Jewkes 2013; Liebling, Arnold, and Straup 2011). Even established researchers, such as Alison Liebling, a prominent voice among researchers speaking for prison reform in the British context, still reflect upon their position as researcher. Liebling (2015) found herself provoked when colleagues called her a ‘policy advisor’ when describing different positions of prison researchers. While she was aware there was no neutral position when engaging with prison authorities, she did not see herself as a policy advisor. She describes her original attitude to research as more ‘purist’, and concluded she had now changed her position by taking one step closer to practice and arguing that researchers must not only create knowledge but also ‘show how this can operate as powerful mechanism in reform’ (2015, 19). Implicit in her presentation of this argument, is her belief that the needed change is reform rather than abolishment. The argument, however, could apply to all researchers creating knowledge that could contribute to social change. If researchers not only have the responsibility to produce knowledge that can create change, but also to show how such changes can take place, all research becomes highly political.

While Liebling writes mainly about the output of research, about the knowledge created, it is important to also consider the effects of the process of conducting research. That is, to consider how during fieldwork and writing the researcher is involved in political practices and can support change.

Recognising the politics of one’s position as a researcher, and actively engaging in the politics of the field one is working with, however, comes at the risk of conflicts between agendas of academia and the political field within which one is moving. These conflicts can present themselves in different ways. There might be a demand to present oneself as an authority and expert within one’s own field in academia, which corresponds poorly with a constructive attitude when working with local communities for social change. Holdren and Touza have described the position of the militant researcher, an extreme position on the spectrum of politically engaged academics, as:

Militant research does not teach, at least not in the sense of an explication which assumes the stupidity and powerlessness of those whom it explains...

Such a perspective is only possible by admitting from the beginning that one does not have answers, and, by doing so, abandoning the desire to lead others or be seen as an expert. (Holdren and Touza 2005; 600)

At first glance this position might seem to contradict Liebling's argument about not only creating knowledge that enables change, but also showing the way for how to create change. This contradiction, however, depends on what kind of knowledge and how it is implemented. In this project, I was inspired by both of the above arguments. On the one hand, I have worked in the spirit of militant researchers by giving voice to the voiceless and disregarding my own preconceptions as I tried to understand their experiences. I have tried my utmost to avoid becoming a neo-colonial knowledge extractor by approaching people as experts on their own experiences and by including them as participants who have a say in the study (Sanjek 1993; S. Turner 2010). On the other hand, I have interacted with prison authorities and when doing so, I have brought the knowledge of research participants to them. When doing so, as a researcher, I have had the responsibility to condense knowledge created through many interviews and disseminate it in a way that supports dialogue as a means to future change and prevention of suffering (Liebling 2015; Skidmore 2004).

Interactions with prison authorities took place during fieldwork. Since fieldwork was concluded, there have been few opportunities to interact directly with agents of change. This has led attention to be drawn to another aspect of the conflict between the position as academic on one hand and being politically engaged on the other: a conflict between the kinds of outputs that lead to change and those that are recognised within academia. I dare to argue, that scientific articles are not the most suitable format to create social change; conversely, pamphlets are probably better suited for gathering demonstrations than presenting in-depth knowledge. In this dissertation, there are four publications that are recognised in academia, but which have little chance of creating social change. In between them, there are photos that were part of a photo exhibition which gathered a bigger audience than any of the articles can expect to get, which had extensive media coverage, which caused strong emotional reactions in the audience and which raised awareness of the struggles of political prisoners. These photos, however, receive little formal recognition in academia and do not 'count' as a publication in this dissertation. The photo project demanded significant resources in the form of time as well as money. The

financial part was covered through the generous funding of the Danish Ministry of Foreign Affairs, but would not have been covered if the Ph.D. had been subject to the standard financial terms at Danish universities. As for the time expenditure, it was a choice to put in the hours to present the knowledge generated from this project in a way that was accessible to all, rather than encouraged by the academic elite. This choice was based on a researcher position as an activist and researcher, positions that partly overlap and concur, but which in certain instances lead to inner as well as outer conflicts. Such conflicts can cause frustrations as well as insights and they lead us to reflections about our own position, as they did for Liebling. By the end of her reflections Liebling concludes:

We [as researchers] don't so much offer advice as show things as they are... We change the world by 'right description'.... We can only do this if we meet whole beings with our whole being. (Liebling 2015, 30)

Thus, while being an academic researcher and an activist is at times challenging, bringing both positions are part of our whole being. Liebling argues that we have to meet whole beings with our whole being to understand things as they are. During fieldwork, the activist position presented in different ways. It was foregrounded when I engaged in action research in connection with *Beyond the Prison Gate*, as described above. But when I interacted with prison authorities it took a different, more subtle form. Though I am an abolitionist, I am also pragmatic. Prisons will not be closed from day to day, and such decisions do not lie with the management of individual prisons. In these interactions, the activist position led me to ask certain questions and to be delighted when a senior prison officer asked me whether I believed there was a connection between the softened approach to prisoners and the increase in prison population.²² Being able to reject such a myth and offer an alternative explanation, gave the officer an argument to abstain from going back to harsh practices of the past.

These are the foundational positions: I am an activist and a researcher and both of these positions take different forms in

²² I rejected this theory by referring to the 'Scandinavian exceptionalism' – a soft approach in countries with low imprisonment rates, and to the harsh approach in US prisons where imprisonment rates are higher. As alternative explanation, I suggested maybe the increasing prison population in Myanmar is a sign of the country catching up with global trends after the country opened to outside influence in 2011.

different situations. I have also been positioned according to other dimensions. Some, such as gender, time spent in Myanmar and my connections to other people are discussed in Paper II. Others, pertaining to language and my connections with two specific people, my language teacher and my research assistant, are discussed below.

On language and positions

The reflexive turn in anthropology has contributed significantly to understandings of the researcher's role in fieldwork, and how it affects the knowledge generated. These reflections however tend to omit details about the role of language and translation. According to Borchgrevink (2003), there is a taboo within anthropology about not being fluent in the language fieldwork is conducted in and the need for interpreters can thus be perceived as a reflection of the shortcomings of the researcher. Borchgrevink critiques this taboo and questions the perceived language capabilities of some of the founding fathers of anthropology. Sarah Turner (2010) concurs with the critique of lack of reflection on the topic and adds her reflections on the role of research assistants as partners in the field. In line with these debates, this section discusses the role of language during fieldwork and how it affected not only my own position, but our position in the field as I worked closely with a research assistant. This section includes reflections on two of the people who played an important role for positioning during research: Saya²³ Htoo Htoo, the Myanmar language teacher, and Michael Muelay, the main research assistant and translator on the project.

When I arrived in Yangon in October 2016 to commence the first period of fieldwork, I embarked on an intensive language class in Myanmar language. For one month, I went through an introductory course and learned the basics of the Myanmar language. By the end of the course, I went through a written and oral exam. In spite of passing the exam top of the class, I still had far to go for my Myanmar language to reach a useful level. I decided to continue my studies with a private tutor together with a fellow student from the previous course. I vividly remember the first classes with our teacher, Saya Htoo Htoo. He was like a whirlwind of energy. He went through basic grammar at an intense pace, while evaluating what we had learned from the first course and assessed at what level our sessions needed to be. He gave us stacks of

²³ Saya is the honourable title used to address teachers in Myanmar. In literal translation, Saya means teacher.

handouts written by himself, with lists of useful verbs, grammar models and exercises. While he taught, he laughed; acted out the sentences we were asked to translate and encouraged us to try repeatedly. After a few sessions together with my fellow student, I decided to continue with individual tutoring, which would be easier to schedule. This changed my language classes immensely, not only because of the increased demand of individual classes, but because this was where Saya Htoo Htoo and I realised that we had a common interest: Htoo Htoo had himself been imprisoned for many years. The content of the language classes therefore changed. While we continued to work on my basic language skills and grammar, the vocabulary we trained now concerned the experiences Saya Htoo Htoo thought I would have to discuss with prisoners; experiences he had himself gone through. I learned about the architecture of prisons and the words used to describe different wards, gates and titles of prisoners as well as prison staff. I learned about torture methods, sentences and amnesties. Sometimes, he added personal accounts from his own experiences to explain why it was important for me to learn certain words. After we finished the last lesson, we met one more time to record an interview where Saya Htoo Htoo told me about his experiences as a political activist before imprisonment and as a political prisoner. Thus, language classes became much more than just studying the Myanmar language. From the onset, the language classes functioned as an introduction to understanding Myanmar culture, and when I studied with Saya Htoo Htoo, the classes became the study of not only Myanmar culture and language, but also everyday life inside prisons. It was a serendipitous coincidence that Saya Htoo Htoo became my teacher, and I am still immensely thankful for this coincidence and for Saya Htoo Htoo's willingness to share his experiences.

Saya Htoo Htoo was not only a language teacher and a participant in this study, he was a cultural mediator (Bassnett 2011). He taught me valuable lessons about Myanmar culture and prison culture. During one lesson, he remarked about Myanmar grammar:

You can move all the elements around, except for the verb. The verb must come last, and that cannot be changed. It is like the constitution of Myanmar, it will never be changed. (para-phrasing from field notes)

Thus, he graciously connected lessons about Myanmar language, to the culture and the political situation around us, where

the NLD engaged in a futile fight to change the constitution against the wishes of the military representatives in parliament. His own position as a former political prisoner, increased his motivation (which I am sure is already very high for all his students) to make me master the language, and his increased engagement in return made me even more eager to live up to his expectations. To my regret, in spite of many hours spend studying; my Myanmar language never became good enough for more than a simple conversation. It increased my understanding of the everyday life I was immersed in, but for the research, I was still in need of a translator.

Recruiting a translator meant considering what qualities were important for good data collection. I interviewed and tried to work with several translators. In the end, the choice fell on Michael Muelay. He was a young student who was familiar with critical thinking and had a gentle appearance that engendered trust. While some of the other translators interviewed had more advanced language skills, Michael's interpersonal skills far exceeded the other candidates. He appeared curious, empathetic, respectful and brave. He easily established rapport with research participants and managed to faithfully translate the content of my questions, while adapting them to be comprehensible and polite according to Myanmar standards. He had a way of making it feel as a natural part of the interview, when he asked me clarifying questions before translating or when he added by the end of a translation 'actually, he did not answer what you asked', to let me know the answer had not gone lost in translation, but the question was left unanswered. Thus, he naturally became part of interviews rather than simply a medium of translation. He was a not only a research assistant, but a research associate as Molony and Hammett (2007) have suggested would be the right term to describe the important role many 'research assistants' play in the research.

During the first round of fieldwork, Michael worked on a freelance basis and was only hired for the days where we conducted interviews or I was going to do observations, where I expected to need translation. In the second round of fieldwork, he was employed full time. On days where we had no interviews or observations that needed translation, he transcribed interviews we had conducted, translated autobiographies by former prisoners and prison officers and assisted in facilitating *Beyond the Prison Gate*. As his participation increased and he became part of the majority of the fieldwork, his presence is also important to consider when considering how we were positioned. Therefore, this section

includes reflections on some of the characteristics of Michael that affected our interactions with research participants.

One important aspect to consider is gender roles (Gaborit 2019a; Gaborit and Jefferson 2015; Phillips and Earle 2010). As a young woman, I have experienced being disregarded and virtually invisible when in Myanmar with my Danish senior male colleagues. Meanwhile, for this research I was mainly interacting with men, so I knew I had to find a way to bridge the divide between genders, not only to be heard, but also to make men comfortable sharing intimate stories about the experiences they had gone through. Some former prisoners have gone through sexual torture, and such experiences are hard to share in all cases, and can be even harder to share across genders. By recruiting a young male researcher, I hoped to enable us to represent both genders as interviewers, in case participants were more comfortable sharing their story with a person of one gender rather than the other. In some cases, this seemed to work, as interviewees changed which of us they addressed while speaking. Sometimes this meant they addressed me, looking in my eyes as they expressed themselves in Myanmar language, and Michael's presence was backgrounded, even if he was still translating. In other cases, it meant an interviewee would focus entirely on Michael, while I provided the questions, I became backgrounded almost as if I was only a notepad full of questions. Of course, this did not erase our genders, but social dynamics during interviews suggest that it did add a certain flexibility to how we engaged with gender dynamics. Meanwhile, his younger age meant that we were perceived as more equal, than what I had experienced in the presence of my senior male colleagues. Though his gender would often be attributed with more authority in this culture,²⁴ I was of the age that would be attributed authority, and this allowed me to speak and be listened to while by his side.

Another aspect of importance was Michael's ethnicity. He is of mixed ethnicity, but looks Kachin, normally lives in Lashio in Kachin state and speak Jingpaw, a Kachin language. In Yangon, several participants suggested this signalled inclusiveness to other ethnic groups and minorities. During fieldwork in Myitkyina, it became an asset beyond what I had imagined. Not only did Michael speak the local language, but he was also able to enter into kinship-like relations with participants. Thus, every interview in Myitkyina

²⁴ Gender roles are being questioned, discussed and reformed in Myanmar these days. Since most of the former prisoners who participated in this story are from an older generation, many of them still refer to older more conservative gender roles (Naujoks and Myat Thandar Ko 2018).

with a Kachin person started with a few minutes where Michael and the participant discussed possible family connections. After the discussions, Michael turned to me and concluded they had now established they were actually ‘brothers in law’, and the interview could begin. ‘Brother in law’ never meant we were speaking to the husband of a sister, but always meant they had identified a common relative, friend or village. Given that armed conflict was taking place between the Tatmadaw and Kachin Independence Army (KIA) while we were doing fieldwork, the trust that was established by Michael being positioned as connected to the community has likely had a big effect on the data gathered during our time in Myitkyina.

Both Michael and Saya Htoo Htoo put significant efforts into teaching me about Myanmar culture and functioned as cultural mediators. Michael, however, also faced demands from others when it came to his local knowledge. As a newcomer, I experienced a certain level of tolerance towards my cultural ignorance – what Robson has described as the ‘role of naïve idiot’ common to researchers entering the field (Robson 1994:47 in S. Turner 2010). Meanwhile, I observed how some participants required Michael to have detailed knowledge about the topics we discussed. Michael, however, had not worked with prisons before and was too young to have lived through some of the events we discussed. One example of the demands he faced presented itself in translations of events like *demonstrations*, *uprisings* or *revolutions*²⁵. These are highly politicised words, as competing discourses have been created by state and opposition. The state would call an event a demonstration to play down the importance of it, while the activists would call it an uprising or revolution to emphasise the importance. If Michael translated these words differently than the agreed way within the community of political prisoners, he was criticised by participants, even if his translation conveyed the meaning of the account to me. The nuances were politicised, and Michael being from Myanmar, they expected him to know these exact nuances.

²⁵ For demonstrations the government tend to use the word *hsanda hpaw htokedeh*, while demonstrators tend to use *hsanda pyadeh*. Both words mean demonstration and refer to the literal meaning ‘to show desire’. The government phrasing is however softer than the one used by demonstrators and thus tone down the significance of the demonstration. On occasions where government does ascribe demonstrations with importance, they do so by referring to their violent character. In such cases they use *manyeinmathet hpyitdeh*, which translates to riot and literally mean: disturbance of peace and order (for more on the interchanging use of ‘peace’ and ‘law and order’ see Cheesman 2015). When demonstrators speak of more demonstrations of key importance they are more likely to speak of *tawhlanye*, which means revolution (based on personal correspondence with two former political prisoners).

3.5 Gaining access to prison

While the reflections above are concerned with the process of fieldwork in Yangon in general, this section offers a practical description of the steps taken to get inside prisons. The section is followed by Paper II, which describes how working without access to prisons for most of the duration of fieldwork forced me to reconsider and reconceptualise ‘access’ and ‘the field’. Due to the challenges of gaining access to prisons, access is a topic of great concern to prison researchers. Previous research has discussed issues arising with gaining formal access, being physically and temporally restricted, navigating relations with prisoners and prison staff simultaneously and seeing what is being kept out of sight (Bandyopadhyay 2015; Jefferson and Gaborit 2015; Reiter 2014; Rhodes 2001; Watson and van der Meulen 2018). Paper II deviates from previous research by discussing how experiences of imprisonment can be accessed through fieldwork outside prisons. However, in the final phases of fieldwork, access was gained to Insein Central Prison. The following section describes the process through which this access was gained.

I commenced fieldwork with a plan A and B. Plan A was to try to gain access to prisons through different channels, while plan B was to conduct fieldwork outside prisons. An incremental strategy was used to gain access to prisons. It was important to establish a proper understanding of Myanmar before even considering approaching the Myanmar Prison Department. As a team (with Andrew Jefferson and Tomas Martin), we therefore took time to get to know the context and the actors within it.

In Yangon, I identified two possible roads to access. In the end, they proved fruitful in combination. The first road was access through the United Nations Office of Drugs and Crime (UNODC). The UNODC had a country programme for Myanmar, which included work with the justice sector. As part of the programme, the UNODC had conducted a survey in selected prisons to evaluate health standards and they were now developing standard operating procedures for health issues inside the prisons and collaborating with United Nations Office for Project Services (UNOPS), who were building health clinics inside the prisons, in which the standard operating procedures were supposed to be implemented (during fieldwork construction of these clinics was still at a planning stage).

The second actor, which was key to gaining access to prisons, was Dhamma Joti Vipassana meditation centre. This meditation centre was part of the organisation responsible for the meditation centre inside Insein Central Prison, where prisoners could

participate in meditation retreats. Dhamma Joti coordinated the retreats and made sure that teachers and food donations made their way into the prison. I had read an account from a former prisoner who had gone to the meditation centre as a volunteer and assessed that this might be a possibility for me too (Swe Win 2013).

I went to the meditation centre and talked to the teachers. It quickly became apparent that I would need to become an ‘old student’ myself to be a volunteer at a retreat. That meant I had to sit through a ten-day retreat myself. In addition, the teachers informed me they would agree to have me as a volunteer at a retreat inside the prison, but only if I managed to get permission from the prison department first.

During the first round of fieldwork, we had several meetings with officials from the UNODC and began to offer input on their prison work. Meanwhile, I nurtured contacts to the meditation centre, sat through a ten day retreat and joined group sittings with old students.

In between the first and second round of fieldwork, we were able to arrange a visit from the Myanmar Prison Department to Denmark with the help of UNODC. This offered a unique opportunity to engage for a full week with senior staff in the Prison Department and to build trust and show them that the Danish Prison Service knows and appreciates our research. The visit consisted of visits to two Danish prisons, the headquarters of the prison service (Kriminalforsorgen), the training school for prison officers and DIGNITY’s offices. And, maybe most importantly, it was a chance to spend a whole week with the officials who would later be key in gaining access for us.

When I returned for the second round of fieldwork, I went to the headquarters of the Myanmar Prison Department, in the formal capital: Naypyidaw, met with the senior authorities who had been part of the delegation in Denmark and proposed a study of meditation inside their prisons. The idea was warmly received, but still had to go through formal procedures and be approved on a ministerial level. This took an additional four months. In June, when there was less than two months left of the fieldwork, I received an email stating that I had been granted access to visit Insein Central Prison for three days to conduct interviews with prisoners and observe an ongoing meditation retreat. The three dates were pre-defined, and the first was the following day.

I went to the prison with Michael Muelay, who assisted with translation and wrote short field notes of the visits. We were followed by two senior guards and a young guard with a camera

who took photos of everything that we did and everyone we interviewed. We interviewed 10 prisoners, while the senior staff were still within sight, but outside hearing range.

After the three days, I came back one more day to conduct a workshop with around 25 senior prison staff from the prison. The day consisted of two presentations about Danish prisons – one by me on request from the Prison Department, and one by a senior staff member in Insein Central Prison, who had been part of the delegation to Denmark. These were followed by a presentation of the preliminary analysis of the ten interviews. Due to the lack of confidentiality, in this setting where they knew which prisoners I had interviewed, I was very careful with my words. I did a presentation about all the benefits of the meditation retreats and encouraged more rehabilitative activities.

These visits generated unique data, as I was the first foreign prison researcher to gain access to a prison in Myanmar. They also offered a chance to get first-hand experience with some of the aspects of prison life that were described in interviews with former prisoners.

The visits, however, took place after a year of fieldwork about prison, outside prison. The practical limitation of not having access to prison during this time confronted me with a different reality and taught me a lot about what other factors are at stake when accessing knowledge about experiences of imprisonment. These other factors are discussed in Paper II.

PAPER II

Looking through the Prison Gate: access in the field of ethnography

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Looking through the Prison Gate: access in the field of ethnography*

Liv S. Gaborit**

Abstract

This article discusses the concept of ‘access’ within ethnography. Schatz’s conception of access as finding the nearest possible vantage point lays the foundation for a discussion of 15 months of fieldwork conducted in Myanmar for a study of experiences of imprisonment that had little access to the inside of these institutions. The article goes beyond an understanding of access framed by a focus on inside and outside and demonstrates how accessing a field from multiple vantage points allows for various views and qualifies nuanced understandings. The article shows how space, time and interpersonal relations affect the vantage points accessible to the researcher. Further, it concludes that working with former prisoners after their release offers potentially clear vantage points that are inaccessible inside prisons.

Keywords: Prison, Ethnography, Qualitative Methods, Access, Myanmar, Fieldwork.

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Access is an issue frequently discussed in prison research. Such discussions often revolve around the issue of getting permission to enter¹ prisons or certain areas of prisons and the practical issues of attaining physical access once permission is obtained (Watson and van der Meulen, 2018; Rhodes, 2001). This paper argues for expanding the ways we think about access. The first steps in this direction have been taken by researchers who maintain that access is an iterative process (Bandyopadhyay 2015; Reiter, 2014) and by prison ethnographers who use auto-ethnography as a tool to inform fieldwork and analysis and address access from this perspective (Jewkes, 2012; Rowe, 2014). These accounts are, however, mainly concerned with the process of gaining access to an institution, that is, entry to prisons. This article argues that in the study of everyday experiences of subjects, the understanding of access needs further unpacking. It argues that to understand the everyday life of prisoners, we need to know more than what goes on inside the prison.

This article is inspired by dilemmas faced during 15 months of fieldwork in Myanmar in 2016-2018.² I went to the field, knowing that I had not yet obtained access to prisons and that it would take time to convince the authorities to trust a researcher and grant access. The country has a history of authoritarian rule that has limited any tradition of openness and trust. The current situation, where political leadership takes the form of a nascent democracy, leaves authorities in a vulnerable position. Although there has been an opening of political space, a continued culture of fear remains (Skidmore, 2004), and authorities are apprehensive about opening prison gates to researchers. I could therefore had little expectations about obtaining access to prisons. I went to the field

¹ Harrington identifies the interchangeable use of the words “access”, “rapport” and “entry” as one of the indicators of the lack of conceptual reflection on access. Following Harrington “this article will employ the term ‘access’ because—unlike entry and rapport—access focuses attention on the social scientific goal of ethnography: access to information” (Harrington 2003:599)

² The fieldwork was divided into two parts, 8 1/2 months from October 2016 – June 2017 and 6 1/2 months from February to August 2018.

with a plan for what to do if access was gained, but also for the more likely scenario that all my work would take place outside prisons.

The majority of my fieldwork took place outside prison with no guarantee that I would ever be able to enter. Only by the end of my fieldwork did I obtain access to a prison for three days to conduct interviews with prisoners, followed by a one-day workshop with senior prison staff. During fieldwork outside prison I approached former prisoners and organizations concerned with prisons and prisoners. From there I snowballed my way to other settings and more research participants. While opportunities to talk to former prisoners were rich, working outside prison was very different from my previous research experiences (Jefferson; Gaborit, 2015; Gaborit, 2013). Even though I had prepared for this scenario, I was astounded by the experience of doing research about prisons from the outside. For months I felt in doubt about whether I was doing things correctly. Where was I supposed to immerse myself among potential research participants who led their lives in so many different contexts? Was I doing ethnography if my research mainly consisted of meetings with NGO's and interviews with former prisoners? Would I ever get close enough to everyday life inside these prisons that I had not even seen? Would I be able to put a meaningful description into writing?

These challenges forced me to reflect upon the methodology of prison ethnography and led me to the following questions, which will be discussed in this article: what is the field of prison ethnography? How does one get access to this field? And, subsequently, is the inside of prisons the ideal site to conduct research and what might other sites contribute to our understandings of prisons?

This article approaches these questions from three angles. The first section concerns finding the nearest possible vantage point (Schatz, 2009) and approaches the questions as a matter of space and distance, and discusses how different spaces affect relational distance or proximity to research subjects. The second section discusses how the positioning of the researcher can lead to

various vantage points. Finally, the third section includes reflections on what I learned after I entered the prison gates.

Access as distance and space – finding the nearest possible vantage point

Fieldwork is an essential part of most ethnography and has therefore been discussed for many years. Malinowski set the ground rules as he established the tradition for studying a secluded site, which would ideally be undisturbed, to observe the natives from a naturalist perspective. According to this approach, average prisoners are far from ideal research subjects:

Those living outside their native state (for example native Americans working in towns; Aborigines employed on ranches; or, in Radcliffe-Brown's case cited above, prisoners forcibly held in a penal settlement) came to be considered less suitable anthropological objects because they were outside "the field", just as zoological studies of animals in captivity came to be considered inferior to those conducted on animals in the wild (Gupta; Ferguson, 1997:7).

Prison ethnography, being a study of institutions constructed by states, is far from the Malinowskian ideal; it is a study of people who have been removed from their homes, and of the everyday life that arises in this confined social reality (though the boundaries are blurred as argued by Cohen, 1985).

There is a remarkable contrast between the outset of ethnography, when it was undertaken to study strangers in remote and undisturbed territories, and the present day, when ethnographic methodology is commonly used to study familiar social structures, such as those in a prison. This illustrates how far ethnographic methodology has developed and how ethnography has a long history of methodological innovations.

Since Malinowski, ethnography has developed to fit the modern reality of globalization, in which most sites have been 'disturbed' by outside influences, and ethnographic methodologies are used to study phenomena across sites. In recent years the

development has continued as researchers have argued that ethnography is useful even for studies without actual fieldwork, because of the usefulness of an ‘ethnographic sensibility’ (Schatz, 2009). Some researchers go so far as to suggest arbitrary locations (Candea, 2007) and non-local ethnography (Feldman, 2011). Many standard procedures have been broken and adapted. Still, some prison researchers refer to the old ideals as they reflect upon their practices. When doing research in prisons, a researcher must adapt to security measures of the institution, which often conflict classic ethnographic methodology. This happens when researchers are confined to limited parts of prisons, at certain times, and are limited to speaking to predefined groups of people. Some go as far as describing prison ethnography as quasi-ethnography due to the limitations of immersion when working inside prisons (Bandyopadhyay, 2015).

Although fieldwork is a key feature of ethnography, there are major variations in approaches to fieldwork and the demands of different field sites. In a discussion of the definition of the “field” of ethnographic fieldwork Gupta and Ferguson (1997:2) write:

This mysterious space – not the “what” of anthropology but the “where” – has been left to common sense, beyond and below the threshold of reflexivity.

Since Gupta and Ferguson’s analysis in 1997, others have transgressed this threshold of reflexivity in discussions on what the field of ethnography is and how ethnographic methods can be useful to other disciplines. This paper draws on discussions of ‘the field’ from Political Ethnography³ (Stepputat; Larsen, 2015; Schatz, 2009) and Critical Psychology⁴ (Jefferson; Huniche, 2009). Political ethnography contributes with discussions about what constitutes

³ Defined as the subfield of ethnography concerned with formal political procedures and their implementation (Schatz, 2009; Stepputat; Larsen, 2015).

⁴ Defined as the particular subfield of psychology of German and Scandinavian critical psychology as a subject science (Holzkamp, 2013).

the field in studies of non-local phenomena such as policies, and how to approach research in places where access is limited. Critical Psychology contributes with discussions about how to approach the experiences of subjects by following their trajectories across different places (Dreier, 2003; Jefferson; Huniche, 2009).

While the field has transgressed the threshold of reflexivity since Gupta and Ferguson's famous work on locations, there is still some work to do to make 'access' transgress this threshold. In a review of literature about access within ethnography, Harrington (2003) concluded that while access processes have been discussed, our conceptual understanding of "access" remain fragmented. She identifies five ways access has been described: "common sense", anecdotes, checklists, role-playing, and exchange" (Harrington, 2003:600). However, Harrington affirms that all these approaches lack a theoretical foundation. To overcome this fragmentation and create a theoretically informed understanding of access she suggests drawing on social psychology and particularly social identity theory (Tajfel; Turner, 1979) and self-presentation theory (Goffman, 1990). Harrington's analysis opens new paths by addressing how the 'skillful negotiation' that takes place in encounters between ethnographers and research participants affects access. This article seeks to further develop our understanding of access by discussing the interplay between our conceptual understanding of 'the field' and the access we seek.

The work of Schatz in his edited volume *Political Ethnography* (2009) is inspirational and takes the first steps in this direction, though there is still some distance to go. Schatz argues that: "access is a sliding scale, not a binary". Not only in prisons, but in all ethnographic fieldwork sites, "'inside' and 'outside' are no longer (if they ever were) meaningful categories to describe the access of ethnographers". Rather, Schatz (2009:307) recommends, ethnographers must "strive for the *nearest possible vantage point*". In my case, the prison was not the object of study itself. I was studying *experiences of imprisonment*. Not being allowed entry to the prisons thus forced me to reflect upon what the *nearest possible vantage point* to the experiences of others would be. Is

participant observation inside prisons key to understanding experiences of imprisonment? And where else might we find suitable vantage points for this object of study?

So where does a researcher go during 15 months of fieldwork about prisons if she has almost no access to those prisons? I spent my time at the offices of civil society organizations that work with prisons to learn about their work and talk to former prisoners among the staff. I went to teashops and restaurants for informal chats with former prisoners. I talked to former prisoners who now worked as taxi drivers, as we drove through the streets of Yangon. I attended events such as anniversaries of important political occasions, religious festivals and even the wedding of a former prisoner. I spent time at a rehab clinic, where drug users underwent voluntary confinement as part of their treatment and interviewed former prisoners among the clients. I went to monasteries and joined a meditation school, which was responsible for meditation courses inside some prisons. I spent time at the homes of former political prisoners and invited some to my home. My fieldwork took me around the city, as would the daily lives of people living in Yangon. I joined former prisoners in their daily life and witnessed how their past experiences in prison affected their current lives.

While at first, fieldwork outside prison was a pragmatic solution, along the way I realized that some places offered possibilities that had not been available in my previous work inside prisons. Sometimes, the skies would clear and my vantage point, though geographically farther from the place experiences had taken place, offered a clear view.

This happened several times when I visited former prisoners who still lived in the township where they had been imprisoned. Once, while sharing lunch in a local teahouse, a former prisoner pointed out to me that some of the other customers were wearing khaki pants. While they had taken off their jackets, their trousers revealed their identity as prison officers. The former prisoner had chosen this place for our lunch and now told me it was a regular hangout for prison officers. The visit to the teashop seemed like an

act of resistance. People in the area knew who he was, they knew of his past. His presence in the teashop was noticed, particularly because he was with a white woman and a local translator. There, where the officers could see but not hear us, he continued our conversation about how rotten the prison system was.

While he had gained freedom of movement after his release, he was still bound to this area. Much of his income came from the prison officers in the area and his business was located there. He could not afford to move the business to another area. Yet he was not happy with the presence of prison officers and he disliked being close to the prison in which he had been confined for years. Instead of avoiding them as much as possible, he appeared to confront them on his own terms. He participated in public debates about prison conditions and chose to eat in places where they were present. He insisted on having as much of a claim to the teashop and other spaces in the neighborhood as the officers – an affirmation that they have equal rights – a significantly different situation from what he had been used to in the relation to prison officers during more than a decade inside prison.

Previous discussions of the permeability of the prison walls have mostly focused on what goes into the prison and how this deviates from Goffman's description of the total institution (Goffman, 1961; Armstrong; Jefferson, 2017). In this example we see a different consequence of the permeability of prison walls, expressed in the increased presence of uniforms, prison officers and former prisoners in the vicinity of the prison. Though other rules apply on the outside, former prisoners as well as prison officers recall the rules in force when they were all on the inside. In this space, I became part of the struggle of this former prisoner, my presence supported his action, simply by the number of people accompanying him and by the signal value of being with a foreigner. I felt the alertness I also saw in him, when we saw the guards or when I drove past the prison on my way to and from our meetings.

Another former prisoner invited me to his home in a different part of town. After we had a chat about the ways he

supported other former prisoners and their families, he took me to meet his mother. They shared a home and he and his wife were taking care of her since she was sick and could not get out of bed. I experienced first-hand the daily frustrations and despair he and his mother faced because of the limitations of her illness. I sat next to her and spoke the few phrases I knew in Burmese, unable to understand her answers without the help of her son. Meanwhile, he was occupied looking through his books for documents from his time in prison. There was a sparkle in his eyes as he showed me the documents and told me about his acts of resistance committed while in prison. The sparkle faded when he explained that although he still wanted to be an activist, he had to take care of his mother and his family. Instead of working in the political movement for no or low pay, he took a less political job with better salary and job security. Before I left, he told me that he had invited me to his home to show me his real situation. That, for my research, it was important that I understood. I left his home full of emotions. I felt sympathy for his sick mother, and for the fact that he and his wife had to care for her, and deep respect for the strength he mobilized living farther from the struggle, yet part of it whenever possible, and to do all this with a brave smile on his face. This was the first time he allowed me to see behind the brave smile. Most of all, I left his home struck by how generously he had shared his life with me, allowing me to look into such intimate details of his everyday life.

For the study of personal experiences, a person's home can offer a particularly interesting vantage point (Szokolczai, 2008). Unlike a cell, where prison rules govern the amount and kinds of personal belongings a prisoner can have, and the ways in which he can make the cell his own, a home is a space that can be adapted to the needs and desires of the person living there. Much can be learned about a person simply by studying the ways he has decorated his home and the stories personal belongings tell. Furthermore, the home is a space for intimate relations, in this case, with the family members he lived with. It is a safe space, where research participants can feel more at ease sharing their

personal stories. Finally, the home is a place where the inhabitant chooses who can enter. The homes I visited had no formal access procedures and I did not 'apply for access' by inviting myself. The research participants invited me to these homes.

The participant in the example above later told me that he wanted to engage with me because he had never seen anybody do research like this in Myanmar and he thought it would have great value. Later, a common friend told me that the research participant had said it was easy to speak to me about his prison experiences, because "I knew", because "I had been inside". That fact that I had experience working in prisons in other countries and had given him the impression that I understood the dynamics at stake, was enough for him to position me as a sort of insider to "the prison".

In both these cases, the former prisoners were able to use space as a way to show me their lives. Though I had talked to both for hours and tried to approach their experiences through words, these experiences added another layer to my understanding. They offered what Rhodes calls "a punctum" (Rhodes, 2015), a significant moment, where the shared embodied experiences led me to realizations about what could not be seen or put into words. The former prisoners used the agency they had outside prison to take me places and show me the limits of the freedom they had regained.

Because I was working outside prison, it was possible to follow former prisoners across contexts and into contexts that had particular significance for their experiences of imprisonment and in which they were less at risk and thus felt comfortable sharing more intimate details of their experiences. According to the German and Scandinavian schools of Critical Psychology, subjects are constituted through the different social practices they participate in, through their life trajectory across these practices (Dreier, 2003). Being able to move with former prisoners across different practices they participate in, offers the potential for a multifaceted understanding of them. When studying people in only one context, we risk losing sight of the multiple practices that they engage in

and of the trajectory across practices that shape them. If we only study prisoners while they are in prison, we risk mistaking the markers of culture for the individual differences and similarities that occur as a result of the trajectory across the different social practices the prisoners participated in before imprisonment (Jefferson; Huniche, 2009). Jefferson and Huniche, both psychologists by background who do research with an ethnographic methodology, argue that following people across different contexts allows studying *persons in practice*. Studying persons in practice does not only mean to study subjects and the context they act within, but to study subjects as they are constituted through their participation in social practices.

Doing fieldwork in which sites are chosen according to where the subjects of study participate, is in some ways similar to multi-sited fieldwork (Marcus, 2011). However, rather than defining it as multi-sited and across separated sites, Jefferson and Huniche argue that we need to develop our understanding of “the field” to encompass the various practices a person participates in:

...a changing (less geographical) understanding of the field, brings the work of anthropology closer to studying persons in practice rather than studying the markers of cultures (Jefferson; Huniche, 2009:16).

Thus, we might consider the multiple practices a person participates in as one field, where the field is defined:

As an epistemological construct, it is thus not necessarily spatially bound but depends upon the delineation of the social phenomenon under investigation (Meissner; Hasselberg, 2012:87).

When applying this understanding to the study of experiences of imprisonment “the field” expands to social practices that shape the way prison is experienced, that is, to the lives of prisoners before and after imprisonment.

In the two examples above, being able to participate in other contexts and practices that are part of the lives of former prisoners, enables understanding prison as only one nodal point on their life trajectories. This approach offers a deeper understanding of the former prisoners, while the prison as institution is downplayed as one context among many.

Simultaneously, as I study “the field” it becomes part of my own trajectory, which when visible to others affects the possible ways in which I can be positioned and thus the access I am able to gain. My life trajectory not only affects the way I am seen but also the way I see my subjective experience (Holzkamp, 2013). I saw the field through a specific lens colored by the stories I previously heard from former prisoners and prison staff in Myanmar and by my experiences inside prisons in the Philippines, Lebanon and Sierra Leone (Jefferson; Gaborit, 2015).

Researcher positions as vantage points

Positioning is an ongoing process and as such, a general discussion of the vantage points my positions offered during the full period of fieldwork is arbitrary. I have been positioned differently at various points of time by various people in various situations. I have sometimes attempted to manage how I was positioned, at other times I have been positioned without fully knowing how or why or even against my liking. This section will look at some of the instances when the way I was positioned clearly had an effect on the understandings I could and could not access.

When speaking about positions, researchers often describe themselves according to certain dimensions, such as gender, class and race. According to these dimensions I might be described as a white (Danish), middle class woman. These dimensions are, however, not fixed, but can be performed and interpreted in multiple ways:

All the examples suggest that finding a match between the researchers' identity and the categories available in the field is a matter of skillful negotiation of symbolic interaction processes rather than happenstance. Even seemingly inflexible traits like gender or race can be presented in a variety of ways, some of which are more strategic than others (Harrington, 2003:605).

These characteristics were not fixed, but rather flexible and could be molded to fit different positions. To understand the iterative process of positioning it is important to look closer at how these and other characteristics are brought into play, and for this analysis, how they affect the knowledge I can access. For the general reflections on these characteristics, I want to add that I was not just white or Danish, in Myanmar I was a "foreigner" – a stranger grouped together with the colonialists of the past and the aid workers and diplomats of today. Aware of the connotations of this position, I did my utmost to make it clear that rather than coming from abroad with rules and recommendations, I had come to learn, and I saw the participants in my research as experts.

Being a woman was a complex factor in fieldwork, and one which I admittedly still do not fully understand how affected my interactions in the field. Traditional conceptions of gender in Myanmar tend to grant more authority to men than women. In the cosmopolitan setting of Yangon, however, these gender roles are being challenged and there are many examples of women being respected as authorities. In my case, adding the qualification *young* woman would subtract even more from my possible authority, while the fact that I am a PhD fellow at a foreign university would add authority. Meanwhile, I dressed in a mixture of traditional Burmese and Western clothes. Most days I wore a *longyi* (Burmese skirt) and a t-shirt. In some cases this helped me fit in, in others it made me look more conservative than the young Burmese women. Since I mostly associated with men who had grown up before it was normal for Burmese women to dress progressively, inspired by western and Korean fashion, I decided to dress more conservatively.

Data is not just something we collect. It is generated through our engagement with the field, as we turn on the recorder, put our pen to paper or push the shutter of our camera. This has consequences for how we must think about access. We can no longer conceive of access as something we need to get to that place where we can collect data, but as an iterative and intersubjective process. In that process, the ways in which the researcher is positioned in interactions with participants affects what data it is possible to access and generate.

During my fieldwork there were several instances when it was clear to me that the way I was being positioned affected my access in the field. One instance was on a morning during breakfast with yogis outside the meditation center where I occasionally joined the weekly group sittings. The meditation center is connected to meditation retreats that take place inside prisons and some of the yogis are former prisoners. At the breakfast table two former prisoners introduced me to the other yogis. Quite predictably I was introduced as a researcher from Denmark, who was writing a PhD about prisons in Myanmar. However, the next part of the introduction, described here in an extract from field notes, surprised me:

He then added that my uncle had been doing meditation for 25 years and was practicing the U Goenka method here in Burma too. Aung⁵ corrected him and said, actually, it was quite recent that my uncle had found this specific method, I confirmed, only two years ago. Aung added, that now my uncle thought this was the best way in the world to do meditation. I am not sure that is exactly right, but I let it be (Field note, 2017).

I was only allowed to be present at this breakfast because I had myself become an *old student* – one who that taken at least one 10-day retreat with this particular school. I was, however, still a newcomer to the group, since I had only been coming to the

⁵ Pseudonym.

center for a couple of months at this point. Rather than sharing this information, the yogis chose to share the story of my uncle's long-term engagement with the method and position me as an insider by proxy.

This shows the vast possibilities for drawing on various aspects of our own past experiences and characteristics when we examine how a researcher is positioned and how that affects her access to the field. We therefore need to look not only at the classic categories such as gender, religion and class, but also at the complex processes through which aspects of our autobiography are put into play. In this case, we even moved beyond my autobiography and included experiences of a family member.

As the fieldwork progressed and I had spent more time in Yangon, not only my history but also the connections I made in the field gained importance. Because the fieldwork was conducted outside prisons, I had the chance to immerse myself through long-term fieldwork – to a degree rarely possible for ethnographers doing fieldwork inside prisons.

Bandyopadhyay describes the limitations and challenges prison ethnographers face when working inside a prison for a limited time and under the governance of prison authorities. While Schatz (2009) encourages us to think of access not as a binary inside/outside, but to look for the *nearest possible vantage point*, Bandyopadhyay reminds us that access is a continual process. She describes how during her fieldwork, she was performing a balancing act, building rapport with prisoners while maintaining the distance that was vital to retaining permission to access the prison. Furthermore, she describes how the limited access often confronts the researcher with a temporal limitation.

The official structuring of the researcher's and the subject's time, the contradiction of subjects having all the time in the world, yet not having enough control over it to give it to the researcher as and when it was mutually convenient, the urgency to collect data quickly and the slow process of gaining trust – all these issues frame time in prison fieldwork (Bandyopadhyay, 2015:453)

Both prisoners and researchers are subject to the official structuring of time, though in different ways. When doing research outside prison, it is possible to avoid being limited by the official structures of the prison in the ways that Bandyopadhyay describes. When working in the streets of Yangon, I was not limited by authorities directing me to stay in certain areas, keep a certain distance from (former) prisoners or to come and go at certain times. I was able to let the life of the former prisoners be the guiding principle for where to go and how long I could stay. Still, I had to be aware of how my presence in different contexts and relations with various people might affect the way I was perceived by authorities, if I were to gain access to the prisons one day, and in relation to various groups of former prisoners who in some cases had conflicting opinions. Thus, while I was able to move more freely outside the limitations of prisons, some limitations remain in any field ethnographers engage in.

My various alliances were brought into play by several actors. At one point, a former prisoner who knew I was negotiating with authorities to gain access to the prison told me to 'speak to your friends in the ministry'. I felt resistance to being positioned as someone with friends in the Ministry of Home Affairs by someone who had been imprisoned for his fight against these authorities and who was still engaged in that struggle. When I finally gained access to the prison, prison authorities confronted me with a picture of me in a teashop with a former prisoner who was an avid critic of the prison system. It was the same former prisoner who had taken me to the teashop where prison officers came as described above. I knew he had uploaded pictures of our meetings on his Facebook and that they had gained a lot of attention. The authorities asked me what I was doing with him. I calmly replied that I spoke to him about his experience as I had spoken to many former prisoners. They asked me if he had said bad things about their prison, I replied that he had said good and bad things like many others and that I was sure they already knew what his critique of the prison was. When I was first confronted with the picture I was afraid it would cause problems, but after my short

explanation the picture was put away and the atmosphere relaxed. I had not lost the access to enter the prison gate, but I had surely been positioned in a way that would affect the level of trust from some prison officers and therefore my access while inside. The various situations I participated in not only offered different vantage points. I too was observed when I accessed vantage points, in this case, the vantage point served as a platform for the former prisoner to show our connection to the world.

These two examples point to how my connections affect how I am positioned. And my own reactions show how I am more comfortable in some positions than others. For the purposes of this study, I sought to throw a wide net to connect to various actors. As a person, however, my allegiance to the prisoners is stronger than to the authorities. I therefore felt uncomfortable when positioned as having “friends in the ministry”. Being associated with a critic of the prison on the other hand raised my concerns about the possible consequences of this position, but as an abolitionist at heart, it did not make me uncomfortable about how I was perceived. This speaks to the long debate within prison research about “whose side are we on” (Becker, 1967; Liebling, 2001; Sim, 2003) and Skidmore’s notion of ‘writing against human suffering’ (2004). It also illustrates that the issue of balancing between building rapport and distancing is not exclusive to work inside prisons. Inside prisons the risk of the gate being closed might enhance the importance of this balance and prevent you from getting ‘too close’ to prisoners, since prison authorities are able to surveil your work. Outside prison, I enjoyed the privilege of being out of sight – both of research participants who may have differing opinions, and of authorities whose approval I would need to gain access to prisons. This enabled me to move between different groups. Over time, however, as I became more established in the field and my connections grew stronger and stable so did my positions. I was no longer a newcomer with a clean slate; I was a yogi from the U Goenka tradition, someone who had talked to many former political prisoners and someone who had been trusted with access to the prison. All of these positions ascribed me

with an authority to speak about the prisons but were also positions that narrowed the playing field within which I could chose my vantage points. As time went by, I became more familiar with the view of the vantage points I had accessed, though my flexibility to access new vantage points through different positions was limited.

Postscript – the view from within

When I had less than three months left of fieldwork I received an email stating I had been granted access to Central Prison Insein in Yangon. Together with my research assistant, I reviewed the permission letter. As he translated it we realized it stipulated that my access was for three specific dates, the first of which was the following day. Within moments, my situation had changed. Over the following two weeks I conducted three visits to Central Prison Insein and one month later I visited the prison one more time to conduct a workshop with senior prison staff.

The HQ of the Myanmar Prison Department assured me that special security measures were taken for the days I would visit. Inside the prison I was escorted by two senior officers, one male and one female and a junior officer documented the visits with a camera. When we walked across the prison compound to reach the meditation ward where part of my work took place, staff saluted my senior companions and all of the prisoners kneeled into squatting positions. Though I was finally inside the gate, it was clear that I did not have access to observe normal everyday life inside the prison. My visits offered me a specific vantage point, seeing the prison through an extraordinary visit. Even so, it was a vantage point that revealed a lot about the prison. Though parts of the visits showed a beautified version of the prison, a charade within the control of the authorities, the prison would sometimes show its ugly face. I saw prisoners falling through the less than human sized doors of the gate when forced to wear foot-chains when going to court, prisoners removing their own foot-chains with a hammer and anvil and heard the deafening level of noise

outside the visiting rooms. I saw glimpses of what the authorities wanted me to see as well as what they preferred to keep unseen. As the visits progressed, the officers were more relaxed in my presence. It became possible to move to more areas of the prison and my entourage decreased to just one officer.

During the visits I was able to interview 10 prisoners, always with prison staff in the room, within sight, but outside hearing range. Interviews took place in the meditation ward, the female ward and the office of a senior officer. All prisoners appeared for the interviews in their best clothes. The men in standard blue prison uniforms, which were cleaner than those used by most prisoners we walked past. The women wore white shirts and brown *longyi*, which is how they dressed when they would leave the prison for a court hearing. The meditation ward had the most relaxed environment, and here the interviewees took more freedoms to add opinions and stories about their lives that were not directly called for by my questions. In the female ward the freedoms interviewees took varied, while the variance seemed somewhat connected to the level of authority of the prisoner being interviewed. In the officer's office, interviews were more formal. One interview almost took the form of an exam, as the interviewee entered the room very nervous and remarked he was not sure his answers were good enough, since he had 'never done a question and answer like this'. The situation was further complicated by the fact that his mother tongue was an ethnic language my translator did not master and the prisoner spoke little Burmese. He calmed down as I assured him there were no right or wrong answers to my questions and that I could relate to his problems with the Burmese language, since I myself was still unable to master it after a year's study. Like outside prison, the content of interviews varied depending on the context in which they took place. The contexts varied from a familiar meditation ward, to an office that was meant for officers rather than prisoners. Most importantly, none of these places were chosen by the prisoners. While the interviews generated rich data about a specific part of the prisoners' life in

prison, their experiences with meditation, they only represent a fragment of what it means for them to be prisoners.

The prison visits allowed me to catch a glimpse of the mysterious context I had been working with for so long, but had never seen for myself. The visit included few surprises, but confirmed the understanding of the prison I had gotten based on fieldwork outside. The previous fear about whether I understood this place I had never visited was alleviated.

So was the prison visit key to understanding experiences of imprisonment? Yes and no. Outside prison, a wider spectrum of possible vantage points and adequate time to get close to participants created rich possibilities to access intimate experiences and the multiple social contexts that constitute former prisoners. Inside prison, it was challenging, if at all possible, to build the trust necessary to be allowed access to such personal experiences and they could only be understood through the one social practice the prisoner participated in at the time. Therefore, access to prisons was not essential to the study of experiences of imprisonment, although it offered an added value through familiarity with the prison, an added flavor to the stories I had previously heard. For studies of other aspects of imprisonment, access to the inside of prisons likely has increased importance. For example, during prison visits it was possible to observe the social interactions – between prisoners as well as between prisoners and prison staff – in detail.

Conclusion

If prisons are so inaccessible, why not leave such challenging contexts behind and settle for countries where gates to prisons open more willingly? Or, institutions that are open to the scrutiny of a researcher? Because it is necessary to scrutinize what happens behind closed doors (Jefferson, 2014). As Schatz affirmed in relation to political ethnography:

If one lets relative accessibility dictate the terms of research engagement many fundamental questions about politics will go unaddressed (Schatz 2009:307).

Engaging with these fundamental questions and venturing into challenging fields of research calls for thorough methodological reflections. This offers a potential for creative development of ethnographic methodology (Reiter, 2014). As prison ethnographers can learn from political ethnographers or critical psychologists, prison ethnographers can share lessons learned from engaging an extremely challenging context with ethnographers working in seemingly accessible fields. While these conclusions are developed through analysis of prison research, they raise issues relevant to all ethnography.

To conclude, let us return to the main questions of this paper – what is access? And what is the nearest possible vantage point? In agreement with previous research the article has demonstrated how access is an iterative process. The analysis has exemplified how reflection upon one’s own positions in the field can increase the opportunities to access multiple possible vantage points while in the field, as well as improve the understanding of data. Lastly, the article has called for understanding the field as a social phenomenon rather than a geographical location.

When doing prison research, ‘the field’ is more than the prison. When studying experiences of imprisonment, the field is constituted by all the contexts included in the social phenomenon of imprisonment (Jefferson; Huniche, 2009; Meissner; Hasselberg, 2012). Prisoners and staff have a life outside prison – even if it is sometimes a past experience or imagined future. Therefore, the inside of prison is not always the most suitable site for prison research. Depending on the specific topic of research, other sites might offer just as good and sometimes even better vantage points. This calls for prison researchers to not only seek access to the insides of prisons, but also to the lives of prisoners before and after imprisonment. These tasks can be just as challenging as gaining an official permit to enter a prison. It is no easy task to identify

possible future prisoners or seek out former prisoners trying to escape the stigma of the label as “prisoner” (Gaborit, in preparation).

This article demonstrates the importance of examining the life trajectories of (former) prisoners because of the effect they have on the way (former) prisoners ascribe meaning to experiences of imprisonment. By following prisoners, as they move across space and time, by going beyond the limitation of conducting fieldwork only “inside” prisons, it is possible to better understand prisons as institutions and the effects they have on people who pass through them. This approach has consequences not only for our understanding of prisons and confinement but also for a general understanding of “the field” of ethnography. It shows the potential of understanding “the field” as an entangled web created by the life trajectories of the participants in the social phenomenon under study. It calls for ethnographers to go beyond a binary understanding of access as determined by an inside and outside, and rather see themselves as moving around within the web of life trajectories that compose the social phenomenon of the field.

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VISUAL INTERLUDE IV



Ko Min Thaway Thit was imprisoned in 2015 for his role in the protests against the new education bill and released in 2016. The pictures show how activism makes it into the most happy and intimate moments as Ko Min Thaway Thit and Ma Po Po decided to campaign for the IDPs in Kachin even on their wedding day. Other pictures show how Ko Min Thaway Thit's contributes to improved access to education through volunteering at Thanlynn Owai Free Education Centre. (Photo: Phyo Dhana Chit Lynn Thike)



Maung Saungkha was first arrested on November 5, 2015 and charged with defamation under telecommunication law for a poem he posted on Facebook. He was released on May 24, 2016 when he received his sentence of 6 months, the same amount of time he had already spent in detention. He was recently detained again, on May 19, 2018, for his involvement in the demonstration for peace at Tamwe. He was released on bail and the case is still ongoing. He undauntedly continues to work for freedom of expression. (Photo: Phyo Dhana Chit Lynn Thike)





CHAPTER 4

Theoretical framework: Imprisonment as liminal experience

In this theoretical framework, the main theoretical approaches of this dissertation are discussed and specific concepts defined. The general approach draws on critical phenomenology (L. Guenther 2013) as it takes *experiences* as point of departure for analysis, while understanding subjects as constituted socially. This conception is placed within an ontological perspective that allows moves between multiple ontologies encountered in the field (Holbraad and Pedersen 2017; Mol 2002b), when subjects for example switch between secular and spiritual understandings of their experiences, and in analysis, when experiences are communicated in ways that both respect the ontology embedded in the data at hand, and the ontology of imagined readers of these publications.

The phenomenological approach calls for taking experiences seriously, independent of how and if they correspond to a material reality, since they shape the way we interact with this world (James 2012, 19). Critical phenomenology goes one step further by looking at the process as dialectic, that is, the self is created through interaction with the world while simultaneously experiencing the world. The ontological approach allows us to venture even further and see different experiences as different ontological realities existing simultaneously (Mol 2002a). In this dissertation, this approach allows for analysis in which social and spiritual transcendence are understood as equally 'real' in their respective ontologies. Thus, critical phenomenology argues that the self is socially constituted and the ontological approach adds that the remainder of the world too is created through social practices (L. Guenther 2013; Mol 2002b).

In addition to this overall framework, this chapter describes the specific analytical concept of *liminality* and how it is used to approach the complex reality in Myanmar in general and prisons in

particular (van Gennep 1960; V. Turner 1970). This dissertation identifies liminality as an analytical concept that offers a potential to understand aspects of experiences of imprisonment otherwise hard to grasp. This adds a significant theoretical contribution to the field of prison studies previously explored by few scholars (Jewkes 2005; Moran 2013; Green 2016).

4.1 Linking theories and realities through ontological perspectives and critical phenomenology

This study engages with multiple existing ontologies (Mol 2002b). One of these is grounded in the spirituality ever-present in Myanmar (Walton 2016). To understand experiences of imprisonment in this specific context, this spirituality must be considered. On many occasions, prisoners have described experiences that might be categorised as hallucinations or even psychosis if seen through the ontology of medical materialism. By pathologising, however, the structural violence of prisons risks being individualised as a psychiatric diagnosis. Instead of pathologising, this study approaches such experiences as real, as experiences lived through, though in a different ontology. In the Myanmar prison system, another prominent ontology is present in parallel with the spiritual ontology. The modern prison springs from the Enlightenment period and have since been shaped by colonial powers, local political developments and the international society (Garland 1985). This system is based on realism, which influences the rules and regulations that govern Myanmar prisons. Through this system, prisons are governed according to ideas about security, punishment, rehabilitation and reform, through an ontology that differs significant from the spirituality that permeates Myanmar society.

Additionally, this research is written with an audience in mind that might be unfamiliar with life within an ontology that recognises spiritual experiences like the ones described in Paper III. This creates a need to explain and justify the experiences, to grant them the space they deserve when read through a different ontology. In this dissertation I try, to the best of my ability to perform this translation as I make sense of the data in the intersection between these ontologies. Let me apologise in advance for any shortcomings in this endeavour, and invite the reader to join me on a journey to see the world from different vantage points.

Prisoners and prison staff navigate between multiple ontologies every day (Mol 2002b). They refer sometimes to one and sometimes to the other ontological stance in their explanations of why things are as they are. One prisoner told me she believed she was imprisoned due to her previous wrongdoings, not in a legal sense, but in the form of bad karma. Bad deeds in this or a previous life had led her to the suffering she faced in the form of imprisonment. Through this belief, she used prison as an occasion to change and committed herself to be a faithful Buddhist after release, to make up for these previous wrongdoings. When I asked her if the same applied to her brother who also went to prison, she told me that his was a very different situation. Her brother suffered because he was a drug user, and drug use is a societal problem not connected to his individual behaviour. Thus, she navigated in between different explanations of why people go to prison, drawing on different ontological perspectives. In one, people's lives are determined by past actions, in another lives are determined by societal structures. While she willingly took on the fault for her own imprisonment, she did not ascribe the same guilt to her brother. Instead, she drew on a different explanation of why people go to prison, one that would relocate the cause of his suffering to a more abstract entity of 'society'. To the corrupt state she had fought against, in which drug lords are allowed to operate if they pay off the right people, while drug users are criminalised. By changing between these two modes of explanation, she navigates in a way similar to other people inside as well as outside prisons in Myanmar.

Like prisoners and prison staff, the analysis in this dissertation moves between ontologies, as it follows prisoners while they draw on various logics and when applying theory developed elsewhere within different ontological logics, to understand experiences of imprisonment. In the encounter between data and theory, one ontological approach is not privileged above another. Rather, the analysis navigates in between them and uses them to experiment with '*how things could be*' (Holbraad and Pedersen 2017, 293):

Ontologically inclined anthropologists distinguish themselves by rendering their own thoughts (and therefore their own concepts) subject to the same degree – and ideally the same kind – of experimental intervention as the people whose lives they study and engage with in their field sites, including their own life as ethnographic fieldworkers. (Holbraad and Pedersen 2017, 24)

This approach is in agreement with the previously described methods inspired by action research and activism and action research (Arieli, Friedman, and Agbaria 2009; Brydon-Miller, Greenwood, and Maguire 2003). Further, it adds to these approaches, by not only recognising participants as experts on their own experiences, but by also recognising the need for questioning and setting aside the researcher's own ontological assumptions.

To explore these experiences, the study draws on critical phenomenology as described by Lisa Guenther (2013) in her study of social death in solitary confinement. Guenther draws on classic phenomenological approaches, but argues that accounts of the phenomenon of social death in connection with solitary confinement reveal the shortcomings of a first-person singular perspective to understand human experience. She therefore argues that critical phenomenology must add understandings of the role of intersubjectivity in individual experience to add understandings of 'the complex textures of social life' to classic phenomenology (2013, xiii).

For me, what is most valuable about the phenomenological tradition is the insight that there is no individual without relations, no subject without complications, and no life without resistance. (L. Guenther 2013, xv)

Through this perspective, individual experiences are understood as socially constituted. According to Guenther, this explains why some people become 'unhinged' in solitary confinement, when deprived of the social structures through which their experiences, consciousness and thus their being is constituted. When they become unhinged, they lose their sense of 'reality' and of their own being, they engage in self-harm in an attempt to define the border between themselves and the rest of the world and they become in doubt about the difference between thoughts and experiences. From this extreme phenomenon, Guenther deduces a characteristic of consciousness. Through the example of what happens to consciousness when deprived of intersubjectivity, she demonstrates that without the foundational intersubjectivity consciousness is at risk of falling apart.

There are many similarities between Guenther's description of 'becoming unhinged' and van Gennep and Turner's descriptions of liminal experiences. Both are experiences that occur after a 'social death', a suspension of aspects of the person before entering a liminal experiences. Both are experiences in which normal social

structures are suspended and, in the liminal conceptualisation, replaced by antistructure. The following theoretical framework describes how imprisonment can be understood as liminal experiences and discusses how this fits with a critical phenomenological approach explored through ethnography.

4.2 Imprisonment as liminal experience

In this analysis *liminality* is used as analytical concept to serve two purposes: Firstly, it equips us to better grasp a reality like Myanmar, where structures appear both in place and ruptured. This situation follows the many years of wars between kingdoms and revolutionary efforts against the colonial powers and changing military regimes. In some sense, Myanmar can be seen as stuck in a situation of permanent liminality, in a never-ending state of transition (Egreteau and Robinne 2016; Thomassen 2018). This is illustrated by the 2008 constitution in which the country is established as *disciplined democracy*, a betwixt and between, neither authoritarian nor democratic. It is also reflected in a lack of agreement on historical facts and a tendency for multiple versions of historical events to exist concurrently, e.g. which family can claim a lineage to the Buddha and which ethnicities truly belongs within the nation's borders. These disagreements on historical facts creep all the way into the present time and influence ethnic and nationalist debates, where, like in the rest of the world, fake news are debated, though with a recent legacy of propaganda by previous regimes.

Secondly, liminality represents a particular potential as an analytical lens for the study of experiences of imprisonment. Experiences of imprisonment function according to a structure much alike transitional rituals. They start with arrest, the pre-liminal rites of separation, continue into life inside prison - the liminal phase, and, end with a post-liminal re-integration as the prisoner is released. Not only can the structure of imprisonment be likened to that of a transitional ritual, taken a step further, the purpose of the

prison, to reform or rehabilitate ‘the criminal’,²⁶ is to change a person, and as such much alike the purpose of a rite of passage. While some researchers have identified this potential (Green 2016; Jefferson 2010; Jewkes 2005; Moran 2013; Suttner 2010), much is still to be gained from further exploring the potential for the study of imprisonment as liminal experience. This section argues for the potential of applying liminality as analytical concept in studies of imprisonment. The following two publications (Paper III and IV) apply the concept in analysis of spiritual experiences and suffering in mediation and solitary confinement and of the prolonged liminality that limits possibilities for re-integration for former prisoners after release.

Szakolczai (2000) has argued that convergence between liminality on a societal level with liminal experiences on a personal level intensifies the significance of such experiences. Thus, when personal experiences of liminality in connection with imprisonment take place within a society either stuck in permanent liminality, as the political situation in Myanmar today, or in acute liminality, such as in the uprisings of the past, the significance of the liminal experience is amplified. Thus, for a person imprisoned as political prisoner during the 88 uprising, the convergence between societal and personal liminality will likely make this a life changing experience.

Liminality originates in the study of rituals, but has since been found equally useful to speak of other processes of becoming (Szakolczai 2015; Thomassen 2015; V. Turner 1985). Liminal experiences are ‘...experiences *that happen during occasions of significant transition, passage or disruption.*’ (Stenner 2017, 14).

For prisoners, life is disrupted as they are arrested and taken to prison. They are in a liminal position in terms of space (the prison) and time (the sentence). They are betwixt and between, as liminal subjects, their identity is suspended together with the social structure they came from. In this liminal phase, prisoners are ‘both/and’ and ‘neither/nor’. They are convicted as criminals, but are to become reformed citizens, they represent the potential to be

²⁶ The term criminal is problematic in itself, though inherent to the justice system and therefore hard to avoid in a study of imprisonment. Which actions are criminalised in a society is decided by the state, as such the construction of the category of ‘the criminal’ is a social construction caused by political decisions. It does thus not specify who the people positioned in this way are or about their morals. In this paper, the term ‘criminal’ will be used to describe the position in which prisoners are positioned by the state. While it does not inform us about who the people in the position are, it does point to the kind of treatment they face.

both, but they are also no-longer-a-criminal and not-yet-a-reformed-citizen (Stenner 2017, 15). Stenner describes how in liminal experiences ‘*solid psychosocial structures melt down into liquids, the better to be reformed into a new pattern*’ (Stenner 2017, 16). It is through this framework that this article approaches spiritual experiences²⁷ of prisoners, as examples of what happens when psychosocial structures liquefy. This explains why such experiences can break with hegemonic conceptions of reality and raise ontological questions.

Stenner (2017) and Thomassen (2015) have suggested a number of dimension according to which liminal experiences can be categorised into different types of liminality. Thomassen (2015, 15) proposes that liminality can be described according to three dimensions: *space, time and subject*. *Space* refers to the area where liminality takes place – is it for example limited to the cell or the meditation centre inside the prison, the whole prison or maybe it extends to all of Myanmar. Liminality can be studied on all three levels, but will vary accordingly. *Subject* refers to who goes through the liminal experience – an individual prisoner, a group of yogis or a whole population. Here, population can refer to the population of the country of Myanmar as well as of the prison, such as Insein Central Prison where 12,000 prisoners live in a relatively closed-off society. There will likely be a close connection between the demarcation of the subjects who go through liminality and the space in which it takes place. Individual experiences are likely to be limited to a smaller space, while liminal experiences on population level is likely to cover more space. It is, however, also possible to imagine individual liminal experiences that cover more space, such as the prisoner who finds himself in permanent liminality after release, unable to integrate into society, no matter where he goes (see Paper IV for further elaboration). Lastly, the *temporal* dimension refers to the period liminality takes place – a moment, a period (such as a ten days retreat) or a prolonged or permanent epoch. The temporal dimension comes into play especially when prisoners find themselves stuck in liminality, unable to reconnect to social structures.

²⁷ Here, a broad conceptualisation of ‘spiritual experiences’ is used to refer to experiences which break with a socially agreed upon reality. These experiences include yogis who describe being visited by spirits and prisoners in solitary confinement who experience hearing voices. These experiences are conceptualised with inspiration from classic writings on religious experience (James 2012; Latour 2005; Weber 2013) from a critical phenomenological perspective with respect to the ontological positions of research participants and to avoid pathologisation through medical materialism (L. Guenther 2013; Holbraad and Pedersen 2017; James 2012). For a more thorough discussion, see Paper III.

In addition to the dimensions proposed by Thomassen, Stenner proposes a set of binaries to describe different types of liminal experiences. According to Stenner, liminal experiences can be spontaneous or devised, structured or unstructured, staged and un-staged (2017). While there appears to be some overlap between the different binaries, they do describe different characteristics of liminal experiences. For experiences of meditation and solitary confinement in Myanmar prisons, the difference between devised and spontaneous liminal experiences is imperative.

In traditional rites of passage, the ‘passengers’ are guided through by an experienced master of ceremonies or Shaman for whom liminal experience is the norm rather than the exception. In spontaneous liminal events, such guidance is typically lacking, and there are no guarantees about what will be made of the situation. The seed of fabulation that arises through ‘separation’ is delicate and vulnerable. It is easily dismissed as a mere hallucination. (Stenner 2017, 63)

Stenner points to two main differences between the devised and spontaneous liminal experience. Firstly, the person is guided through devised liminal experience in some way, whether it be through the presence of a master of ceremony, like a meditation teacher, or through a set of guiding principles. Secondly, spontaneous liminal experiences can cause vulnerability and risk being dismissed as hallucinations – since there is no pre-defined structure through which others can understand the liminal experiences. In the case of prisons, this offers a possible explanation of why spiritual experiences can be seen as rehabilitative when part of a programme such as a retreat, and pathological when arising in solitary confinement (Himmelstein 2011; Smith 2006; Vipassana Research Institute 1994). Furthermore, the absence of guidance in solitary confinement offers a possible explanation for why prisoners in solitary confinement describe spiritual experiences as leading to suffering, while yogis describe them as passing experiences, which may be painful while ongoing, but which diminish after guidance from the meditation teacher.

Through the case of the prison this study has identified another binary that can be of importance: whether liminal experiences are *forced* or *voluntary*. Imprisonment is characterised by being a transitional experience forced upon the individual by the state. It is rarely the case that the prisoner has chosen to go to prison for reform himself. Rather, the state has deemed his actions unacceptable and

sent him to prison for punishment and reform. Thus, understanding the general framework of imprisonment as liminal, means studying forced liminal experience. Experiences of solitary confinement are experiences forced upon the individual.²⁸ Meditation retreats within prisons on the other hand are generally voluntary practices. While this dimension has been identified through a study of imprisonment as liminal experience, it is likely to apply in other contexts where social expectations for example can affect the degree of voluntariness of the person going through a ritual or other liminal experience.

4.3 Symbolic death

Symbolic death plays a role in descriptions of transitional beings (V. Turner 1970) as well as prisoners (L. Guenther 2013). Turner describes the symbolic death of the past self in the first phase of the ritual, as needed for the individual to be able to enter a new position after the ritual. Guenther describes the social and civic death that prisoners experience as a consequence of the social deprivations in prisons and the minimum of rights allocated to prisoners.

Gunther traces the penal practices in USA today back to the times when slavery was practiced. By doing so, she demonstrates how slaves and prisoners alike are liminal in the sense that they are positioned as inferior to other human beings in a position of social and civic death. While she takes departure in an American context, the same dynamics are applicable to the modern prison elsewhere (Garland 1985).

Positioned at the edge of social life, neither included nor expelled, the slave is “in a permanent condition of liminality and must forever mourn his own social death” (60). (L. Guenther 2013, xx quoting Patterson 1982)

Quoting Patterson, Guenther makes the link between social death and liminality. While Guenther here comes into contact with the concept of liminality, and while her description is strikingly similar to descriptions of liminality, she does not take on the

²⁸ In some countries, segregation can also take place for prisoners who chose it voluntarily for their own protection, in such cases it would be possible to speak about voluntary segregation (though if fearing for one's life it can still be questioned how free the choice is). In Myanmar, such segregation is not the norm.

theoretical conceptualisation of the concept. Instead, she shows how the status of social and civic death can be traced back to slavery in the case of US, but also applies to prisoners today and defines social death as follows:

To be socially dead is to be deprived of the network of social relations, particularly kinship relations, that would otherwise support, protect, and give meaning to one's precarious life as an individual. It is to be violently and permanently separated from one's kin, blocked from forming a meaningful relationship, not only to others in the present but also to the heritage of the past and the legacy of the future beyond one's own finite, individuated being. (L. Guenther 2013, xxi)

Prisoners are socially dead in the sense that they are deprived of their position in the social structures they would normally be part of. It might be useful to think of social as well as civic death as a question of degrees. Thus, a prisoner from Yangon who is imprisoned in Insein Central Prison might be able to receive family visits twice a month, while a prisoner from Yangon who is sent to a remote prison might rarely get to see his family. This will affect his relations to family and thus the degree to which he is socially dead. It is obvious, however, that even in the case where the frequency of visit is high, a visit in a prison visitation room is far from normal everyday life with your family.

Guenther describes how the social and civic death inherent in the structures of imprisonment in some cases can lead to experiences of 'becoming unhinged'.

In the context of this inquiry, "becoming unhinged" is not just a colloquial expression; rather, it is a precise phenomenological description of what happens when the articulated joints of our embodied, interrelational subjectivity are broken apart. (L. Guenther 2013, xii)

Becoming unhinged is a most uncomfortable experience, which prisoners in solitary confinement are especially at risk of suffering as they are removed from human contact and experience sensory deprivation during the approximately 23 hours spent inside the cell. Even the short time outside the cell is often still alone in yard area, with limited sensory stimulation. When prisoners become unhinged, they experience what in the US is described as the SHU syndrome, named after the Security Housing Unit which solitary

confinement is named in the American Super Max Prisons (Grassain 1983; Reiter 2016). These symptoms include losing grasp of what is real, for example through hallucinations. Often prisoners also experience losing touch with the boundaries of themselves, physically this can lead to self-harm as they search for their own limits. Mentally, this can be experienced as doubt about which experiences took place, and which were imagined (Abbott 1991). Did I hear yelling from somewhere? Did I imagine it? Or, was I actually the one who was crying out?

While there are similarities between liminal experiences of transitional rites and experiences of becoming unhinged, there are also a significant difference: rites involve progression and development, whereas becoming unhinged describes a situation of decomposition of the self. The explanation for this difference lies in the descriptions of symbolic death. Guenther's description of 'social death and its afterlives' recounts the permanent damage faced by many prisoners who have been in solitary confinement. Van Gennep and Turner, in turn, describe a similar state of betwixt and between, but with the significant difference that the death of what was before leads to the potential for the birth of something new. Becoming unhinged corresponds with the second of three phases of transitional rituals. Unlike the ritual, in which the liminal personae is re-integrated in the third and final phase, the unhinged person is left in a permanent state of liminality.

The description of the process of rituals appear to be in agreement with the imagined purpose of the prison. Guenther describes the reasoning behind the construction of modern penitentiaries, in which solitary confinement were a central feature:

All contact with the outside, including news, would be severely limited so that, after their time was served, they could emerge as new persons, unconnected to their old community or way of life. This was the gift of the penitentiary: the privilege of becoming a tabula rasa, a blank slate from which to begin again as a newly made republican machine, an individual without a past and with nothing but a clear, bright, productive future ahead. (L. Guenther 2013, 14)

At first glance, the reasoning behind imprisonment can appear meaningful when understood as a transition from one status to another through liminality. The prisoner is removed from his community and placed in a liminal space, where he has the privilege of becoming a tabula rasa. This tabula rasa corresponds well with

how Turner describes the liminal personae as ambiguous threshold people in some senses invisible to the world (V. Turner 1979, 95). However, as Guenther has shown, there are crucial differences between the children transitioning into adulthood or chieftains taking their position in Turner's descriptions and the prisoners becoming non-criminals in the prisons.

The full structure of rites of passage offer a possible explanation for these different outcomes of liminal experiences. Van Gennep divides the ritual process into three phases – separation, transition and re-integration. When studying experiences of imprisonment, focus is on the transitional phase, where re-integration has not yet taken place and actualised the potential for change of going through a liminal experience. For the former prisoners who have been interviewed, they might well have been released from prison, but for many, the lack of a ceremony in connection with release appears to leave them in a state of prolonged liminality in which they are unable to take up a new and changed position. Another explanation for the relative absence of positive potential is that imprisonment is not a ritual one enters of one's own volition to become something new, it is a process one is forced to go through to stop being something that is deemed unacceptable to society, 'a criminal'. The implications of these theoretical reflections are bleak prospects of prisons producing the law abiding citizens they are supposed to, without a formalised procedure for re-integration of prisoners after release. While theoretical in nature, this argument fits well with the experiences many prisoners are confronted with after release (R. Armstrong and Durnescu 2016; Pavarini and Ferrari 2018).

While most participants in this study recounted experiences that match well with Guenther's description, in which the prison is a place that breaks people rather than transforms them into law abiding citizens, it is worth noting that there are examples of the contrary. The SHU syndrome and PTSD (which are indeed defined by very similar symptoms) are some of the names that have been given to the traumatic effects of solitary confinement, imprisonment and torture. Another term: 'post traumatic growth' tells the story of a different outcome for some (Westphal and Bonanno 2007). For a few of the prisoners who are part of this research, prison was an occasion for self-reflection and self-improvement. Almost like a rite of passage leading them from childhood to adulthood, they were imprisoned in their late teens and released years later, as adults. These people described how they had changed mentally, often by themselves in quiet reflection, through insights about who they were before (for examples see accounts in Kyaw Zwa Moe 2018).

The prison did not appear to actively support their transformation while inside, but the liminal position they were in allowed them to step back from who they were, and choose to become something else. Thus, they described entering prison as ‘hot tempered’, ‘hardliner’ or ‘self-absorbed’ and exiting as patient, softliners filled with loving kindness. While prisons are harmful places to most people, these exceptions to the rule reveal something about the nature of imprisonment. They too point to the liminal nature of the experiences. While liminal experiences can be stressful, even painful and harmful, when normal social structure is replaced by anti-structure, they also represent a potential for change:

People can “be themselves,” it is frequently said, when they are not acting institutionalized roles. Roles, too, carry responsibilities and in the liminal situation the main burden of responsibility is borne by the elders, leaving the neophytes free to develop interpersonal relationships as they will. (V. Turner 1970, 101)

Thus, while prisons are meant to break down certain aspects of people – those connected to ‘being criminal’ – it appears that in liminal experiences all positions the person used to take are suspended and can be subject to change. For most prisoners this experience is painful, as they did not seek or choose this opportunity to change from what they were. But in some cases, prisoners manage to use the liminal experience to change aspects of themselves that they realise they do not want to preserve. The prison is like a ritual without a pre-defined anti-structure. When imprisoned, people go through symbolic death and enter a space where social norms from the outside are suspended. Instead they find themselves in a space where anti-structure is established ad hoc by prisoners and prison staff alike. In such a liminal space, where psychosocial structures have liquefied, the possibilities for which new social structures a person can enter are plentiful. One can fall into the anti-structure established by prisoners, and maybe the prison will become like a ‘university of crime’ (field notes). One can become one of the lucky few that get access to rehabilitation activities, and the prison authorities might be able to guide the transition to something new. Or, one can end up in a state of prolonged liminality, of being in a transition going nowhere.

4.4 Anti-structure and communitas

In the liminal phase of the ritual and in prison, social structures are replaced by anti-structure. In prisons, this is reflected in the alternative social structure which arise after the prisoners give up parts of their previous status and become part of a communitas.

Turner works with the Latin term communitas, rather than community, to be specific about the nature of the communitas. Communitas is defined not as a social network, but: *‘to distinguish this modality of social relationship from an “area of common living”’* (V. Turner 1979, 96). Communitas is thus spatially defined as the area in which a group of people go through a liminal experience together. Within this area, the communitas is separated from the community they previously belonged (and to which they might return). Moreover, communitas is also separated from temporal structure:

Communitas is of the now; structure is rooted in the past and extends into the future through language, law, and custom. (V. Turner 1979, 113)

For prisoners, the past was suspended as they became liminal beings who can no longer claim the positions they held outside. An example of this is seen when monks are disrobed and forced to wear normal prisoner uniforms. Such an act would be unthinkable outside the prison walls, but in this liminal space, it is a possibility. As for the future, it becomes out of reach, due to the uncertainty about when imprisonment will end and what happens after (Gaborit and Jefferson 2019). Furthermore, in this imagined future, the communitas will likely cease to exist, when the prisoners no longer live in a shared area. Thus, the communitas of the prison only exists in the present. In cases where the communitas appears to continue after prison, like for political prisoners, it is often connected to a sense of permanent liminality that makes it possible and necessary for the communitas to continue (see Paper IV for further elaboration).

Within this spatially and temporally demarcated area, the communitas develops certain qualities. As described above, the liminal personae is in a betwixt and between situation where the position he used to hold has been suspended.

The liminal group is a community or comity of comrades and not a structure of hierarchically arrayed positions. This comradeship transcends distinctions of rank, age, kinship positions, and, in

some kinds of cultic groups, even sex. (V. Turner 1970, 101)

Inside prisons, previous social hierarchies are dissolved when all prisoners are treated equally. Their social status from outside prison is left behind and the prisoner has to re-establish himself. Here, a different social hierarchy arises. An anti-structure created on terms that only exist inside the prison. The dissolution of social status, following the arrest, allows for a flexibility when prisoners re-establish their position inside. Thus, there are examples of prisoners who struggled for survival outside, but who got by well inside and managed to earn a respect they never experienced before. However, the management and rules in Myanmar prisons also maintains a certain structure. The structure appears as a consequence of the allocation of prisoners to cells, when prisoners are classified according to the sentence they have (first time offenders, serial offenders or special cases such as political prisoners) and when prisoners are allocated to certain roles (*thansees* – prisoner leaders, *night watchmen*) or become responsible for certain duties (emptying toilet bowls, managing access to showers, kitchen duty). This anti-structure is like a prism of the structure outside – it appears in some ways similar but also distorted. Turner describes these contrasts as a movement between figure and ground, between structure and anti-structure, which makes both *communitas* and social structure accessible to our understanding.

Buber lays his finger on the spontaneous, immediate, concrete nature of *communitas*, as opposed to the norm-governed, institutionalized, abstract nature of social structure. Yet, *communitas* is made evident or accessible, so to speak, only through its juxtaposition to, or hybridization with, aspects of social structure. Just as in Gestalt psychology, figure and ground are mutually determinative, or, as some rare elements are never found in nature in their purity but only as components of chemical compounds, so *communitas* can be grasped only in some relation to structure. (V. Turner 1979, 127)

Here, Turner refers to Buber as he contrasts the spontaneous nature of *communitas* with institutionalization. In prisons, both of these occur. On the one hand, the institution of the prison is governed by authorities who seek to create order by establishing rules and social structure. On the other, prisoners go through liminal

experiences within this institution. Using liminality as an analytical tool to unpack prisons therefore entails moving between figure and ground, between prison as institution and the liminal experiences that take place within the prison walls.

4.5 Applying the concept of liminality in prison research

In this theoretical framework, the potential of bringing the analytical concept of liminality to prison research has been presented. The combination of these different theoretical approaches and concepts has demonstrated how experiences of imprisonment can be conceptualised as liminal. This framework explains differences between life inside and outside prisons, such as the intensification of emotions and social processes and differences in moral structures (Liebling 1999). These processes are explained through the establishment of antistructures, in which social structures from before are liquefied and prisoners become liminal personae. Combining the liminal perspective with a post-phenomenological approach demonstrated how suspension of such social structure have immense effects on a person and can lead to experiences of becoming unhinged and losing touch with reality.

Thus, approaching experiences of imprisonment as liminal represents a significant potential to understand how they are different from other experiences and what they do to those who go through them. This theoretical framework suggests that there is a need for more research on experiences of imprisonment as liminal. In addition to the few previous studies of liminality in connection with imprisonment (Green 2016; Jefferson 2010; Jewkes 2005; Moran 2013; Suttner 2010), this dissertation adds empirical analysis of liminal experiences of imprisonment in the following two papers.

Paper III applies the theoretical framework in an analysis of spiritual experiences that occur for prisoners in meditation and in solitary confinement. While there are clear similarities in the spiritual experiences prisoners describe as arising in connection with meditation and solitary confinement, there appear to be a significant difference in whether the experiences are described as contributing to positive development (meditation) or as meaningless experiences of suffering (solitary confinement). Through the concept of liminality, the paper shows how the outcome of spiritual experiences depend on the absence or presence of guidance (master of ceremony), absence or presence of

communitas and whether the liminal experience is devised or spontaneous (Stenner 2017) or forced or voluntary.

Paper IV is concerned with challenges prisoners face after release. Here, liminality offers a way to understand why re-integration is a struggle for many after release. Without the proper ritual to leave the liminal state they are in, and without recognition for their new changed status, prisoners are stuck in prolonged liminality. The paper combines the theoretical framework above with theories of recognition. Through discussion with Fraser's (2000; 2018) status model for recognition, the paper demonstrates how processes of recognition represent the third and final phase of a transition.

VISUAL INTERLUDE V

This series of family portraits show how one single family was affected by political imprisonment. The pictures illustrate how the family members were arrested one by one, leaving only few people on the outside. While in prison, the family members were separated and sent to different prisons. Therefore the people outside had to travel across the country to remote prisons to visit their relatives. (Photo: Sai Minn Thein)





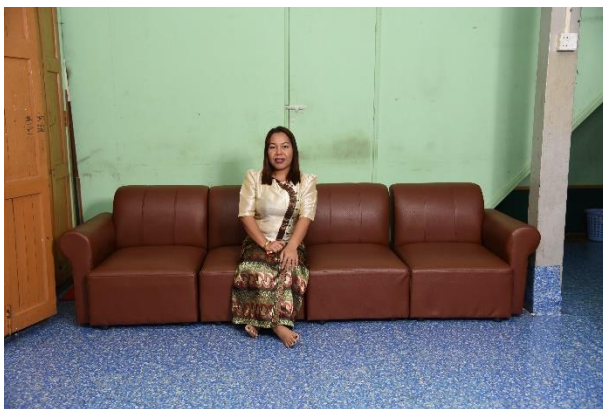


Left: Ko Htun
Nay Aung
aka. Jo Joe,
arrested
August 24,
2007, released
November,
2007.
Detained in
Kyeik Ka San
Interrogative
Center and
Kyauk Tan
Police

regiment. Right: Daw Su Su Kyi, arrested 1992, 1993 and on October 9,
2007, released November 2007. Detained in Aung Thapyae Interrogation
Center.



Ko Chit Ko
Lin, arrested
October 8,
2007,
sentenced to
11 years and
released
October 12,
2011 from
Pakokku
Prison.



Daw Thet
Thet Aung,
arrested
October 18,
2007,
sentenced to
65 years on 6
different
counts,
released
January 12,
2012 from
Myin Chan
Prison.

Daw Sann
Sann Tin,
arrested
October 18,
2007,
sentenced to 9
years and
released
October 12,
2011.



Ma Nwe Hnin
Yi aka. No
Noe, arrested
October 18,
2007,
sentenced to
11 years and
released
October 12,
2011 from
Mau Bin
Prison.



PAPER III

Visited by Spirits – 'betwixt and between' in meditation and solitary confinement in Myanmar

Status: under revision after first review (minor/major revisions)
to be published in Incarceration

Abstract: This article discusses experiences of prisoners who hear voices while in meditation or solitary confinement. It addresses the issue of why these experiences of similar phenomenon, that of hearing voices, is described by prisoners as an occasion to share compassion when occurring during meditation retreats, and as torture when experienced in solitary confinement. The article approaches this phenomenon as spiritual experiences and uses the concept of liminality to make sense of the differences between the experiences. It shows that three factors affect the differences in these experiences: the presence or absence of *communitas*, a master of ceremony or other guidance; and whether the liminal experience takes place based on the volition of the person or is forced upon him. This leads to the conclusion that solitary confinement, due to the absence of *communitas* and guidance and due to its forced nature, represent a situation in which the prisoner is at risk of prolonged liminality and social harm.

The *Sayadaw*²⁹ was imprisoned several times because of his participation as a pro-democracy activist. He was among the monks who rose up against the oppression by the military regime in the 2007 Saffron Revolution, named after the colour of the robes of the thousands of monks that took to the streets. After arrest, the Sayadaw was subjected to severe torture before he ended up in prison, where he was put in solitary confinement. He was released and re-arrested several times. Each time he returned to prison he was placed in solitary confinement, to distance him from the political movement he was part of. Inside the cell, the Sayadaw started seeing and hearing things out of the ordinary. Though he was alone in the cell, he heard the voices of other people. He heard the voices of friends, family and military generals. When asked about the voices, he described them as torture, as something inflicted on him by others:

Sayadaw: The torture, yes. I don't know how to call that torture. I could hear, I could hear voices from the prison walls.... I could not see them, but they talked to me. They talked to me a lot.

Author: What did they say?

A: They talked about politics and then about social [issues] and then about love. Yes. Ehrm, it is a kind of torture. Yes, I don't know how to call it. (Former prisoner, Interview, June, 2018)

Such experiences are common in solitary confinement, which has been shown to lead to suffering and a number of symptoms of mental disease (L. Guenther 2013; Reiter 2016; Haney 2002). It is therefore not surprising that the Sayadaw went through such experiences while in solitary confinement, possibly aggravated by the torture he went through. More surprising however, is that similar experiences were described in a more tranquil part of a prison: in the meditation centre of Insein Central Jail, *Dhamma Hita Sukha Geha*. In the meditation centre, prisoners similarly described hearing voices. The yogis,³⁰ however, ascribed the voices to being visited by spirits during meditation, and seemed at peace with the experience:

²⁹ Sayadaw is used as a pseudonym instead of the name of the monk. Sayadaw means great teacher in Burmese and is used to respectfully address senior monks.

³⁰ Participants in meditation retreats are referred to as yogis. This reflects emic language and does not imply that the meditators are practising yoga.

“Sometimes I also heard whispers in my ears. I was not sure what they said, sometimes it was just passing by. I think maybe they were spirits looking for compassion. It did not happen all the time, only sometimes.” (Yogi prisoner, Interview, June, 2018)

Sometimes yogis were disturbed at first, but then consulted with their teacher. After being consoled by the teacher, they accepted the experience and the presence of spirits.

The phenomenon described by yogis and the Sayadaw appeared very similar – they heard voices and saw figures, but in solitary confinement, the experiences led to suffering and were even described as torture, while in meditation the experiences were accepted and seen as an occasion to exercise compassion towards spirits. This raises the question: how can such similar phenomena cause such different experiences? And, in addition, what do these differences reveal about the factors which affect liminal experiences?

This article approaches these questions by discussing differences and similarities between these experiences. In doing so, it deviates from the standard conceptualisation of such experiences in solitary confinement as pathological (Haney 2002; Smith 2006). This stance is in line with William James’ critique of medical materialism, in which he argues that even if medical origins exist, spiritual experiences deserve to be studied in their own right: “*By their fruits ye shall know them, not by their roots.*” (2012, 19). Thus, the article explores two different ways of experiencing the same phenomenon and shows it is not hearing voices that is pathological or problematic. Rather, it is the suffering, which accompanies the experiences in solitary confinement, that is the problem, and this problem might be a response to the problematic phenomenon of solitary confinement rather than a sign of pathology.

First, a note on why and how these experiences will be conceptualised as spiritual experiences in this article. The yogis describe experiences they go through when practising Vipassana meditation. Vipassana means insight, and refers to a structured practice of meditation, which aims to gain insight into the self and the world, ultimately realising the illusionary nature of the self. These experiences can be termed as spiritual experiences. Complication occurs however, when trying to describe similar experiences in solitary confinement. Here, the experiences are not the result of a systematic practice tied to a religion or philosophy. They are not necessarily conceived as connected to some kind of greater power. The Sayadaw himself was not sure how to describe

his experiences. He resisted calling them hallucinations and insisted his experiences were real, though he recognised that the people talking were not there. This paper does not want to impose a terminology that the people going through the described experiences resist, and terms such as hallucinations or other terms with pathological connotations are therefore avoided. Instead, for lack of a better term, both types of experiences will here be referred to as ‘spiritual experiences’. In this paper, this term refers to experiences of things or people, which cannot be seen, heard or felt by others. With respect of those who have gone through the experiences, and with reference to Max Weber, William James and Bruno Latour’s work on religious experiences (Weber 2013; James 2012; Latour 2005), these experiences are conceived as real. This conception is in line with the ontological turn within anthropology, in which different ontological stances can be used to explore ‘*how things could be*’ (Holbraad and Pedersen 2017, 293), if conceived through different ontologies. Thus, this paper explores how understandings of solitary confinement could be, if such experiences are conceived as real spiritual experiences, instead of pathologies.

One might be tempted to believe that the occurrence of spiritual experiences in the two contexts described above can be attributed to the culture in which they take place. While animism is recognised even among Buddhists in Myanmar, as the belief in the 37 ‘Nats’ (guardian spirits) (Maung Htin Aung 1962), the experiences in this article are however not unique to the Burmese context. In 1983, Grassain proposed creating a psychiatric diagnosis for the ‘syndrome’ he had observed among prisoners in solitary confinement in an American supermax prison. Among the symptoms included in the syndrome were perceptual disturbances such as hallucinations and in the descriptions of findings Grassain reports that 7 out of the 15 interviewees reported hearing voices (1983). Similarly, Haney (2003) reported in a more recent study, that 41 of 100 prisoners interviewed at the Secure Housing Unit (SHU) at Pelican Bay in California reported experiencing hallucinations while in solitary confinement. Lastly, hearing voices have been described within various meditation traditions (Kaselionyte and Gumley 2017). Within centres that practice Vipassana according to the U Goenka tradition, it is normal practice to screen participants for previous experiences of mental health issues. People with history of serious mental health issues are recommended to seek medical advice or therapy instead of participating in meditation retreats. This suggest an awareness of

the connection between meditation, spiritual experiences and pathology. It has thus been established that experiences like these take place in different contexts, across different cultures. Thus, the phenomenon of hearing voices and having visions has a universal character. Culture in this specific context does thus not appear to be the cause of such phenomenon, though it has an effect on how these experiences unfold and which meaning is ascribed to them. The existence of animism and the absence of Western psychological concepts in everyday language in Myanmar, increases the likelihood of these experiences being conceived as visits by spirits rather than hallucinations indicating pathology. As the analysis below will show, this can affect how experiences develop over time.

To understand these experiences, this article applies a conceptual framework that approaches them as liminal experiences, in order to create alternative understandings of the experiences and explains the different reactions to them (Szakolczai 2015; Stenner 2017). It proposes that reactions classified as mental disease occurring in prison can be understood as a break with the social structure the prisoner was in; and that such a break is a consequence of imprisonment in the case of prisoners' experiences, but is by no means a phenomenon that exclusively takes place within prisons. Conceptualising imprisonment as liminal experiences permits understanding the breaks with reality (structures) and how some people are stuck, unhinged, in liminality. Terming this phenomenon as 'becoming unhinged' points to the arbitrariness of distinguishing between inner mental disorders and prison as outer environment (L. Guenther 2013). Becoming unhinged is a direct consequence of the process of imprisonment leading to liminal experiences.

The article starts with a short presentation of the data, and the two contexts in which the experiences took place. It then goes on to present the theoretical contribution liminality offers to prison studies. It continues with a presentation of how the yogis in meditation and the Sayadaw in solitary confinement experience hearing voices as either being visited by spirits or being tortured. This is followed by a discussion of how experiences of symbolic death leads the yogis to experience freedom, while the Sayadaw on the other hand is pushed to such desperation that he attempts to commit suicide. In the conclusion, the article sums up the value of studying experiences of imprisonment as liminal, implications for other studies of liminal experiences and consequences for the use of solitary confinement.

Methods and context

The paper is based on 15 months of ethnographic fieldwork in Yangon, Myanmar in 2016-18. Most of the fieldwork took place outside of the prison with former prisoners; four days of fieldwork were spent inside Insein Central Jail interviewing ten prisoners who had taken part in the Vipassana meditation retreats inside the prison, sitting for meditation with prisoners and conducting a workshop with senior prison staff. Additionally, ten days were spent sitting for a meditation retreat in a meditation centre outside the prison, where I also joined weekly group sittings and interacted with former prisoners who had continued their meditation practice after release. The article draws on two types of data: interviews, with former as well as current prisoners, and field notes. The analysis features quotes with the ten yogi prisoners and with one former prisoner who spent five years in solitary confinement.

The Sayadaw is a former prisoner who spent around five years in prison and who was a monk before his imprisonment. His first imprisonment took place after his involvement in the Saffron Revolution in 2007. As one of the leaders in the revolution, he faced severe torture in the military interrogation camp where he was questioned and was placed in solitary confinement once he was moved to the prison. Even after he was placed inside prison, he was subjected to regular beatings by prison staff. He spend all day inside the cell and was only allowed to go outside for 15 minutes to shower and empty the toilet bowl from the cell. Inside the cell, he started hearing voices and later also seeing figures. Though he was a monk when arrested, the authorities had taken away his robe. He tried to continue his practice of praying and meditating, but found it hard to do so without his ‘Sangha’³¹ brothers. His narrative is selected due to his particular detailed descriptions of spiritual experiences.³²

The ten yogi prisoners were interviewed in Insein Central Jail. The interviewees had participated in 1 to 43 retreats and had served between 3 and 14 years inside the prison. The group consisted of five men and five women, aged between 30 and 59 years old. The meditation retreats take place in a special meditation ward. They are

³¹ *Sangha* refers to the monastic order and is one of the three jewels in Theravada Buddhism. The other jewels are the *Buddha*, the fully enlightened one, and the *Dhamma*, the teachings of the Buddha.

³² For concerns of confidentiality, I refrain from giving a detailed description of the Sayadaw. Due to similar concerns, interviews are marked by year and month, while exact date and place is kept confidential.

ten-day Vipassana retreats in the U Goenka tradition.³³ These are standardised retreats, which are conducted after the exact same schedule across the world. The instructions for meditations are given via an audio recording of Sayadaw U Goenka himself in English, accompanied by a Burmese translation. U Goenka played an important role in establishing a school for Vipassana meditation for laymen and imported this tradition to Indian prisons (Vipassana Research Institute 1994). In 2008 the method, which originated in Burma but underwent significant development in India, was implemented in Burmese prisons for the first time. Today, there are meditation centres in the three central prisons in Oh Boh Prison near Mandalay, Thayerwaddy Prison and Insein Central Jail in Yangon. During retreats prisoners observe noble silence,³⁴ and are thus only allowed to speak when consulting with the teacher, and sit for meditation for 11 hours a day.

It should be noted that the prisoners who have contributed to the data of this article are likely not representative of the average prisoner in Myanmar. The prisoners who were interviewed inside prisons have gone through a double selection process. First, they are the ones who have the mental resources to engage with meditation retreats in a context where daily survival can be a struggle. Though there are cases of prisoners joining the meditation retreat mainly due to the promise of better food, the prisoners interviewed in this study were dedicated yogis, people who found the capacity within themselves to undertake a spiritual journey. Further, the group consisted of the people who volunteered themselves when a high ranking member of prison staff asked for people willing to speak to a foreigner about meditation. To volunteer when faced with a senior member of staff and the prospect of answering questions from a foreigner will likely have demanded a certain amount of courage from the prisoners otherwise used to being at the bottom of the hierarchy, humbly squatting down in silence when I and this same

³³ There are two prominent schools of Vipassana in Myanmar – Mahasi and Goenka, named after the respective Sayadaws who are seen as the original teachers. The Goenka tradition practices layman meditation and emphasises that it is non-sectarian and open to people from all religions, though the philosophical foundation and the Dhamma talks still draw on Buddhism. The Mahasi tradition is more closely connected to the Sangha and is practiced within monasteries where laymen are also welcomed.

³⁴ Noble silence is one of the rules during meditation retreats. During the retreat, yogis are supposed to abstain from communicating, verbally and through gestures. Speech is only allowed during consultations with the teacher or to communicate special requests to the Dhamma helpers.

senior staff member passed them in the prison.³⁵ The experiences they, and the monk in solitary confinement describe do however provide vivid examples of spiritual experiences (James 2012). Such examples have the potential to enlighten us about the nature of human experiences in situations like these, even if they do not represent experiences that all prisoners go through.

In this article, the yogis describe visits by spirits in connection with meditation retreats and the Sayadaw describes the voices he heard while in solitary confinement. Some yogis have however spent time in solitary confinement and the Sayadaw stayed in a monastery before his imprisonment. Thus, this data reflects the experiences of people who have been in situations that can contribute to positive as well as negative experiences of liminality. The patterns of their experiences in other contexts support what the analysis below shows: that the phenomenon of hearing voices unfolds in different ways in the two different contexts. The fact that the Sayadaw did not describe suffering from voices while in the monastery, and that the yogis who had spent time in solitary reported negatively about spiritual experiences while in solitary, supports the hypothesis that situational rather than individual factors affect the amount of suffering from such experiences.

Imprisonment as liminal experiences

For prisoners, life is disrupted as they are arrested and taken to prison. They are in a liminal position in terms of space (the prison) and time (the sentence). They are betwixt and between, as liminal subjects, their identity is suspended and so is the social structure they came from. In this liminal phase, prisoners are ‘both/and’ and ‘neither/nor’. They are convicted as criminals, but are to become reformed citizens, they represent the potential to be both, but they are also no-longer-a-criminal and not-yet-a-reformed-citizen (Stenner 2017).

This article focuses on liminal experiences defined as “...experiences that happen during occasions of significant transition, passage or disruption.” (Stenner 2017, 14). In liminal

³⁵ The interviewees did not seem to have been instructed in what to say beforehand and the presence of one interviewee who spoke limited Burmese lead me to believe that the selection process had not been manipulated by the authorities to present a certain image of the prison. I had feared such manipulation, as I was the first foreigner to gain access to the prisons for research purposes and the authorities could therefore be expected to be cautious about my visits and interviews.

experiences, “solid psychosocial structures melt down into liquids, the better to be reformed into a new pattern.” (Stenner 2017, 16). It is through this framework that this article approaches spiritual experiences of prisoners, as examples of what happens when psychosocial structures liquefy. This explains why such experiences break with hegemonic conceptions of reality and raise ontological questions.

Liminality is not an unknown concept in prison studies. In some cases, the word is used without its theoretical definition by researchers who have identified it as suitable to describe what they see in prisons (see for example L. Guenther 2013). In a few cases, the theoretical concept has been imported from anthropology and used for analysis of different aspects of prison life. Moran (2013) analyses prison visitation rooms as liminal spaces, Jewkes (2005) writes about liminality and identity management for long-term prisoners and Green (2016) adds an empirical analysis of imprisonment as ritual in his dissertation. Though previous research does exist, much is still to be learned from approaching prisons through the conceptual framework of liminality. This article approaches spiritual experiences in solitary confinement and meditation to fill a gap in research identified by Peter Scharff Smith by addressing “some of the more dramatic effects of solitary confinement” (2006, 506).

As the variety in the studies of liminality in prison above shows, liminality can be studied on various levels. Thomassen (2015, 15) has suggested that liminality is classified according to *space*, *subject* (individual, group or population), and *time*. While experiences of imprisonment, as they take place from arrest to release, can be conceptualised as liminal experiences. This article works on a different level. The following analysis will focus on experiences which are spatially contained within the meditation centre or solitary confinement cell; which happen to a group or yogis or to an individual prisoner, and; which are limited to the duration of the spiritual experiences in which a voice is heard or a spirit visits. Thus, the analysis zooms in on a particular type of liminal experiences within imprisonment.

In addition to the classification of types of liminality described by Thomassen, Stenner has proposed a set of binaries to describe different types of liminality. According to Stenner, liminal experiences can be *spontaneous or devised*, *structured or unstructured*, *staged and unstaged* (2017). While there appears to be some overlap between the different binaries, they do offer insights into the different characteristics of liminal experiences. For

experiences of meditation and solitary confinement in Myanmar prisons, the difference between devised and spontaneous liminal experiences is imperative.

“In traditional rites of passage, the ‘passengers’ are guided through by an experienced master of ceremonies or Shaman for whom liminal experience is the norm rather than the exception. In spontaneous liminal events, such guidance is typically lacking, and there are no guarantees about what will be made of the situation. The seed of fabulation that arises through ‘separation’ is delicate and vulnerable. It is easily dismissed as a mere hallucination.” (Stenner 2017, 63)

Stenner points to two main differences between the devised and spontaneous liminal experience. Firstly, the person is guided through devised liminal experience in some way, whether it be through the presence of a master of ceremony, like a meditation teacher, or a set of guiding principles. Secondly, spontaneous liminal experiences are vulnerable and risk being dismissed as hallucinations – since there is no pre-defined structure through which others can understand these liminal experiences. In the case of prisons, this explains how spiritual experiences can be seen as rehabilitative when part of a programme such as a retreat, and pathological when arising in solitary confinement. While solitary confinement is an extremely devised practice, it is the liminal aspect of the experience, which is spontaneous in the case of Myanmar. Solitary confinement, as it has been used against many political prisoners, is a means of separating the prisoner as much as possible from contact with the outside society and the political world he took part in before. Solitary confinement is thus not used with the aim to change the prisoner.³⁶ The absence of guidance in solitary confinement offers a possible explanation for why prisoners in solitary confinement describe spiritual experiences as leading to suffering, while yogis describe them as passing experiences, which may be painful while ongoing, but which diminish after guidance from the meditation teacher.

While these binaries draw attention to important aspects of liminal experiences, it is important to understand that they are

³⁶ In some other countries, solitary confinement is used with the purpose of creating change. Originally, its purpose was to be a calm space that would give the prisoner time to reform through self-reflection (O’Donnell 2014). Such use can be described as devised liminal experiences, though the absence of guidance have still led to suffering for many (L. Guenther 2013).

scales, which can fluctuate during an experience. These binaries can describe characteristics of experiences at certain moments in time, but must be understood as dynamic and changing across time.

The case of the prison draws attention to another binary of importance: whether the experience is *forced or voluntary*. Imprisonment is characterised by being a transitional experience forced upon individuals by the state. It is rarely the case that a prisoner has chosen to go to prison to reform himself. Rather, the state has deemed his actions unacceptable and sent him to prison as a punishment and to reform. Thus, understanding the general framework of imprisonment as liminal, means studying forced liminal experience.

This article proposes the binary of voluntary or forced liminal experiences. To do so, it draws on experiences that take place in two different yet similar situations. The situations are similar in that in both situations, people spend many hours in silence and introspection. However, there is a significant difference between the described experiences and the meaning attributed to them. Generally, meditation retreats are voluntary while solitary confinement is a forced experience.³⁷ Here again, it is important to think of this binary variable as a dynamic scale that can change over the course of an experience. For example, some yogis report that there are times when they want to leave the meditation retreat but feel they have to stay due to pressure from family or the rules of the prison. Similarly, O'Donnel (2014) has described instances of solitary confinement becoming appreciated by prisoners and leading to spiritual experiences. In spite of the fluctuations, it is a key characteristic that meditation retreats are initiated based on the volition of prisoners, while solitary confinement is forced upon them. This new binary contributes to understandings of liminality in other contexts, and offers a possible explanation for why spiritual experiences are permeated by suffering in one context but not in the other.

The following section unfolds descriptions of spiritual experiences had by prisoners in meditation and solitary confinement. These descriptions show significant differences in how prisoners relate to the voices they hear. Voices heard in meditation are spirits in need of compassion, while those in solitary confinement inflict suffering that even amounts to torture.

³⁷ In some countries, segregation can also take place for prisoners who chose it voluntarily for their own protection, in such cases it would be possible to speak about voluntary segregation (though if fearing for one's life it can be questioned how free the choice is).

Visited by spirits while meditating

Spiritual experiences during meditation were often accompanied by passing discomfort and anxiousness. Discomfort and anxiousness was relieved after consultations with the meditation teacher. Teachers often give similar advice to students, along the lines of: ‘It is normal to have such experiences, continue and you shall succeed’ (field notes, March, 2017³⁸). Given that experiences are perceived as illusions within Theravada Buddhism, the teacher has no reason to delve into the suffering and ascribe meaning to the experience. Instead, a simple confirmation tells the yogi that he will be okay and allows him to let go of the sensation, as he is learning to let go of other distractions that disturb his meditation. After such guidance, the discomfort associated with visiting spirits subsided. Since the teacher encouraged them to accept these experiences and let them pass, the yogis did not describe them with many details, though several of them recounted such experiences (5 out of 10). One yogi even described a shared experience of hearing voices:

“Once, there were 30 members of ‘Satipatthana’³⁹ [retreat] so I could not participate because it was full. But I heard they heard things and felt them move around. This does not happen to me because I share compassion. People could not even sleep. This does not happen to me because I share. It happens sometimes, the people who experience it asks the teacher, all together they share their compassion and the spirit goes away. The spirits are everywhere. In the life cycle, if they are owners of a house they will ask to stay and rest for a while. After meditation the teacher had a tape, she opened it and the tape said: please forgive us for the things we have done. In the morning they opened the tape with U Goenka, then when they opened the tape only for the Dhamma workers it said this new thing.” (Yogi prisoner, Interview, June 2018)

³⁸ From a retreat I participated in myself at the meditation centre in Yangon, which coordinates the retreats inside Insein Central Jail. Teachers in the U Goenka tradition are taught to conduct the retreats in a very specific manner, so yogis across the world go through the same retreats wherever they participate in the retreat. The advice from teachers to yogis inside the prison is therefore likely to be similar (see Pagis 2010 for a similar description of the answers of meditation teachers).

³⁹ Satpatthana is a meditation retreat for experienced yogis. To qualify for this retreat the yogis must take part in at least three standard retreats. During these retreats the Dhamma talks explore the Satipatthana Sutta in detail.

The spirits are understood within the cosmology that includes Theravada Buddhism in the Burmese form and animism in the form of belief in ‘Nats’. There are 37 recognised Nat spirits and in addition to these spirits, as those described above, belonging to ancestors or spirits in the process of finding their way to reincarnation (Maung Htin Aung 1962).

Several yogis described compassion as the key to co-existing peacefully with spirits. This is similar to the approach yogis are taught to co-exist peacefully with other human beings. Thus they describe how before they were angry and short tempered, but after a meditation retreat, they would feel compassion with the other prisoners and understand their motives for acting as they do. This makes it easier for yogis to cope with prison life and avoid conflicts. Being able to exercise compassion towards spirits and co-prisoners alike is seen as reflecting that the yogi has a ‘right mind’, that he is able to practice the lessons from the Dhamma in his everyday life. It also highlights the connectivity between all human beings described in the teachings of the Dhamma.

The Dhamma is taught to yogis through daily evening lectures during the retreat called ‘*Dhamma talks*’. Dhamma talks are often given by a monk or teacher, but in the case of Vipassana courses in the U Goenka tradition they are given through video or audio recordings of U Goenka himself. Thus, every ten-day retreat listens to the same Dhamma talks. U Goenka delivers the Dhamma talks in English, followed by a Burmese translation.⁴⁰

Connectivity as it is described in Dhamma talks - as the reason for compassion with all beings - is similar to what Turner, with reference to Buber, describes as the community going through liminal experiences together:

“Community is the being no longer side by side (and, one might add, above and below) but with one another of a multitude of persons. And this multitude, though it moves towards one goal, yet experiences everywhere a turning to, a dynamic facing of, the others, a flowing from / to Thou.”
(Buber 1961: 51 in Turner et al. 2017:126–127)

⁴⁰ Audiofiles are available in most major languages of the world and some ethnic languages from Myanmar. Teachers emphasise the importance of listening in your native language. One of the interviewed prisoners however only spoke little Burmese and was not offered an alternative. He was afraid to ask for it in spite of describing the Dhamma helpers as his friends (who were also from the same ethnic group as himself). Audio recordings were reported to be used for foreign prisoners (Thai and Chinese).

More often, Turner works with the Latin term 'communitas', to emphasise the different character of the communitas in liminality, compared to the community outside liminality. Communitas represent the antistructure of the social during liminality, which is defined by shared spatiality and temporality and by the qualities of the liminal personae who are detached from their previous status and not yet placed within a new status.

“Communitas is of the now; structure is rooted in the past and extends into the future through language, law, and custom.” (V. Turner 1979, 113)

Within this spatially and temporally, the demarcated area the communitas is formed by the liminal personae who are betwixt and between.

There are striking similarities between Turner's description of communitas and how the Dhamma talks teach yogis that everything is connected and their previous status is nothing but an illusion. When the yogis sit in meditation together, they are, in every sense of the word a communitas. They are separated in time and in space and they are together experiencing energies flowing. However, when the yogis leave the meditation hall and the retreat, they bring the teachings and their experiences with them and continue their practice. As they continue their practice in the ordinary wards, they extend their compassion and the sense of communitas even to the people who have not participated in the retreats. As such, they act as though they are in a state of prolonged liminality, where they bring parts of what Turner connects to liminal experiences, outside the liminal situation in which they originated. By doing so, they enact a new form of prolonged liminality, in which they act as if they are in communitas with people who have not gone through this liminal experience and who do not share the same conception of the communitas.

From solitary confinement to meditation centre

While this article differentiates between experiences in solitary confinement and at meditation retreats, some prisoners live through both. Two of the yogis, who had both participated in meditation retreats and spent time on death row where solitary confinement is used, described having spiritual experiences before they participated in meditation retreats. Thus, the prisoner who was quoted above, speaking about spirits in meditation, also described

how she was visited by a spirit in a solitary cell. She stayed on death row during the first part of her sentence, but was later moved as her sentences was commuted to lifetime imprisonment through an amnesty. She described a classic nightmare where she was ridden by a spirit:

“Once I was sleeping and a bad thing rode me. I could not move. I wanted to pray but I did not know the prayer by heart. I read out a prayer three times then it disappeared. In the execution cell [solitary, death row] I saw a ghost with a very long tail. Now I don’t see them anymore.” (Yogi prisoner, Interview, June, 2018).

She explained that the reason she no longer had such experience after she became a yogi was because of the compassion she had developed. For her, the spirits were still present, but the compassion she had developed during meditation retreats made the spirits friendly.

Another yogi explained how, before he meditated, when he sat alone in his cell on death row, he would look out the cell and see the branches of a tree turn into his friends face. He described it as if he was losing his sense of reality. For him, these experiences stopped once he started meditating, but he had a different explanation as to why they stopped. For him, it was a question of meditation technique. He was not able to do all kinds of meditations without being thrown back into such experiences. The U Goenka method helped him stay grounded through the technique of body scans. The meditation during the U Goenka retreat consists of three days of concentration meditation, where focus is on sensing breath on the spot below the nostrils, followed by seven days of body scan. In the body scan, focus is guided downwards and upwards through the body interchangeably, either part by part or in a free flow. For the yogi, this structure helped him stay focused on his bodily experience and not be distracted by visiting spirits. For him, the visits were a negative experience he hoped to avoid. This might be due to the fact that his first experience of a visit was inside solitary confinement, before meditation retreats took place inside the prison. Generally, spirits are described as something external and their harmfulness depends on the mental state of the yogi. Several yogis described, like the female yogi above, that when you were committed to right living, spirits are no longer a threat.

Though there are differences in the experiences described by the yogis and the Sayadaw, those who have lived through both describe them as similar. The main differences are that the yogis

have a structure within which to understand the experiences, which they are offered by teachers who serve the role as master of ceremony. The monk on the other hand is without guidance and finds it hard to describe in words what his experiences are. Still however, the experiences share similarities which make them comparable. The phenomenon, that of hearing voices remains the same, and the descriptions by the two yogis above suggest that the similarities make them comparable.

Haunted by voices in solitary confinement

For the Sayadaw who was imprisoned in solitary for around five years, the spiritual experiences were not just passing, as the ones described by yogis above. While he was imprisoned, he started hearing voices inside his cell. He spoke of the voices as the worst kind of torture he was subjected to. The torture methods in Myanmar at the time of his imprisonment were brutal and include forced standing, rolling of a metal stick on the shins until the skin peels off, electric shocks and water torture (AAPP 2019; 2005). Still, it was the voices that caused him the greatest suffering and pushed him to the breaking point where he tried to commit suicide.

The voices he heard spoke of politics, like the propaganda of the military regime. They reasoned for the actions of the military and sometimes even convinced him that he was colluding with the military himself and that they were simply carrying out his orders. The voices also represented his social life, when they either were the voices of people he knew or spoke about people he knew.

He described the voices as external to himself and perceived them as allied with the military he was imprisoned for opposing, rather than with himself.

“They know my mind, yes they know my mind, they know me, how I think, what I think. They know me, the voices know me. Yes. So they annoy me all the time. And I could not know their thinking, yes.” (Former prisoner, Interview, June, 2018)

While alone in the cell, he experienced voices whose thinking he could not know. His mind was breaking into parts that were conflicting and unfamiliar with each other. He was becoming ‘unhinged’ (L. Guenther 2013). Without connection to the social world with which his self was constituted in intersubjectivity, his

subjectivity was breaking into parts that did not know each other and who were in conflict with each other. One part wanted to overthrow the military regime, and that was how he ended up in prison, while another part told him that he was allied with the exact same military.

““[B]ecoming unhinged” is not just a colloquial expression; rather, it is a precise phenomenological description of what happens when the articulated joints of our embodied, interrelational subjectivity are broken apart.” (L. Guenther 2013, xii)

Thus, rather than liminality as it takes place during a transitional rite, where the subject moves from one status to another (V. Turner 1970), the Sayadaw went through a liminal experience that unhinged the joints of his self and left him unguided, alone, and with no new status to enter. Similar to the structure of liminal experience as described by Turner, but without the final phase of re-integration where the yogi would return to the structure of his self and the social world.

Through compassion, yogis were able to see and hear spirits without distress and suffering. Through their connection to the *communitas* and by including the spirits in it, they found peace. The Sayadaw, on the other hand, became unhinged. While the voices represented the community in which his intersubjective self was formed, they took on a harmful character. Inside the cell, the voices became torture which broke him down, and cemented the loss of connection to the loved ones the voices represented.

Symbolic death and suicide

These experiences caused the Sayadaw great suffering and drove him to attempt suicide. In doing so, he broke with the foundational rules of Buddhism, the ‘Sila’. The Sila consist of ten precepts, five of which apply to all Buddhist, 8 of which apply on special occasions such as a meditation retreat and all 10 of which apply to monks and nuns. Suicide breaks the first precept, which prohibits killing. Within Buddhism, all life is seen as suffering, and enlightenment happens in acceptance of this reality. For a human being (a high reincarnation) to commit suicide because of suffering is therefore seen as giving up an important chance to learn and come closer to enlightenment (Maurice Nyunt Wai 2002). When the Sayadaw attempted suicide, he is thus not only trying to take his

own life, he is committing an offence against the rule of his religion, thereby removing himself further from the chance of enlightenment.

The first time the Sayadaw attempted suicide, he tried to choke himself with the fetters⁴¹ between his feet. An officer heard it happening and prevented him from taking his own life. The fetters remained on his feet months after the event. He was then transferred to another prison, where he again got close to killing himself. He had obtained a knife and intended to cut his throat. This time, his suicide attempt was triggered *and* stopped by the voices:

Sayadaw: Second time in [Lashio⁴²] Prison. At that time the voices told me, a lot, a lot, a lot, a lot, many guys, many political persons, many armed strikers and generals. And my parents, my relatives, they talked a lot, a lot, a lot, a lot, a lot. So I got dizzy and had a headache. And I didn't want to hear their voices, so I tried to kill myself by a blade. A knife. By the blade of a knife. Yes.

Author: To your arms or?

Sayadaw: No to my neck. But, at the time, my girlfriend, she, I couldn't see her, just on the wall. My girlfriend told me, please think deep, think deep, don't do it. Think a lot, don't do it, it is, it is a mistake, it is not correct she said. I think, I think yes I must do it for my country, I must work for my country and then I threw the blade. Yeah that is the second time. The last time. (Former prisoner, Interview, June, 2018)

Though the voices triggered the suicide attempt, it was also one of the voices that convinced him not to go through with it. On this occasion, the voice was accompanied by a visual representation. He described how he saw people 'on the wall', as if through a projector. When he remarks he did not see her 'just on the wall', it suggests awareness of seeing her differently than if a person was standing in front of him, but still experiencing her presence. The voice that saved him was the voice of his girlfriend before imprisonment. Though he was a monk, they had been able to talk and exchange letters before his imprisonment and he had fallen in love with her. After his release, he went to her village, hoping that they could become a couple, but she was already married to someone else.

⁴¹ Fetters are a restraint mechanism consisting of anklets connected by a chain.

⁴² Lashio is a pseudonym. At this point in time the Sayadaw was in another prison in a similarly remote area.

The intersubjective nature of his self continued, as he was visited by his parents, relatives and girlfriend, even in the solitude of his prison cell. These people, who had been crucial to who he was outside, continued to be crucial for him inside. His interactions with their voices became a matter of life and death in these liminal experiences.

Experiences of death, though in symbolic form, also feature in the accounts by several yogis and in Turner's description of the first phase of transitional rituals. Contrary to the Sayadaw's experience of physical death as a final way out of current suffering, the yogis describe a changed conception of death as giving immediate relief of their suffering.

When speaking about death, the yogis framed their understandings through 'anniche' (impermanence). In Dhamma talks and instructions to meditations, the yogis are repeatedly reminded to be mindful that everything is impermanent, including themselves. In the teachings, U Goenka repeats many times 'anniche', meaning everything is impermanent. It is a reminder for yogis to not attach themselves to anything, not to pleasurable sensations or painful sensations and not to an idea of the self. Everything is impermanent and as such, attachment to sensations will inevitably lead to suffering – either when pleasurable sensations stop, or when a yogi gets impatient for a painful experience to stop. It also means that no suffering is eternal, whether it be pain from sitting, from a recent operation or the pains of imprisonment (Sykes 1958). '*Anniche, anniche*', U Goenka chants in the recordings guiding meditations, it will all pass. This knowledge helps yogis on a practical level, as they remind themselves when sitting becomes uncomfortable, that the pain will pass, or when they miss comforts of life outside the strict discipline of the retreat and the prison. One prisoner recounted how this understanding was useful when, outside the retreats; she became ill and went to hospital for an operation:

“The best part is that the Dhamma is a reminder, now even in my situation with the operation I just had, I remind myself this body is just changing. It will die too. I had stomach surgery. They removed a ball of inflammation. The operation was dangerous and life threatening, I was not affected. In May, I had the open stomach surgery. I am still in pain. The body is just a dead body – to know that helps for the pain.” (Yogi prisoner, Interview, June, 2018)

Though she had gone through the operation only a month before the interview, she did not seem concerned with it and she only mentioned it in passing to explain how the Dhamma teachings had helped her cope with it. She had managed to bring the teachings with her out into her everyday life in prison, where it helped her deal with physical pain. She knew, through anniche, that this pain too would pass.

Other yogis explained how death was connected to non-being, not existing. They spoke of a death beyond the body, a death of the self:

“When I breathe in there is [Zaw Win⁴³], when I breathe out there is no [Zaw Win]. Things disappear, nothing is permanent. When I exhale I don’t exist anywhere. Dhamma is to overcome the fear of death. Buddha says when you breathe in you can feel the body, when you breathe out that does not exist anymore.” (Yogi prisoner, Interview, June 2018)

“The real Vipassana is to lose myself, there is no me, just waves that comes and goes.” (Yogi prisoner, Interview, June 2018)

Here Vipassana diverges significantly from other psychological rehabilitation practices used in prisons (though no such practices are available in Myanmar prisons). Therapy might be about changing the self who is there and rebuilding something else, but not about simply taking apart what is, and leaving the client with a sense that ‘there is no self’. It does, however, correspond well with Turner’s description of the death that takes place in the first phase of transitional rites (V. Turner 1970). For the yogis, death of the self not only pertains to the experience of the ritual process during a meditation retreat. The quotes above demonstrate how the conception of the losing the self remains even after retreats. This can be understood either as permanent liminality akin to monkhood or as part of a new structure in which the self is conceived differently – as *‘waves that comes and goes’*, as a state of being rather than an entity. This conception stems from the Dhamma talks in which U Goenka combines the teachings of the Buddha with modern physics as he explains how everything consist of vibrations of energy, particles of atoms as well as the minds made up of such vibrating particles.

⁴³ Pseudonym, male Burmese name.

Both the Sayadaw and the yogis describe a deconstruction of the self in connection with what has here been conceptualised as liminal experiences. The yogis describe the relief of *letting go* of the self, while the Sayadaw describes the pain of *becoming unhinged* from his own self. The Sayadaw, a monk himself, is familiar with the kind of training and conceptions of self the yogis describe, but it did not help him when he was alone in solitary confinement. When I asked him about the differences between life at the monastery and life in prison, he described them as very different and added that it was a great challenge not to be able to pray with other monks. While he was still allowed to speak out his prayers, it was not the same for him without his *communitas*. As a monk, he was no stranger to liminal experiences, but for him, the qualitative difference of imprisonment and monastery life was so big that he saw no similarities. Liminality in the monastery was shared through *communitas* and was a life he appreciated and chose for himself. This was a kind of liminality he wanted to return to when he was released from prison. Life in prison, however, was full of suffering.

Conclusion

Very similar phenomena, that of hearing voices, can be experienced very differently depending on the situation in which these experiences take place. Three key factors appear to explain why hearing voices can be experienced in such different ways. Firstly, the yogis chose to go through meditation retreats on their own volition, while the Sayadaw was forced into solitary confinement. This sense of having a choice lead the yogis to experience a sense of freedom, within a regime that regulates every hour of their day and in which there are stricter disciplinary rules than in the rest of the prison. The Sayadaw on the other hand does not experience freedom, but experiences levels of suffering that place him on the verge of suicide, even if suicide is conceived as immoral within Buddhism. Secondly, through guidance by a teacher and Dhamma talks, the yogis are shown a path, an anti-structure separate from the social structure outside the retreat, while the Sayadaw lives without such guidance. For the yogis, the teacher and philosophy function as a master of ceremony, that leads them through their spiritual experiences by ascribing meaning to them and connecting them to the ability of being compassionate towards spirits and other beings. Without such guidance, the Sayadaw

remains uncertain about how to describe the voices he heard. The most accurate word for him to describe the voices was ‘torture’, as something external to him, which knows him intimately and which breaks him down. This understanding of the voices ascribes a meaning to them, which makes them more harmful to the Sayadaw. Lastly, the yogis go through their experience with a *communitas*, while the Sayadaw must do without. The voices he hears become his only *communitas*, and as such, they become so influential they are able to drive him to attempt suicide.

These conclusions have consequences for the conceptualisation of liminality and for understandings of solitary confinement. Stenner’s division between devised and spontaneous liminal experiences point to some of the differences between the two cases considered. Thus, the guidance yogis receive through Dhamma teachings and the presence of a *communitas*, with whom they have a shared liminal experience, corresponds with his description of devised liminal experiences. Similarly, the fact that the experiences of the Sayadaw are not shared, and easily rejected by others as unreal, corresponds with Stenner’s argument that spontaneous liminal experiences are easily disregarded as hallucinations, since it is hard to change social structures based on individual liminal experiences.

This article, however, questions whether the categorisation of liminal experiences as devised or spontaneous can explain the extreme amounts of suffering connected with liminal experiences in solitary confinement. Is this only a matter of the absence of *communitas* and a master of ceremony, or are other factors at play? It suggests that understandings of liminality can be enriched by considerations of the degrees to which liminal experiences are sought out voluntarily or forced upon a person. Imprisonment and solitary confinement serve as extreme cases of forced liminality, that highlight a dimension also present in other liminal experiences. For example, people can go through transitional rites based on differing degrees of individual motivation and social pressure, the balance between which can have consequences for the liminal experience. Exploring such differences represent a potential for deeper understanding of the experiential aspect of liminality.

Lastly, these findings call for reconsideration of the meaning of the high prevalence of mental disorders among prisoners in solitary confinement. Solitary confinement continues to be used across the world, though it has been shown long ago that it leads to suffering rather than reform through introspection, which was its original purpose (L. Guenther 2013; Haney 2002; Reiter 2016; Smith 2006).

This article adds to the voices that speak up against the suffering enforced upon prisoners through this practice and points to key characteristics of solitary confinement as contributing to liminal experiences that are characterised by suffering. Solitary confinement is often: forced upon the individual, experienced without guidance and removed from the community. This combination suspends prisoners in prolonged liminality, as they enter a transition with no end goal. In this state, spiritual experiences such as hearing voices and seeing figures are a logical reaction, an attempt to stay connected to the intersubjective self of the prisoner. Conceiving such reactions as pathological is a wrongful understanding of causalities. These reactions are direct consequences of the social harms of solitary confinement.

PAPER IV

‘Beyond the Prison Gate’ - exploring recognition through photography with former political prisoners in Myanmar

Status: under review at Visual Anthropology

This article argues that imprisonment is a liminal experience and that recognition is needed to establish a new social status to enable parity of participation after release. The article builds on photographic action research conducted with four former political prisoners in Myanmar and analyzes three of the photos from the project and the process of creating and exhibiting photos. The article shows how former prisoners experience prolonged liminality and argues that recognition and access to parity of participation are key to prevent such prolonged liminality and to offer redress for the injustice and misrecognition former political prisoners experienced.

KEYWORDS: prison • Myanmar • action research • recognition
• political prisoners • liminality

“There can be no national reconciliation without the immediate and unconditional release of political prisoners in Burma.” (AAPP 2013)

This slogan is recorded on the wall of an office belonging to the Assistance Association for Political Prisoners⁴⁴ (AAPP) on the outskirts of Yangon. AAPP is an organization of former political prisoners and with these words they connect struggles of former political prisoners to the ongoing political and armed conflicts across Myanmar. They call for recognition in a context where Daw Aung San Suu Kyi, leader of the civil government that replaced past military regimes, urges people to put the past behind them and focus on solving the problems at hand today. Still, AAPP and other political prisoners long for recognition of the wrongdoings they suffered under the authoritarian regime in the past and the contribution they made to advance the development of Myanmar to where it is today.

Recognition is a topic that reach beyond the specific call by AAPP in Myanmar. It is also a concept that has been discussed by scholars in relation to human identity and justice (Lovell 2007). Honneth famously developed a theory of recognition which describes recognition as key to maintain a healthy relation to self. He describes recognition as a key component to forming individual identity (Honneth 2012; 1996). In response to Honneth's theory, Fraser has developed 'the status model', arguing that recognition must be understood in connection to redistribution and is ultimately about 'parity of participation' in society (Fraser 2018; 2000).

This article draws on both theoretical conceptions of recognition to explore what recognition means to political prisoners in Myanmar who struggle to re-establish their lives after release. It does so through analysis of an action research project with four former political prisoners, where photography was used to tell stories about everyday lives of former political prisoners in Myanmar. The article applies an analytical lens, which conceptualizes experiences of imprisonment as liminal experiences (V. Turner 1979; van Gennep 1960). In this framework, the call for recognition by former political prisoners is seen as reflecting experiences of prolonged liminality, where former prisoners are unable to enter into a new status (Thomassen 2015). The process of gaining recognition is key to establish a new status for released prisoners that allows for parity of participation in society. The need for recognition of the unique contribution of former political prisoners is connected to the misrecognition they faced through

⁴⁴ The term 'political prisoner' can be defined in various ways. In this article, it as an emic term used in Myanmar and refers to people imprisoned in connection with their fight for democracy and opposition to the military regime. For a discussion of the term see Llorente (2016).

injustices of torture and imprisonment (Fraser 2018; Honneth 2012).

The article proceeds with a description of the action research project 'Beyond the Prison Gate'. It then unpacks recognition through two examples. Through the first example, it approaches the issue of what political prisoners want recognition for, while the second example addresses shortcomings of recognition without redistribution leading to parity of participation. Finally, the conclusion discusses the consequences of the findings for understandings of prisoner re-integration and the potential for studying recognition through photography.

Beyond the Prison Gate – action research with photography

This article builds on data created in an action research project inspired by methods used in photovoice (Wang and Burris 1997). The project is one component of a 5-year research project called Legacies of Detention in Myanmar. The action research took place during the second of two rounds of fieldwork conducted by the author from 2016 – 2018. The project had a dual purpose: 1. to support recognition of political prisoners in Myanmar by raising awareness and adding nuances to understandings of their situation, and 2. to generate data for research on this topic. Such dual agendas are common within action research, which aims at creating a space for social change through collaborative research that supports such change processes (Brydon-Miller, Greenwood, and Maguire 2003).

Originally, photovoice was designed as a method for evaluation purposes within public health studies (Wang and Burris 1997). However, with inspiration from action research, this study has a more activist flavor to it (see Pickering 2014 for an example similar use of the method with Canadian ex-prisoners). Rather than designing the project according to evaluation needs, the project was collaborative in nature and the research component was adapted to the aim of creating recognition and awareness (Arieli, Friedman, and Agbaria 2009). The overall frame of working towards a photo exhibition was predefined, while content, process and design of the exhibition was developed in collaboration with the photographers.

Both action research and visual research can be complicated affairs when conducted in prisons. Prisoners often have good reasons not to share 'intimate details' (Fine 2006, 252), some pertain to the stigmatization they face when released, their position

in relation to other prisoners or authorities and some information might even postpone their release (Gaborit 2019a). For action research, this can present as a limitation to the kind of actions prisoners can participate in (D. H. Drake 2014) and for visual research this can present as a major limitation to the kind of photos it is possible to create (see Bonifacio and Schillaci 2017 for an example of research overcoming these challenges). In this project, working with former political prisoners relieved the pressure of the prison environment, and the categorization as ‘political prisoners’ prevented stigmatization as ‘criminal’. Moreover, since this project is concerned with recognition, anonymization would contradict the purpose of the project. The photographers, as well as those depicted in the photos in this article, are therefore described with full names. All participants consented to this use of their photos and share an interest in showing their story to the world. While it is often standard practice to anonymize research interlocutors, it would not be appropriate in this project (K. M. Guenther 2009).

The idea for this project was sparked by the identification of recognition (Honneth 1996) as an important analytical concept and an issue that concerned many former political prisoners. The former political prisoners expressed a wish for recognition from the state for the sacrifice they made during political uprisings and their role in dismantling the authoritarian regime of the past. Although they had been subjected to injustices by past regimes, they were asking for recognition from the current civilian government. The new political leadership of the country does not represent the perpetrators, but is able to redress for past injustices and enable former political prisoners to re-establish their lives and gain parity of participation.

Recruitment for the project happened through my existing contacts and by inviting organizations working with political prisoners to join. For two months, participants came and went. By then, four photographers committed to the project and a group took form. The group included U Letyar Tun, a contact from previous fieldwork who had previously participated in a similar project called “Framing the Transition.” I approached him to help me facilitate the project and get in touch with other photographers. He put me in touch with U Pho Nyi Htwe, an experienced photographer who had been part of Burma VJ⁴⁵. He was an editor and media photographer and had a strong motivation to tell the world about the

⁴⁵ Burma VJ refers to Burma Video Journalists, who documented the oppression by the military junta and risked their lives smuggling the documentation out of the country.

struggles of former political prisoners. The third photographer to join was Ko Phyo Dhana Chit Lynn Thike. He was the youngest of the group and had been imprisoned during the 2015 demonstrations against a new education law. At first, he was in doubt about whether to claim the title as political prisoner, since he had never been convicted, but ‘only’ spent one year in prison as pre-trial detainee. His doubts spoke to the topic we were depicting in our pictures – what does it mean to be a ‘political prisoner’. He doubted whether he qualified for the categorization when compared to the other photographers, who had taken part in more famous uprisings that had been cracked down upon more violently. The former political prisoner who referred him to the project and the other photographers accepted him as a political prisoner and thus he agreed to this categorization. His doubts demonstrate how in action research conducted *with* and *about* political prisoners, the process reveals as much about the topic as the output of the project (Pink 2011). The last to join was U Sai Minn Thein, a professional portrait photographer with great technical skill. He was initially critical and doubted the genuineness of the declared aim to increase the understanding of lives of political prisoners and contribute to their recognition. After being critical at the first meeting, he was convinced of the genuine intentions behind the project and became a highly engaged participant during the rest of the project.

The aim was to recruit photographers from various backgrounds for a broad representation. It proved complicated to recruit people from different religions, other ethnicities than Barmar (the majority in Myanmar) and women. Age was the aspect in which the group was the most versatile. Having photographers of different ages meant that the group represented different generations of political prisoners. The photographers were arrested in connection with the 1988, 1998, 2007 and 2015 demonstrations. In these different years, significant unrest resulted in major demonstrations which were dismantled by the military, resulting in groups of activists being imprisoned. These groups became the generation of that year. While the generations have a common cause in the fight against authoritarianism, their specific motivations differ. For example, the 1988 unrest was, among other factors, a reaction to the demonetization of 25, 35 and 75 kyat notes in 1987, the Saffron revolution in 2007 was sparked by the doubling of fuel prices, and, the 15 demonstrations were a reaction to a new education law, maintaining the ban of a national student union. Different generations exist in different temporalities and ontologies as they are united around the magnetic fields of different threshold

experiences (Wydra 2018, 9). Generations have different perceptions of the past and current situation in Myanmar, which sometimes lead to intergenerational conflicts. This also speaks to Phyoe Dhana's hesitation to identify himself as a political prisoner. Not only was he 'only' a remand prisoner, he was also not part of the major threshold experiences of the 1988 and 2007 uprisings. Although different generations imply different perceptions, the group united around the struggle against authoritarianism and for democracy. Moreover, although they had faced injustices under different regimes, they now called for recognition from the state represented by the current government.

Though the photographers do not cover all generations, the fact that the group reaches across different generations displays to the audience that this project does not belong to a certain generation and exclude others. While this showed inclusiveness, it also made it harder to create cohesiveness in the group. I had imagined the project to include peer support. This turned out not to fit well with the hierarchical culture of Myanmar or the variations in perception of past and present situation among the photographers, resulting from their belonging to various generations. Furthermore, the generational differences also meant some of the internal struggles between groups of political prisoners were evident in the group. Yet, this project exemplifies how generational differences can be overcome, when uniting around a shared purpose. In spite of the challenges faced, the final product was an exhibition that built bridges between generations and added nuances to understandings of what it means to be a former political prisoner in Myanmar. This is reflected in one of the photos from the exhibition presented in Figure 1, which shows how generations of political prisoners sometimes exist within the same family. The photo shows U Nay Win, his daughter, Ma Phyoe Phyoe Aung, and grandson. Both U Nay Win and Ma Phyoe Phyoe Aung are former political prisoners and the t-shirts in the photos carry slogans calling for the release of political prisoners.



Figure 1: Photo text: U Nay Win, his daughter Ma Phyoe Phyoe Aung and grandson, representing multiple generations of political prisoners within one family. Photo: Phyoe Dhana Chit Lynn Htike

The exhibition in Yangon had approximately 400 visitors and was featured in national and regional media in 6 different articles and videos (Dunant 2018; San Lin Tun 2018). It was well received by the audience – local as well as international, those who were familiar with or new to the topic of political prisoners.

The below analysis focuses on two of the sixty photos created for the exhibition, supplemented with field notes from our meetings and the author's fieldwork with other political prisoners.⁴⁶ The photo above and the two featuring in the analysis below have been selected because they exemplify central aspects of recognition of political prisoners.

⁴⁶ The analysis is primarily concerned with the issue of recognition. Additional reflections upon action research as a method is out of the scope of this article.

Recognition and prolonged liminality in post-prison life

Honneth describes recognition as crucial for an individual to maintain a healthy relation to self and thus a sense of reality. He divides recognition into three types that support different parts of the individual's relation to self: self-confidence, self-respect and self-esteem. Recognition leading to self-confidence is described as universal and established in the loving relation between mother and child, while the two remaining types are historically defined according to moral systems. Self-respect is supported by legal recognition, for example the presence of human rights which establish the equal worth of everybody. Self-esteem is supported through recognition of a person's unique individual accomplishments. When political prisoners call for recognition from the state, it is the two latter types that are at stake, those that corresponds to universal rights and the unique contribution of political prisoners.

While Honneth's theory is widely used, it has also received critique. One of its famous critics is Nancy Fraser. While she agrees with Honneth on the need for a theory of recognition, she argues that he misses the point by individualizing the issue. Fraser proposes:

“[W]e need a way of rethinking the politics of recognition in a way that can help to solve, or at least mitigate, the problems of displacement and reification. This means conceptualizing struggles for recognition so that they can be integrated with struggles for redistribution, rather than displacing and undermining them.” (2000, 109)

Through ‘the status model’ Fraser argues that recognition must be understood as connected justice and redistribution of resources that enable parity of participation for all (Fraser 2018).

With the status model, Fraser opens for the possibility of combining two fields of literature on different yet connected concepts, that on recognition with that on liminality. Turner has described liminality as the period betwixt and between as an individual moves from one social status to another (1970; 1979). When combining this insight with Fraser's status model, it appears recognition and redistribution are important concepts to describe the final phase of rites of passage, when liminal personae are re-integrated in society and positioned in a new status. This combination of concepts is particularly relevant when exploring

what is at stake when political prisoners in Myanmar call for recognition and for prisoners upon release in general.

This article argues that understanding imprisonment as a liminal experience contributes to a better understanding of the challenges prisoners face to re-integrate into society after release. Experiences of imprisonment follow a pre-defined sequence. Arrest leads to time spent in prison and after a period of time, the prisoner is released. This sequence is much alike the sequence of rites of passage, which van Genneep (1960) has described as divided into three parts: pre-liminal rituals of separation, liminal phase and the post-liminal ritual of re-integration. Experiences of imprisonment are indeed akin to those of transitional rituals and liminality represents a particular potential as an analytical lens for the study of experiences of imprisonment. While some researchers have identified this potential (Green 2016; Jewkes 2005; Moran 2013), much is still to be gained from further exploring the potential for the study of imprisonment as liminal experience.

While liminality adds to understandings of recognition as described in Fraser's status model, there is still a conflict in Honneth and Fraser's conceptions of recognition. In a discussion of the critique of his theory, Honneth reflects on the potential of the anthropology of transcendence as a grounding explanation of the universal importance of recognition (Honneth 2002). While Honneth uses transcendence as defined in object-relation theory to maintain his identity-centered understanding of recognition, this article argues that social transcendence as conceptualized in critical phenomenology is a way to build a bridge between Honneth and Fraser's understandings of recognition as a factor in identity and social status simultaneously. It does so with inspiration from Guenther's development of a critical phenomenology. In this approach to phenomenology, focus is on intersubjectivity, on the social transcendence of individuals. Individuals are understood as socially transcendent in the sense that their self is formed in the encounter with others and therefore cannot be understood as individual entities.

In this project, photography was chosen as tool to approach recognition phenomenologically. By doing so through action research, by approaching former political prisoners through photography *and* exhibiting their lives to the world, the project is positioned within the field of applied visual anthropology:

“Applied, activist and public uses of (audio)visual anthropology allow, in a very direct way, the experiences of those who are normally invisible to

be seen and their voices and feelings to be heard.”
(Pink 2011, 450)

Thus, photography was a tool for the researcher to approach sensory experiences of former political prisoners, and to share such experiences to a wider audience.

When studying processes of recognition from a critical phenomenological perspective, the difference between Honneth and Fraser’s conceptions blur. Honneth refers to individual identity to explain the importance of recognition, while Fraser explains the importance through social status and parity of participation. In critical phenomenology, individual identity is inherently intersubjective and as such, individual identity and social status are closely related. On this basis, this article proceeds to show how both conceptions of recognition are needed to explain what political prisoners in Myanmar are calling for after release. To prevent prolonged liminal experiences (Thomassen 2015; Stenner 2017) upon release, the political prisoners call for both recognition of their identity as political prisoners who contributed to the struggle for a better nation and for a new social status which enables them to participate in society once again.

The following sections discuss first, how one of the photographed subjects experienced the shortcomings of recognition, and secondly, how the process of this project revealed the necessity for redistribution in order to respond to the call for recognition by political prisoners in Myanmar.

Recognition of identity and the risk of victimization



Figure 2. Photo text: Ko Pho Kyaw aka Kyaw Min Swe relaxing in his home. Photo: Pho Nyi Htwe

After release, some political prisoners do manage to re-establish their lives again. Among these are the current political figures, such as U Ko Ko Gyi and U Phyo Min Thein, who often represent former political prisoners in pictures. For many, however, re-establishing their lives after imprisonment is an impossible task. Since the photo exhibition addressed the issue of recognition and tried to nuance the existing depictions of political prisoners, most of the photos depicted those who had faced major challenges preventing them from re-establishing their life after release. One of the people for whom recognition remained absent was U Pho Kyaw. For U Pho Kyaw, this resulted in a life where he struggled for daily subsistence by weighing people on a scale by the sidewalk. Sitting there by the side of the road, his past status was indiscernible to those who passed by or stopped to be weighed. Similarly, in the photos, which showed him working, eating in a teashop and in his simple home, the only visible remnant of his past was the scars on his neck from the torture inflicted on him.

Figure 2 shows his thin body marked by suffering in his simple home. Reactions among the audience were to say he looked sick, like he was intoxicated or even dead. While the foreign audience⁴⁷ seemed overwhelmed by the exhaustion he emanated, the Myanmar audience seemed more attentive to details. One man asked U Pho Kyaw about the t-shirt he was wearing, since it was donated in connection with a development project. Staying with the details, the photo also shows the scale with which he earns his living (on the left edge of the photo), the traditional bamboo mat he is sleeping on, a fan for the hot days and blanket for the nights in the cold season. The room is on the ground floor, and in between the two exhibitions in Yangon, it was flooded and he had to move all of his belongings to another room.

At the launch, U Pho Kyaw did not appear bothered by this specific picture. Rather, he appeared proud to be on the wall in an exhibition like this. He had dressed up for the occasion in a formal shirt and he radiated self-esteem and pride. He engaged with the audience and told them how he got to where he was today. When the launch was over, he had a request: He would like a short biography of him to be included in the exhibition. The original picture text included at the exhibition read as follows:

“Ko Kyaw Min Swe aka. Pho Kyaw joined the ABSDF [All Burma Students’ Democratic Front] in the northern camp by the border to Thailand after the democratic uprising in 1988. He fled from the camp after the incident in 1991-1992 where students turned on each other while some students were accused to be informers of the state. In 1998 he was arrested because of his participation in the anniversary of the 1988 uprising. He was sentenced to 7 years under section 5J of the emergency act. He was released from Oh Bo Prison in November 2004. In the pictures, he is working in the street earning for his daily living by weighing people, relaxing in his simple home and eating in a teashop.” (English picture text from exhibition, Burmese version also present at the exhibition in Yangon)

Ko Pho Kyaw was concerned that people would not understand his sacrifices and his contributions to the struggle for democracy by only seeing the six pictures of him and reading the short picture text.

⁴⁷ The foreign audience consist of expats in Yangon and the Danish Audience in Copenhagen and Roskilde.

He therefore asked to have a short biography about him and the other former political prisoners included in the exhibition.

While exhibiting in Yangon, I was reluctant to include the biography, in part because I did not have the capacity for the added workload it entailed and also because I was hesitant to add more text to the exhibition. I tried to explain that the exhibition was an attempt to communicate visually and that other parts of the research would be in text, and that I would be happy to include his biography in those. At a later date, we sat down and talked through his experiences. When we did, he showed up with a written biography. At first, he accepted my refusal to include the biography in the exhibition. However, when the exhibition moved to a new venue in downtown Yangon, he showed up with copies of the handwritten biography. He did not take no for an answer, instead he took ownership of the photos of him and made them into what he wanted it to be. He stayed for most of the time the exhibition was held in downtown and handed out copies of his biography and discussed his experiences with the audience. His participation is an example of how the project adapted in accordance with the interests of the participants. In this case, it adapted to a participant who took a much more active role than what we had imagined for the subjects in the pictures. Through his participation, he insisted on his status as a political activist and demanded the recognition I was unable or unwilling to give. Through his interactions at the gallery, he instead received recognition directly from the audience of the exhibition. In the design of the project, the four photographers had been imagined as co-creators of recognition, while the subjects in the photos, together with political prisoners who did not take part in the project, were imagined rather as recipients of the recognition the project would generate if successful. U Pho Kyaw however, took a more active role and involved himself in the co-creation of recognition.

In addition to what was already in the picture text, his biography added the following information⁴⁸: He was part of the Myaynigone demonstration on June 21, 1988 and led the Sanchaung force of students in the 8888. After that, he took part in forming the student union for high school students in Yangon, and later, after a violent crackdown by the military when ABSDF was formed, he joined them in the armed struggle. For ‘the Northern Incident’ in 1991-92 (The Truth and Justice Committee and All Burma Students’ Democratic Front 2015), he added that the internal conflicts among

⁴⁸ This information stems from U Pho Kyaw’s personal account and has not been fact checked.

the armed student activists in the camp was part of a leadership struggle.

The added information refers to the time before his imprisonment. It adds details about his participation in the uprising. The specific place he joined the demonstration, that he held a leadership role, and that his participation started early on in the uprising.⁴⁹ According to Honneth's theory of recognition, this can be understood as alluding to recognition for his unique contribution, recognition leading to self-esteem. Whereas recognition for 'just' being part of the 8888, along with the many thousands of other people on that day, might not be recognized as a unique accomplishment, but rather as a natural consequence of being in Yangon on those days. U Pho Kyaw thus seeks recognition for what he was before his imprisonment rather than for what he became in or after prison.

While U Pho Kyaw seeks recognition for what he was before his imprisonment, the exhibition was about the everyday lives of political prisoners after release, about present and future life. For the prisoners who find themselves betwixt and between in a liminal state, unable to re-establish their lives, there is a lack of a new status, or at least, the new status they find themselves in does not agree with them and does not correspond with the sacrifices they made for the country. For U Pho Kyaw, focusing on the time after release entailed the risk of being victimized (McEvoy and McConnachie 2013). Even as we tried to create more nuanced understanding of who the political prisoners were, his reaction implies that our depiction too labels and objectifies him, as it overlooks parts of who he is. While this was an unintended effect of the exhibition, it illustrates an aspect of the life of former political prisoners. Without recognition of what it means to be a political activist and prisoner – both how they fought and what they went through, there is no new status for former political prisoners to enter into. Instead, U Pho Kyaw appears simply as a poor person earning his daily living by the side of the road. His revolutionary struggle and how that brought him to where he is today remains unseen. To our regret, in our attempt to recognize U Pho Kyaw as a political prisoner we added to the stigmatization of him in the status of a victim.

⁴⁹ Often events in March 1988 are referred to as sparking the 88 uprising, though some will refer back to 1987 for the first demonstrations. When Pho Kyaw joins in June it places him as among some of the activists who went to the streets while it was still perceived as risky. The period from August 8 until 31, is described by many as an opening, where the military did not crack down on demonstrations. On September 18, General Saw Maung established the State Law and Order Restoration Council and violently re-established military control over the country (Lintner 1990).

In addition to the negotiation of what exactly U Pho Kyaw was to be recognized for, another issue arose. In spite of the recognition he received for being part of the exhibition, and the ownership he took when showing up at the exhibition with his biography, his needs were unfulfilled. Rainy season was setting in and weighing people on the street was no longer a viable source of income. He therefore presented me with another request: whether I could help him find another job. This was a request I was unable to fulfil, which speaks to Fraser's main argument in her critique of Honneth. Recognition, even when it was adjusted to be of the unique contribution he took pride in, it was not enough in itself. He was in a prolonged state of liminality, in which there was no status to be recognized for. Given that there was no current status to be recognized for, he looked to the past, to a time when he found pride in the status he was positioned in. U Pho Kyaw was asking for access to participate fully and gain a stable job, he was asking for redistribution and parity of participation.

Re-distribution and the need for medical assistance



Figure 3. U Ye Lwin, renowned musician, received many visitors in his room while treated at the HCPP. Here he is with two volunteers from the clinic. Photo: Sai Minn Thein

The issue of offering recognition but not being able to solve the actual problems the political prisoners faced was a recurring topic in discussions among the photographers and I. Due to the difficulties with employment after release, many of the people depicted in the photos were poor. We therefore repeatedly discussed whether we could support the subjects financially. All the photographers were volunteering on the project, but when they went out to take pictures, they encountered people who thought they got a salary from the project and expected them to share the benefits. While initially choosing to join the project and supporting the idea of this as a way to create recognition for the political prisoners, the reality they faced when taking pictures made the photographers repeatedly raise the request to pay the subjects in their photos. At a meeting one of the photographers explained:

“These people we are taking pictures of are suffering in silence. The subject would not see this as recognition, in the present moment it doesn’t change anything about his daily life and suffering. They are struggling for basic needs. Far away recognition does not work, he just wants a good lunch for today. This recognition is just lip service.” (Photographer quoted from field note)

Several issues were at stake in these discussions. There was the issue that the photographers themselves were volunteering and only got their expenses covered. In an attempt to make up for this, they received the prints of the photos after the exhibition and a symbolic gift at the launch of the exhibition as a token of gratitude. Still, there was the issue of asking people to take their photos and not giving them anything in return. This is standard practice within photography and research, and the ethical standards of research kept me from finding it appropriate to pay the subjects in the photos (The Council of the American Anthropological Association 2012). Just as I would never pay another informant, these people could not be paid, as it could introduce a bias in their motives to participate. In opposition to this, the group of photographers argued that Burmese traditions around gift giving and donations meant that it would be appropriate to give something, and that money would be the best thing to give, as that was what the subjects needed. We had several long and emotionally draining discussions about this subject before reaching a solution that satisfied everybody.

At the time, I was convinced the conflict was a result of having several ethical systems within one project, systems that had

contradictory definitions of ‘the right thing to do’ (Burmese traditions for gift giving and donations versus traditions within photography and research). In the end, it was the ethical system of the donor⁵⁰ and the Western research standards that was the deciding factor for how we acted. This however meant that I broke with the egalitarian structure I tried to create. No matter how much ownership I wanted to give the photographers when it came to content of the project, this conflict cemented the fact that I had the full deciding power over our budget and went against the democratic principles of action research (Arieli, Friedman, and Agbaria 2009).

The solution that finally put an end to these discussions, however, point to another cause of the conflict. This cause is in line with Fraser’s argument that recognition without redistribution is insufficient:

“To redress this injustice still requires a politics of recognition, but in the ‘status model’ this is no longer reduced to a question of identity: rather, it means a politics aimed at overcoming subordination by establishing the misrecognized party as a full member of society, capable of participating on a par with the rest.” (Fraser 2000, 113)

By introducing the status model, Fraser redefines recognition to be a process that does not only concern recognition of the rights or accomplishments of a person. Rather, recognition is concerned with the status of an individual, and the access to parity of participation (Fraser 2018). According to this definition, the recognition created through the exhibition can only ever be a partial solution. Only if the exhibition contributes to a change in the status of the former political prisoners, in a way that opens up for institutionalization of parity of participation, would it offer redress for the misrecognition and injustice that led political prisoners to call for recognition.

For the photo project, the solution had been in front of our eyes the whole time. As we discussed venues for the exhibition, several galleries had been in play, but in the end, it was the Healthcare Centre for Political Prisoners (HCPP) that became the solution. The HCPP was mentioned in many conversations. The photographers

⁵⁰ The project is funded by the Danish Ministry of Foreign Affairs as part of [Legacies of Detention in Myanmar](#).

had informed me about this new possibility for political prisoners to access healthcare and we had discussed several people at the center as possible subjects for photos. In the end, two of them made it into the exhibition. U Kyi Soe, a volunteer at the center and U Ye Lwin, a patient. The photo in Figure 3 is from the series about U Ye Lwin, who is sitting on his bed in the back, and also features U Kyi Soe still sitting on a red plastic chair.

At some point, the discussions around paying or not paying the subjects, finding a location, which we would most likely have to pay for, and the ever presence of HCPP in our discussions resulted in an idea. If we had the exhibition at HCPP and paid them the same rate that galleries charged, we could indirectly support former political prisoners, while avoiding the ethical issues of paying research participants directly. The only downside to the exhibition space at the HCPP was its location in North Dagon, a suburb of Yangon almost an hour's drive from downtown. This meant that a lot of visitors would not come, simply because of the location. Therefore, we decided to add a three day exhibition downtown. Thus, the exhibition dates were fixed for July 7 – August 2 in HCPP and August 4 – 6, 2018 in Moon Art Gallery. When this plan was agreed upon, the discussions about paying informants stopped.

The health care center was an important place for the former political prisoners because many of them suffer from serious health consequences after release. In the prisons, poor diet, limited access to healthcare and overcrowding leads to the risk of a series of health issues. Contagious diseases such as tuberculosis, hepatitis and HIV spread easily. Moreover, the lack of health care can aggravate the consequences of even minor diseases (AAPP and FPPS 2016). Therefore, the political prisoners experienced an increased need for healthcare after release, while they struggled to get a job and many thus found themselves unable to pay for the needed healthcare. As a response to this, several projects have offered healthcare to political prisoners, most famously the Win Tin Clinic and most recently the HCPP. Through these clinics, local CSOs and international development actors create access to healthcare for a group otherwise marginalized. Thus, they act as a substitute for the state in the redistribution of access to healthcare.

A risk of this model, where civil society substitutes for the state is however that it is unsustainable. Firstly, both healthcare centers are placed in Yangon, making them inaccessible to people in other parts of the country. Secondly, both the Win Tin Clinic and HCPP have been struggling to get enough funding to meet the demand. The support from the exhibition only covered the clinic's expenses

for a month. The clinic is thus dependent on receiving such contributions on a regular basis. For justice to be served, parity of participation must be institutionalized through a more permanent solution.

The exhibition was a drop in the ocean, whether conceived as recognition through awareness raising or through redistribution. We can only hope that it will form ripples in the water and that those ripples will at one point make waves as they gain power through interference with other drops.

Conclusion

This project was designed as an action research project inspired by the photovoice method to create and explore recognition simultaneously. Photography was included as a visual element, which served as a common third around which to engage in discussions about recognition and as a way to communicate about the topic. While research papers like this might contribute to improvement of conditions for former political prisoners in the long run through generation of knowledge, the exhibition of photos co-produced during the project had a more immediate impact. They served to raise awareness about the struggles of former political prisoners, and communicate in an engaging way. Daw Phyu Phyu Thin, Director of the HCPP opened the exhibition with the following sentence:

“These are not beautiful pictures.” (Field notes)

She pointed to the contrast with the normal way of depicting political prisoners, through celebratory pictures of their release or post-prison accomplishment, or through famous historical pictures of the demonstrations and how they were violently shut down. These photos were different because they showed mundane scenes of post-prison life, the everyday struggles after release. As such, working with photovoice with former political prisoners in Myanmar turned out to speak to the theme that was also identified as important with Pickering’s work with female Canadian ex-prisoners, whose pictures spoke to the theme ‘picture me different’ (Pickering 2014). Both this project and the work of Pickering speaks to the importance of creating a new status for prisoners after release to avoid stigmatization and create parity of participation.

While part of the motivation for using visual methods was to be able to reach a different audience, the focus on photography of

current events left us unable to depict the stories of the past that U Pho Kyaw wanted to tell. Through his written biography, he added facts about his contribution to the uprising in a narrative form that is often used when activists from the uprising meet each other for the first time and want to establish their positions. In the exhibition, we addressed the present situation, in the hope of contribute to the possibility of change in the future. While recognizing the historical significance of the contribution of the former political prisoners, we tried to put a face to them and show the varieties of lives they lead and the complexities of the struggles they face today. In doing so, we hoped to give the viewer an understanding of how the sacrifices political prisoners make are ongoing, even after release, and to do so in a way that was relatable. We aimed to go beyond the sayable and also include aspects of their experiences that are only showable. We wanted to bring the audience one step closer to the former political prisoners by seeing their faces and homes, their everyday life. By doing so, we depicted some former political prisoners in a state of prolonged liminality, without an agreeable status for which to be recognized, or, in some cases, even contributed to victimization and recognized them for a status, which was not agreeable to them and did not create parity of participation.

The aim of this project was to contribute to the recognition of former political prisoners. The project however faced two major limitations to reach this goal. One, as described above, was that of creating recognition for a status not yet obtained. By depicting the everyday lives of former political prisoners through photography, what was documented for some political prisoners was experiences of prolonged liminality. These depictions of prolonged liminality did not include accomplishments of the past, or a possible future in which a new status was obtained. In the process of trying to generate recognition, what was caught on film was the absence of recognition. For some of the people in the photos, the recognition implied by being part of a photo exhibition that recognized them as political prisoners outweighed the significance of depictions of prolonged liminality; for others however, the depictions became representative of the misrecognition we were trying to prevent. This speaks to the limitations of working with photography of present situations, when engaging with processes that reach across decades. The second limitation faced was connected to the size of our project and our possible influence on a change of status for former political prisoners in Myanmar. While some political prisoners saw recognition in the creation of the photo exhibition, all continued to face imparity of participation. While the exhibition, in spite of its

limitations, in some ways contributed to recognition, as described by Honneth, of the unique contribution by political prisoners, it was unable to create redistribution through institutionalization of parity of participation. The financial contribution the exhibition was able to support the HCPP with only covered a month of expenses for the clinic. To institutionalize healthcare for former political prisoners a stronger actor, such as the State or an international agency would need to commit. When recognition is understood as inherently connected to redistribution, the potential of a small action research project is thus only to question the structures that prevent parity of participation. For the institutionalization of changed practices, however, actors that are more powerful need to engage.

By engaging with photography in an action research project, this article has explored the difficulties former political prisoners face in the transition from prison to post-prison life. Prisons are institutions designed to take people away from their ordinary lives and limit their access to society for a certain period of time. When released, prisoners are supposed to re-integrate in society and become law-abiding citizens. However, as demonstrated in this article, re-establishing your life after release is not an easy task. By demonstrating the similarities between prisons and transitional rituals, this article has argued that a ritual is needed to mark the new status of the ex-prisoner as a changed person and allow for successful re-integration. In addition, Fraser's status model demonstrated how recognition is closely related to redistribution as a tool to parity of participation and that recognition can redress misrecognition and injustices of the past (Honneth 1996; Fraser 2000). These findings suggest the need for an institutionalization of practices on release from prison, which ensure former prisoners can enter into a new status as law abiding citizens in which parity of participation is available.

VISUAL INTERLUDE VI

Ko Kyaw Min Swe aka. **Pho Kyaw** joined the ABSDF in the northern camp by the border to Thailand, after the democratic uprising in 1988. He fled from the camp after the northern incident in 1991-1992, where students turned on each other and some students were accused of being informers for the state. In 1998, he was arrested because of his participation in the anniversary of the 1988 uprising. He was sentenced to 7 years under section 5J of the emergency act. He was released from Oh Bo Prison on November 19. In the pictures, he is working in the street earning for his daily living by weighing people, relaxing in his simple home and eating in a teashop. (Photo: Pho Nyi Htwe)





Ma Thanda was arrested on April 23, 2007 on the Thai/Myanmar border. She was sentenced to 28 years of imprisonment, of which she served 6 before being released on amnesty. In the pictures, she holds a picture of her late husband U Par Gyi who was executed in 2014 while covering a story on the fighting between ethnic groups and the military. Today she is a member of parliament (Hllutaw) for NLD. (Photo: Pho Nyi Htwe (this page) and Letyar Tun (right)).





CHAPTER 5

Conclusion and discussion of findings

This study has explored how different practices of detention have been lived through by prisoners under different regimes in the period 1988 to 2018. To do so, it has addressed the following general research question: What experiences do prisoners in Myanmar go through and how are they affected by such experiences? Through this line of inquiry, the study has addressed three gaps in existing research: one empirical, methodological and conceptual. While all three gaps have been addressed continuously throughout this dissertation, the primary contributions to these gaps are presented below.

The empirical gap in research was concerned with the scarce research on prison in the Global South, even less on Asian prisons and no empirical research on prisons in Myanmar within recent times (1988-2018). This gap in research was addressed through the first sub-research question: How are experiences of imprisonment in Myanmar today shaped by legacies from the past? While all papers in this dissertation have contributed to filling the empirical gap, Paper I directly addressed the first sub-research question. Paper I combined a genealogical approach with ethnographic findings about prisons in Myanmar today. In doing so, it traced how four penal practices mutated and persisted across time and across different regimes. It showed how the use of fetters for restraints of prisoners is a legacy from the time of colonial lock ups, in which material conditions necessitated the use of restraints to prevent escapes. It further demonstrated how, while the use of fetters have decreased significantly, they are still in use even though the brick walls of prisons today are more likely to prevent escapes than the bamboo walls of the past. Secondly, the paper showed how the use of convict officers had persisted across dynastic, colonial and authoritarian regimes and continues to be in use today. Thirdly, it traced the curious development of use of amnesties, which was a

legacy from dynastic times, subsequently taken out of use during colonial times, only to be reinstated in 1962 immediately after the military takeover that marked the start of General Ne Win's authoritarian rule. Thus, the analysis showed how this practice was closely related to sovereign rulers and questioned how such a practice can continue today under supposed democratic rule. Lastly, the paper showed how torture, like amnesties, was a legacy from the dynastic times, which the British colonial powers sought to abolish, but which returned even more violently with the authoritarian regime. While the use of torture appear to have decreased inside prisons, reports suggest it continues in conflict areas where the Tatmadaw still hold significant amounts of power. Overall, the paper demonstrated the potential of combining genealogy and ethnography in an ethnographic history, a 'history in practice' (Holland and Lave 2001). The ethnographic history written in Paper I suggests that there are connections between developments in penal practices and national governance, and that the remnants of legacies from authoritarian times in prisons today point to the shortcomings of the democratic transition.

The second identified gap in research was methodological and pertained to how to research experiences of other people through ethnography. This was addressed through Paper II, which presented reflections brought about by the experience of conducting prison research with limited access to prisons. The paper concluded that access to experiences is not the same as access to the places where experiences take place. By approaching experiences through interviews informed by critical phenomenology, in other contexts than the prison, immersed in the intersubjective experiences which contributed to the participant's consciousness, turned out to be equally informative. The paper argued for the potential of moving between different contexts with participants and showed how this offered a potential to witness different social structures that constituted research participants and to move to contexts in which participants felt more safe, able to recount experiences they would not have recounted while inside prison and had the freedom to exert agency over the situation in which the interview was conducted.

The last identified gap in research was conceptual and concerned the potential of understanding experiences of imprisonment as liminal experiences. This gap was addressed through two sub-research questions in the final two papers. One concerned with experiences inside prisons and one concerned with post-prison life.

Paper III addressed the issue of what factors cause differences in experiences of imprisonment. The paper showed how spiritual experiences in meditation (inside prison) are often described as contributing to a positive development, while spiritual experiences in solitary confinement tend to lead to suffering. By conceptualising these experiences as liminal, the article showed how liminal experiences with less suffering tend to include more elements also seen in rituals – such as guidance through a master of ceremony and a *communitas* with whom to go through the ritual sequence. The liminal experiences that led to suffering in solitary confinement, on the other hand, were characterised by an absence of guidance and *communitas*. Moreover, the article argued for adding the continuum from forced to voluntary as a dimension to existing classifications of types of liminality (Stenner 2017; Thomassen 2015). This dimension represent a theoretical contribution with possible potential for application in other contexts than prisons.

The fourth and final paper addressed the final sub-research question: Why do some prisoners experience being stuck in prolonged liminality unable to re-establish their lives after release? Paper IV was based on data from the action research project and photo exhibition *Beyond the Prison Gate* and explored the challenges faced by former political prisoners after release. The article argued that challenges with re-integration can be conceptualised as challenges with changing status, ceasing to be a prisoner, thereby leaving the liminal state connected with imprisonment. Through a discussion of three photos, and the process of creating the exhibition, the article showed how different types of recognition were at the core of the matter and how prisoners needed recognition (Honneth 1996) as well as redistribution and access to parity of participation (Fraser 2000; 2018) to be properly reintegrated. The article demonstrated the shortcomings of prisons in offering support for the processes needed for re-integration, and thereby failing to fulfil the purpose of being an institution that can reform and rehabilitate people.

This dissertation has shown the potential of approaching imprisonment as liminal experiences – for the development of theories of liminality as well as for understandings of imprisonment. For understandings of imprisonment, a liminal approach adds essential knowledge about the importance of guidance through liminal experiences. It also explains the difference between imprisonment and society outside as the replacement of social structure of the outside with anti-structure inside prison during liminality. This, for example, explains how the

status from outside is not directly transferred to the hierarchy inside prisons and how moral standards can change; such as standards regarding hygiene in a cell that does not live up to outside standards. Approaching imprisonment as liminal experiences contributed to understandings of why prisoners struggle to re-establish themselves after release. When imprisonment is conceived as a liminal experiences akin to transitional rituals, it appears that transitional rites consist of three phases, concluded by a post-liminal rite that serves to establish the subject with a new status. Without such a post-liminal ritual and a status to enter into, prisoners remain suspended in a status of no longer criminal, not yet good citizens.

While these are the findings of the dissertation, they also come with certain limitations, as does any research. Firstly, there is the question of validity of these findings. The findings presented above resulted from conceptualising experiences of imprisonment as liminal and thereby bringing an analytical concept into a context where it has seldom been used before (Green 2016; Jewkes 2005; Moran 2013; Suttner 2010). Approaching imprisonment as liminal experiences leads the project to conclude, in line with classic theory on liminality (V. Turner 1979; van Gennep 1960) that such experiences need the support of elements present in the transitional rituals from which the concept of liminality was first deduced. It is worth considering whether this conclusion reflects preconceptions associated with the theoretical approach or actual practices in the field. While this is a risk, and one that might better be evaluated by others than the author, precautions have been taken to avoid the findings being defined by preconceptions. Here, two considerations must be deliberated. Firstly, this study worked according to an abductive approach. Thus, the author had no predefined hypothesis or theoretical framework when entering the field. On the contrary, the original design set out to study processes of subjectification, but this focus was rejected based on the poor fit between theories of subjectification developed in ego-centric societies with a socio-centric research field. The theoretical framework has been developed in accordance with preliminary findings during the first round of fieldwork, which spoke to liminality and recognition, as such it is reflexive of processes in the field.

Secondly, it is worth considering that this study has included an ontological approach. While this approach was included to be able to work respectfully with multiple ontologies existent in the data and to engage with spiritual experiences, such an approach also has consequences for considerations about validity. According to Holbraad and Pedersen (2017, 293), the ontological turn allows

research to experiment with ‘how things could be’ according to different ontologies. While this does not dissolve the need for a connection between theory and the social practices analysed, it does present a different ‘truth’ criterion. In this light, this dissertation presents the possible consequences of understanding imprisonment as liminal experiences. By conceptualising imprisonment as liminal experiences, this study offers prisoners an explanation as to why experiences in prison differ from experiences in their everyday life outside. This can offer solace for some and make it easier to reconcile with actions committed according to moral structures inside prison, which conflicts with the moral standards on the outside. The conceptualisation has also pointed to factors which affect the degrees of suffering associated with liminal experiences. Thus, it offers potential coping strategies for prison management and prisoners coping with confinement by pointing to the importance of guidance and *communitas*. Lastly, this conceptualisation has pointed to the continuum between forced and voluntary experiences as contributing to suffering in experiences of imprisonment. This addition to understandings of liminality points to the inherent suffering connected with imprisonment. It adds to previous descriptions of ‘the pains of imprisonment’ (Sykes 1958) that no matter how ‘humane’ a prison becomes (Jones 2006), the basic tenet of deprivation of liberty is painful in itself. This suggests that even when prisons are governed according to ideals of reform and rehabilitation, they still exert punishment and inflict pain on those who they confine.

Another limitation of this study is its limited scope. As this is the first empirical contribution to research on Myanmar prisons in recent times, much is still to be said. This study has contributed with a general introduction to prisons in Myanmar (Paper I) and analysis of specific phenomena in connection with meditation, solitary confinement and post-prison life (Papers III and IV). In connection with this study a number of additional topics that call for further elaboration were identified. These were, however, outside the scope of this dissertation. One such topic is the issue of how prisons work in contexts where prisoner to staff ratios are high. Since such contexts differ significantly from the much researched contexts of Western prisons, little research has been done on this topic (for research on this topic see Darke 2013; 2018; Garces, Martin, and Darke 2013; Jefferson and Gaborit 2015; Narag and Jones 2017). The fact that prisons with high prisoner to staff ratios can function relatively peacefully calls into question conceptions about

‘dangerous criminals’ in need of reform, as it exemplifies prisoners who live as good citizens in the microcosm within the prison walls.

Another topic on which more research is needed is the role of religion in Myanmar prisons. This study has referred to the role that Buddhism played for some research participants (Walton 2016). However, more work is needed on the ways in which Buddhist philosophy and ideas of punishment co-exist. Buddhist philosophy and conceptions of punishment within the modern prison are in many ways contradictory and raise questions such as: How is imprisonment in current life, due to a specific act, understood when this life is seen as just one in the sequence of reincarnation? and, what are the consequences for prisons and the potential for reform and rehabilitation if prisoners believe they find themselves in this situation due to deeds in past lives rather than due to breaking the law in the current? Furthermore, this study has referred to Buddhism only, since this was the only religion directly referred to as helpful by research participants. It is, however, important to note that other religions exist in Myanmar and are present in prisons. Due to the political climate when fieldwork was conducted, several Muslim research participants were hesitant to speak about their religion. In addition, during the short research stays in Myitkyina, data suggested that many prisoners in Kachin State were ethnic Kachin with Christian beliefs. Even so, ethnic Bamar, who are Buddhist, remain the majority within the prison service. Thus, there are interesting ethnic and religious dynamics in prisons, which call for more research.

Finally, while this study has maintained a focus on experiences of prisoners, much is to be learned about the political situation in Myanmar by looking at the prisons. While Myanmar has seen significant development within the past decade and is now often described as being in a state of transition, little reform has been seen within prisons since the accession of the first civilian government in 2016. In spite of the National League for Democracy representing those who took part in uprisings against the authoritarian regimes of the past, in spite of the NLD being associated with human rights discourse and in spite of the State Counsellor being a Nobel Peace Prize Laureate, new political prisoners continue to be arrested and freedom of speech remains limited. Prisons as state institutions represent ‘the old ways’ in Myanmar. They are governed by the Ministry of Home Affairs, which is under the control of the military according to the 2008 constitution and which holds judicial as well as executive power. When the State of Myanmar is seen through the prism of the prison, the shortcomings of the transition are revealed.

Myanmar might be a formal democracy, but it remains a *disciplined* democracy, which is far from liberal democratic ideals. Legacies of past authoritarianism remain fully alive today – as revealed in prisons and as present in the remainder of the country. Future research and developments in the judicial sector and prisons will reveal if the humane ideals espoused by the current political leadership and called for by the recurrent uprisings against past authoritarian regimes will ever be implemented.

VISUAL INTERLUDE VII

Framing the transition is a series of pictures of the family members of political prisoners who died inside prison. Through pictures of the family members with their belongings, Letyar Tun documents how the pictures of the fallen political prisoners are frozen in time while their family lives on (Photo: Letyar Tun).



Ko Htet Win Aung was born in 1971. He took part in the student movement in 1988 as a high school student. He was arrested in October 1998 and sentenced to 59 years imprisonment. He died in Mandalay prison on October 16, 2006. In the picture his father, U Win Maung, and mother Daw Mya Mya Aye, hold a photo of their late son.



Ko Aung Hlaing was arrested on May 1, 2005 and died on May 7, 2005 at the age of 30. His family was informed he died of heart attack and that they could not receive his body for burial since it had already been cremated. They were offered a compensation of 100,000 kyat. His wife, Ma Hnin Sanda, filed a complaint against the authorities concerned with

her husband's death. During the trial, information about physical injuries including multiple fractured ribs and dehydration of Ko Aung Hlaing Win's body was presented. Still, the court concluded that he died of natural causes. In the picture, Ma Hnin Sanda and their daughter hold the photo of Ko Aung Hlaing Win.

Ko Khin Maung Myint died at the age of 42 in Kalay prison on July 21, 2001. Arrested on October 28, 1997 for hosting the Latha Township office of the NLD in his home and trying to contact Daw Aung San Su Kyi. Was sentenced to 8 years in prison, but died after serving only half of his sentence. In the picture you see his sister and his mother. His mother died after the picture was taken.



Ko Zaw Myo Htet was arrested on July 16, 2003 and died October 19, 2004 at the age of 28. He was accused of destabilizing the state and assassinating the Chief of State. He received a death sentence, which was appealed to the higher court where it was commuted and reduced to 3 years. He died of jaundice in the guarded ward of Yangon General Hospital as a prisoner patient. In the picture, his father holds a certificate of acknowledgement received from the Association of Assistance for Political Prisoners.

Ko Si Thu was born in 1966. He was imprisoned for his leading role in 'All Burma Students' Democratic Movement Organization' during the 1988 democratic uprising. He died in 2001 in Thayarwaddy prison. In the picture Daw Khin Sein holds a photo and a mirror used by her son while in prison.



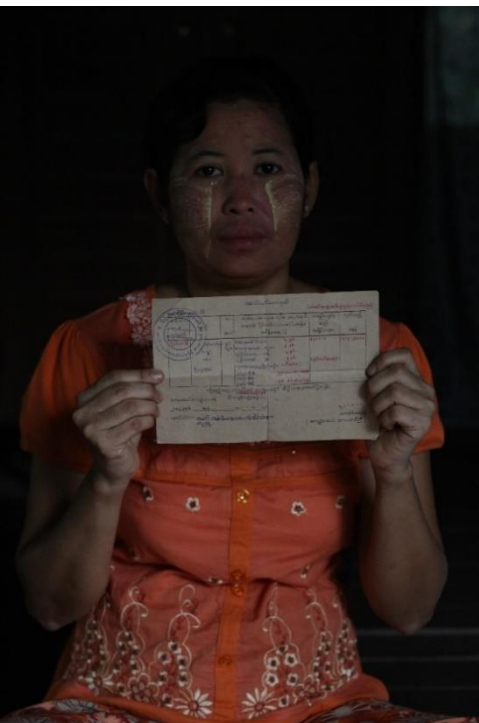
U Aung May Thu was born in 1941. He was a student activist, politician and chairman of the National League of Democracy in Min Hla Township. He was first arrested under the military dictatorship of General Ne Win and sent to the infamous Coco Island Prison. He was arrested again on November 6, 1989 and died in Thayerwaddy Prison in 2002. In the photo, his wife Daw Yin Yin Hlae is holding a picture of her and U Aung May Thu together.



U Maung Ko (aka. **Maung Lay**) was a former member of the Burma Communist Party when he arrested was on December 11, 1990 and taken to Military Investigation Camp 1 at the corner of Mandalay Palace. He died only one day after his arrest after being beaten to death. In the photo, one of his daughters holds a portrait of U Maung Ko.



Ko Nu was born in 1968. He was a member of NLD during the democratic uprising in 1988 and in 1999 he was arrested by military intelligence. He died in Thayarwaddy prison in 2008. In the pictures his wife Ma Thida holds his release note, the calendar page from the day he died, their marriage certificate and a picture of Ko Nu.





U Maung Ko was arrested in December 1996, accused of contacting the Communist Party of Burma. He was sentenced to 14 years imprisonment. During imprisonment, his heart disease was aggravated by torture and not being allowed access to medical care. He was transferred from Tharyarwady to Insein and died on 15 November, 2002. In the picture, the son and daughter of U Maung Ko holds a photo of him.

U Tin Maung Win was born in 1939 in Khayan township. He became a political activist as university student. He was elected member of parliament for NLD in the 1990 election and arrested by military intelligence. Only a few months later he died in prison on January 18, 1991. In the picture, Daw Kyu Kyu stands in front of a portrait of her late husband.





U Mya Shwe was arrested in 1996, sentenced to 7 years and died on April 27, 1999. He was a member of NLD and was imprisoned for assisting students who took part in the 1996 December Student Movement. A few days before his death, he was transferred from Thayarwaddy prison to the township hospital for treatment of malnutrition, skin disease, dysentery, diarrhoea, weight loss and low blood pressure. The doctors were unable to save him. In the picture, U Mya Ngwe is holding a photo of his late brother.

ANNEX I

Danish Abstract

I fængsler udøver stater social kontrol, mens borgeres rettigheder begrænses til de mest basale rettigheder; til de rettigheder, der repræsenterer den mindste mængde af acceptable rettigheder for en borger af den enkelte stat. Fængsler er derfor institutioner, hvor det er muligt at observere centrale aspekter af relationer mellem en stat og dens borgere. I autoritære regimer, som Myanmar var det indtil for nylig, er fængsler steder, hvor borgere udsættes for ekstreme former for straf. I den post-autoritære transition, som Myanmar på nuværende tidspunkt befinder sig i, nedarves sociale praksisser fra tidligere regimer og kommer til udtryk i forskellige former, alt imens de fortsættes og forandres. Ved at studere indsattes oplevelser fokuserer dette studie på mennesker hvis liv er under intens statskontrol. Gennem analyser af indsattes oplevelser tages temperaturen på Myanmars transition, ved at undersøge hvilke forandringer der har fundet sted, og hvilke levn fra tidligere politiske regimer der fortsat praktiseres.

Indtil for nylig var Myanmar et militært diktatur afskåret fra resten af verden. I det sidste årti har store forandringer fundet sted, og et politisk rum har åbnet sig, hvor det er muligt at lave empirisk forskning, og i hvilket det har været muligt at iværksætte det første fængselsforskningsprojekt i landet. Denne afhandling er en del af projektet *Legacies of Detention in Myanmar*, som undersøger hvordan nuværende praksisser i Myanmars fængsler er formet af arven fra tidligere regimer. Denne afhandling fokuserer på dem der lever i fængsler ved at analysere indsattes oplevelser i Myanmar. Afhandlingen bygger på 15 måneders etnografisk feltarbejde med tidligere og nuværende indsatte samt et aktionsforskningsprojekt udført i samarbejde med fire tidligere politiske fanger og fotografer.

Denne afhandling stiller forskningsspørgsmålet: Hvilke oplevelser gennemgår indsatte i Myanmar, og hvordan bliver de påvirket af disse? Dette spørgsmål besvares gennem fire publikationer. Den første publikation viser, hvordan dele af nuværende strafmæssige sociale praksisser er gået i arv fra tidligere

regimer. Dette gøres gennem en etnografisk historie, der følger praksisser forbundet med fodlænker, brug af indsatte som fængselspersonale, amnestier og tortur. Den anden publikation viser, at forskeres 'adgang' til indsattes oplevelser afhænger af andre faktorer end fysisk adgang til fængsler. Den tredje publikation viser, at tilstedeværelsen af vejledning og *communitas*, samt om oplevelser er tvungne eller frivillige, er af afgørende betydning, for om liminale oplevelser i fængsler leder til positiv udvikling eller lidelse. Samtidig vises det, at isolationsfængsling medfører strukturel vold. Strukturel vold kan føre til, at indsatte mister fornemmelsen for, hvem de selv er, og hvad der er virkeligt. Den fjerde publikation diskuterer vigtigheden af anerkendelse for den post-liminale reintegration af tidligere indsatte og deres muligheder for at genetablere deres liv efter løsladelse. Gennem de fire publikationer og den omgivende kappe viser afhandlingen, at indsatte gennemgår liminale oplevelser, der kan påvirke dem på en række forskellige måder. Ved brug af teori om liminale oplevelser identificerer afhandlingen inhærente problemer ved fængsler, der gør dem til fundamentalt skadelige institutioner. Fængsler repræsenterer tvungne liminale oplevelser, som i nogle tilfælde er uden vejledning fra en ceremoniel mester og uden et *communitas* at gennemgå oplevelsen i fællesskab med. Yderligere mangler der passende post-liminale ritualer ved løsladelse, som gennem anerkendelse kan muliggøre lige adgang til deltagelse i samfundet og som kan muliggøre, at indsatte træder ud af en liminal tilstand. Denne mangel forhindrer indsatte i at genetablere deres liv og at blive de lovformelige borgere, som det er meningen, at fængslet skal gøre dem til.

Denne afhandling bidrager desuden til empirisk forskning om fængsler i Myanmar. Afhandlingen viser, at sociale praksisser nedarvet fra den autoritære fortid stadig praktiseres i Myanmars fængsler i dag. Når fængslet ses som en prisme, hvor igennem sandheder om staten kan ses, antydes det, at dele af arven fra tidligere autoritære regimer stadig praktiseres i dag, selvom Myanmar er i en transition. Dette fund antyder enten et behov for yderligere reformer for endeligt at kunne tage afstand fra arven fra det autoritære regime, eller en afsløring af et symptom på manglerne i det nuværende disciplinerede demokrati som kan forårsage en tilbagevenden til et autoritært regime i fremtiden.

ANNEX 2

Extract from field notes

Extract from field notes on the thirty year anniversary of the 8888 (8.8.2018). This particular day has been chosen as example because these field notes describe two public events. Still, however, parts have been retracted to protect confidentiality and names have been left out. The few names remaining in the text belong to public figures in a public space. At the first event I was part of a group of four people (two foreigners and two Burmese, one of them a former political prisoner).

At the university we met [name]. There were a lot more people outside today than the previous days. People outside the recreation centre seemed excited, and [name] pointed out they were waiting for someone. Maybe Daw Aung San Suu Kyi would even come. He asked someone and found out it was Phyo Min Htein, Yangon Chief Minister, they were waiting for. [name], [name] and I found a place to wait a bit away from the most eager bystanders and photographers. I wondered if it was not Phyo Min Thein who arrived just as we did, but was not sure about my ability to recognize him.

To our surprise, what pulled up after a police car leading the way was not a high profile person but a small group of cyclists. The first of them on handicap bikes pulled by hand. They were received with cheers and given roses by bystanders. The cyclists looked poor – in worn out t-shirts that were slightly dirty. Far from the formal white shirts and nice dresses other people were wearing. They reminded me of [name]. I couldn't help thinking – with all the money going in to this event – why had no one bought them a nice set of clothes? Even a t-shirt with an 88 logo? The cyclists made a circle and passed again on their way out. Maybe to park the cycles and come back for the event, maybe to simply leave after making their appearance. I did not spot them in the crowd later.

We continued inside. There were a lot more people today and we had to queue for registration, they were very eager for us to be registered and guided us [a group of four including two foreigners] in front of the queue. The people in the queue happily opened up a space and guided us to the registration book. We received the same pamphlet as the other days – I accepted, though I have never really read the pamphlet, it serves as a good fan. Inside [name] walked us past some of the pictures in the exhibition and explained their content. He was able to read them in a much better way than we were. He pointed out which month they were from – the period in March when the conflict sparked, the 8.8.88 general strike, the short period after where a window of opportunity opened. Or, September or later where it closed down again.

...

We walked in to the event hall. There were a lot of people there, but also a lot of seats free still. Ma Thida was giving an interview to Democratic Voice of Burma. I was surprised by the absence of monks. I later saw a single monk walk through the room. But as I looked up front I saw no bald heads or red ropes. That was very different from the last anniversary I attended which took place in a monastery. Here the dominant picture was white shirts, and orange, black and white jackets. Ko Ko Gyi was here, in a white jacket so I asked [name] who normally wore this colour jacket. The students, he explained. At first we were the only foreigners in the hall. Around 10 o'clock when the event started more foreigners arrived. These were shown to the front rows. Embassy staff, probably here on invitation. ...From the Danish Embassy there was [name], the new intern, and a woman I did not recognize. Not a high priority for our embassy, it would appear.

...

There are a lot more people here than at the 26th anniversary I also attended. A lot of orange coats of politicians, a few white coats of the students and Ko Ko Gyi, very few ethnic outfits and very few monks. I guess the fact that the last event was at a monastery increased their presence automatically.

I asked [name] how he felt about the event. He said he had very mixed emotions. He had never attended the anniversary before – but now with this strong Danish interest, he thought he should go and see it for himself.

There were many of the political prisoners I have met before whom I did not see at the event. Some would of course have drowned in the crowds, but still, it was striking how many of their

faces were absent. No major players from FPPS or AAPP were there or took the stand. They have also been largely absent in the pictures of the organizing committee. [Name]'s mixed feelings reminded me that it was not only personal conflicts, but maybe also disagreements about how to celebrate that caused their absence.

After the event, the hall was clearing. A band stepped on stage and played the anthem of 88 while we walked out. A lot of the audience started to sing. It was a strong experience to hear them join in. I could sense it was emotional for them. The experience was enhanced by being surrounded by so many people, people were pushing to get out, everybody close together, as if in a demonstration. On the way we lost [name], she went back to the office to work.

...

[Name] introduced me to several people on the way out. Two of them were prison mates from [name] prison. A short guy in white shirt whom [name] joked about – he was released before us and he promised he would send us playboy magazines, but he never did. The guy got embarrassed and said it wasn't like that. Another one was tall, looked distinguished and was wearing a black lawyer's jacket. He is the one who will save our economy [name] joked, the man tried to speak himself down from [name]'s praise. Another man came by, also a prison mate of all of them. He was a politician today and we exchanged business cards. I gave my card to all of them and [name] said I should talk to them.

We went to a teashop with the two first men. There was a group of teashops in the same area of the university compound. All on the other side of the university library. As we passed the library [name] asked if I had ever been inside. I said yes I got a guided tour and explained that one of my colleagues was an old librarian. He asked if anyone could go. I said I was not sure, but that my colleague always knew someone in the libraries we went to... On the way to the teashop we met more people who greeted the small group of political prisoners... We continued to the teashop and found a table for five. It was clear to see that a lot of the old student activists were here. [Name] greeted one more person on the way in. The age average must have been significantly higher within the university campus on this day.

We sat down and all ordered the same type of tea – it amuses me how people often adapt the level of sweetness they order according to the first one who places his order. [Name] ordered coffee. At the table I asked when they had been imprisoned

together, I forgot exactly when, but they had spent around 7 years together. The smaller one had been released a bit before the others.

It felt like being in the middle of a high school reunion. The feeling of brotherhood was enhanced by the fact that they had not just studied together but spent several years inside the prison and went through such challenging times together.

[Name] added a new fact about his two friends – actually both of them are Muslim. This one, the taller one in the black jacket, is stupid enough to have worked for the NLD for all these years even though he will never be nominated for a position. He is very loyal to them. The guy laughs at the comment, does not have any comeback for it. He pulls out his phone and finds some Facebook posts. The first are pictures of an officer. He asks [name] if he remember him. The officer was only junior when they knew him, but by now he is a prison superintendent. I ask if he was one of the good guys, [name] says yes, but adds that prison officers are only like the less violent version of police officers, indicating that even the good guys are not that good. The friend in the black jacket finds another post – it is a livestreaming with a lot of uniformed officers paying homage. [Name] explains that recently a prisoner killed a prison officer, it is very bad. I ask what happened to the prisoner, he doesn't know, but assumes he got punished. The livestreaming is of the funeral. I wonder if it isn't problematic to have the funeral on a day like today, but I guess the world can't stop for the anniversary.

...

After finishing our tea, we leave the teashop. On the way out, I meet a familiar face. It was [name]. I haven't seen him much this time around. He was happy and laughing as he is most of the time, but his smile was even bigger today. I congratulated him on becoming a father and he thanked me. He explained that these were his high school friends, they had been marching together. I commented that then this was the young generation of the 88 students, he agreed. He said they were very happy to be together now. It was a long time since he had seen them. We said our goodbyes, he sat down and I went with [name], [name] and the two friends.

...

We stopped by the fence where you could overlook the ceremonial hall. The chairs were now collected in the middle of the room. Banners still up, people were taking pictures of themselves in front of the big banner on the main stage.

I had a chat with [name]. About his mixed feelings and about the balance of the perpetrators now suffering, they were being punished. He said he tried to be positive and think about everybody as human beings, he tried to understand them. Also, for an event like this, he could easily criticise but he did not want to. It is positive that we can have an event like this today without going to prison.

...

I then went to the Goethe Institute with [name]. He had tipped me about another event, I had not seen it on Facebook myself – or likely the invitation had probably been in Burmese and I therefore had not learned about the event. I am surprised by how badly advertised these things are. It is very unclear what happens where and when. It is like you need to know someone who can bring you and to be able to ask in Burmese when you are at the events. I guess they are kind of organized like they used to organize the demonstrations – mostly word of mouth, people who need to know will know. So it would appear this celebration is mainly for the ones who took part in the 88.

We arrive at the event at exactly 3pm when it is supposed to start. Outside, we register and have a cup of coffee. I spot [name] there and [name] happily greets us. I did not see him at the university this morning. He is wearing a black t-shirt with Che Guevarra on. He presents us to the people he is sitting with. He is here with his camera, working, documenting. We move on inside and [name] takes a place standing behind the last row of chairs. He points out to me that there are many famous people here – the composer, another artist and more. All the people he pointed out later take the stage.

[Opening speech:] He talked about the history of the place – [name] had already given me a detailed account on the way here in the taxi. The house had been headquarters to the Japanese intelligence services during the occupation, it had served as an interrogation camp. Later it had been the headquarters of the communist party – where, according to the speaker, the first chapter of the first independent constitution of Myanmar had been written. He went on to speak about how well the Germans understood the situation of Myanmar – because we were also under authoritarian rule for two periods – first, under the Nazis and second in East Germany during the cold war. I was surprised by the parallel drawn, so was [name] who made a comment about it not being quite the same. Next on the programme was performance of the song.

A group of around 10 people stepped on stage and performed the anthem. Several of them looked quite emotional while doing so. Right behind me stood a man who almost screamed in unison with them. This was clearly a song that triggered strong emotions and memories. In the middle of the performers on the stage was the composer himself.

They went off stage and it was time for speeches. The first speaker used to be part of the communist party. He was much stronger in his opinions and rhetoric – though he still made the same conclusion as we had heard earlier: we have come a long way, but the journey has only just begun. We must fight on. He yelled out communist slogans and the audience answered – mainly the first three rows. The second time he did it, [name] joined in, yelling louder than anyone else.

I wondered if the Goethe Institute were aware they were hosting a strong communist speaker.

The next speaker was from a workers union – a more moderate one [name] added as he translated. He spoke about the challenges of the workers and used an example of a man who was working 10 hours a day 7 days a week and only earned 100 USD a year for his savings. Now the government was asking him to pay 5% income tax, so he asked how was that fair? He spoke like a true man of the union, in a loud passionate voice as if he was yelling out over a demonstration in the streets. He was very critical of NLD and Daw Aung San Suu Kyi. It made [name] jokingly say that we should walk out on this.

Next was another performance of the same song. This time by the young generation. Again around 10 people, this time with a majority of female singers took the stage. They were all dressed in Western clothes and in addition to the guitar the older generation had brought they also brought a violin with them on stage. My expectations were high since the last choir I saw here were very good. These young people however, walked in with the lyrics in their hands. I wondered if it would not at least have been possible for them to learn the lyrics by heart. The song is clearly less part of their life than it is for the older generation. [Name] commented he did not need to film this, both he and I had filmed the full performance the first time. This was just for entertainment, he said, it is artificial.

While the song was going on, a slide show went on with the same pictures as during the first performance, the pictures were famous pictures from the 88 uprising and some from 2007. It also included the invitation to this event and to Htein Win's photo

exhibition. [Name] pointed out which were from the violent demonstrations – the ones that were cracked down violently, that is – and which were from the peaceful times. One picture was in front of the general hospital and he told me the military gunned down people even inside the hospital.

After this, an artist spoke, a friend of the composer. He showed how the song was even the ringtone on his mobile. He said that when his phone rang he could see people get affected. Some got sad some got mad – but to him it did not matter, the negative faces made him happy. It made him able to read where he had people around him. He played the song via the microphone through his phone to show his ringtone was really that song.

While the speeches went on more people arrived, maybe from some other event. First Ko Ko Gyi. He walked to the front and greeted the composer but declined the seat in the middle of front row he was offered, until some people insisted and he went on to sit there. [Name] sat next to him, taking pictures of the people on the stage from his seat.

A lady also arrived, clearly respected and she also got a seat up front. She was asked to speak, though it was not on the programme. Letyar explained she was a very well respected NGO worker who had now been appointed by the NLD. She made a good speech in spite it being unprepared. About the sacrifices that had been made, about the people not here with us today and the progress already made. Like the others she reached the conclusion that we are on the way but there is still further to go. She encouraged trust in the government.

Next up Ko Ko Gyi was speaking, that was scheduled, so I guess the organisers must have been nervous starting the event without him present. He made a very touching speech. Tearing up on stage himself. He talked of all the fallen heroes. Of how the song reminded him of all his comrades. Of their families. Of how we had to keep on fighting. He said the government had to listen to the people and that we needed to have a fully civilian government. There should be no more military people in office. He told the story of the burial of Daw Aung San Suu Kyi's mother. Of how the burial procession had turned into a demonstration and they had sung the song. No one knew the whole one, they all just knew bits and pieces, but together, they managed to sing the whole song. The procession walked up to Shwedagon where special guards had been posted. But the guards had not been able to resist the song. They had started to cry and let the procession through. This song was their strongest weapon, it was stronger than any gun and it could last forever.

Finally the young people performed again, this time with a new song. Same slide show. It appeared as if they had made their own addition to the activist songs in Myanmar, but that the song did not matter right now as the event was about this specific song....

ANNEX 3

Example of interview guide

Present annex contains two interview guides. The first was a general guideline for most interviews; the second is a specific interview guide for the ten interviews conducted in Insein Central Prison. All interviews were semi structured. Variations from the interview guide have therefore taken place in all interviews.

Example of general interview guide

Intro:

- Informed consent
 - All information given in this interview will be anonymized when used in analysis
1. When were you first imprisoned?
 2. Where were you imprisoned?
 3. How long did you serve?
 4. How were you released?
 5. Can you describe what you saw the first time you entered the prison gate?
 6. How did you stay?
 - a. How did it look?
 - b. Who did you stay with?
 7. Did you ever stay in solitary confinement?
 8. How were your relations to other prisoners?
 9. How were your relations to the prison guards?
 10. Did you receive family visits? How were they?
 11. What was the most challenging part about being in prison?
 12. What helped you get through the day while in prison?
 13. How has it affected your life today?

Interview guide for qualitative interviews about meditation in Insein Central Prison

Intro:

- Informed consent
- All information given in this interview will be anonymized when used in analysis

Background questions:

1. How old are you?
2. What religion do you practice?
3. Why did you go to prison?
4. When where you arrested?
5. How long have you been in prison?
6. How long is your sentence?
7. What were you arrested for?
8. Have you been a regular drug user?

Meditation experience:

9. Did you meditate before? If yes, in what form and how long?
10. Did you do a meditation retreat before?
11. What did you believe meditation was before you entered the retreat?
12. Why did you join the retreat?

The retreat:

13. How was it for you to do the meditation retreat?
14. What was the best part?
15. What was the most challenging part?
16. What surprised you the most?
17. How did the meditation affect you?
18. What did you learn from the Dhamma talks?
19. How did you feel about being silent for 10 days? Did you stay silent for the full time?
20. Did you face any problems with living up to the code of conduct?
21. How was the retreat different from your normal life in prison?
22. Did you have any extraordinary experiences during the retreat?

After the retreat:

23. How has meditation affected your life in prison?
24. Do you plan continue your practice after the retreat?
25. Do you feel any difference compared to before the retreat?
26. Have your life in prison changed after the retreat?
27. Has your mood changed – in terms of anger? Sadness? Happiness?
28. Has meditation affected the way you see the crime you were imprisoned for?

ANNEX 4

Extract from interview

Excerpt from interview. Parts of this interview have been redacted to ensure anonymity of the research participant.

This interview is the second of two interviews with a former political prisoner that took place in the meeting room of an organisation in which the former political prisoner held a position. It was a big room and other people from the organisation were placed in the room at a distance from us. The interview was thus not conducted in full confidentiality, but in a setting the research participant had chosen in the company of people whom he knew well.

Let's talk about act of resistance that you took part in inside the prison. What made you decide to act out against the rules inside the prison? What was your motivation?

I had an intuition about that I would be arrested and go to prison if my do politics. I have done what I believed.

Was it something you talked about with the other activists or within NLD, the risk of going to prison?

We did not discuss anything about going to prison. We were conscious of [the risk of] going to prison and some did go to prison. However, we planned about how to continue political activities.

Did you prepare to go to prison in anyway? Did you do something to be ready for it?

I did no such thing as preparing like leaving message for family or asking relative to take care of my family or what is going to happen to my job before I went to prison. Everyone who went to prison just have to leave their families like that, they came to neglect job and family affairs. Moreover, we could be dragged in the street, at the office and [there could be a] knock at the front door of our houses by Military Intelligent at any time. Then, the connection

with our family could be cut for a month or a month and a half. It is very likely to only have chance to see family again after six months of detainment or imprisonment.

When you were then arrested what surprised you the most?

I had never been to prison before but I know what the prison is like. At first, I was brought into the prison with a blanket that covered on my head. When I entered into the prison, I heard some strange noises but later I learned those strangers were fish smugglers from Thailand. Because of that I was in doubt about whether I was sent to somewhere else. Prison is a prison as we can see in the movie like in Germany and the detention in Cambodia. Then, torture really does exist in Insein Prison but there is more at the Interrogation Centre. Interrogation Centre is worse than prison. Inside the prison we are not awoken for questioning.

And then inside the prison, when you first arrived, where did you stay in Insein?

I have lived so many places inside the Insein. Before I was sent to prison, I was detained at the Interrogation Centre near Parliament.

How long did you stay in the Interrogation Centre?

7 days at the first time and 5 days more at the second time. After the first time, I was sent to prison. So, 12 days in total.

In the Centre, you were interrogated and tortured throughout?

There were so many of people arrested and they had connections among them. In the process of interrogation, people were covering up for one another; vice visa, so sometime there is no relevant among us or unmatched of answering. Some were beaten, namely, student political activist but there was no beating or torture to us since we were artists. However, they did mental torture to us since they did not give us a place to sleep or a chair and there were so many insects inside the room which bit us so badly. I think the [Military] Intelligence, intentionally, let the insects going around the room since we could not sit but had to stand because if we sit those insects climbed up on our bodies. So, we had to walk around inside the room since we could not sit or stand still.

How did you react to these? How did your mind react to these?

Just by walking around. During that time I really missed my family. Even though there were many of us, only three of us were

arrested because we carefully answered their question and could avoid our friends from being arrested by covering them as we speak. We were trying to protect our colleague so we tried not to mention our friend names, movements, activities, and involvements. Then, when I was walking around inside the cell, I tried to think through the questions and how to answer them cleverly and not to harm to others. We tried to exclude many of our friends [from our answers].

At what point did you get a chance to see your family again?

I was detained in the Intelligence Centre. After 4 months I was sent to military court with Special Branch and a verdict was made by military court. After 4 months, I had a chance to see my friend for 10 minutes. Then, I stayed at the prison for 6 months and later they arranged a meeting for me with family. I had no right to attorney.

Did you go to civil court or military court?

At that time, there is only military court.

How was it to see your family for the first time?

I felt sorry for my family. I worried about my family's livelihood because they were on their own since I went to prison.

How did they react, were they angry or sad?

No one thought that the military government would last long, everyone thought the government would lose their power sooner or later. At least, we all thought that we would be released very quickly and I encouraged my family by saying that I will not be inside the prison for long. Back then, all people hated the military government and everyone were searching for ways to oppose the military government. At that time, I was an [job title] but after I was arrested one of my friends who worked as [other job title] and gave my salary to my family.

If we then move on to life inside the prison. You have done a lot of activism inside, did you do that straight from the beginning or do you remember when it started?

In 1992, General Saw Maung handed over power to General Than Shwe meanwhile some of the prisoners were released under amnesty by announcement of 11/92. I think the government released humble political prisoners because of interviews by the Military Intelligence. Most of them were representatives of NLD who were elected in 1990. During the transition period, the

government changed SLORC to SDPC, both prisoners and political activists thought this country was going to be fine as a result of ongoing mitigation, freedom and prisoners were given extra time out of the cell. On 23rd April 1992, after Thingyan festival, there was a transition period and I thought I was going to be released but I was not. The only changed is that our country opened up. By the way, I was arrested in September 1990.

At first, we did not start the political movement right away since there were so many prisoners who I did not know. Some were student activists, Burmese Communist Party, Rakhine Communist Party, KNU, NLD and few were not a part of NLD. First, we built trust by singing cheerful songs and birthday songs for particular people, we also told stories about what we had read before. Then, we gathered with a bunch of friends who were interested in poems and writing, we made books together. It was not real book because we wrote on plastic bags with iron stick. Next, we exchanged to read our plastic bag books one to another and that was how we got to know each other even if we were different people coming from different backgrounds and organizations. Some shared the same organization though. We were some friends who became very close inside the prison. I lived with the other 92 prisoners in the same cell for 4 years. Some of them have now gotten the high positions in the government system.

Where did the book go?

Around 6 cells because we had 6 cell in our department. I think there were 370 of political prisoners inside my department. So our plastic bag book were mainly going around among 370 political prisoners, but I am sure the book would not reach to everyone inside the department because some places were really risky to get the plastic bag book to. Everything, I am saying now in happened between 1990 and 1995 in Ward 5. There were Wards from 1 to 6.

What was the first activist action that you did together inside the prison?

On 23rd March, we made a book about the fall of Phone Maw in which we included poems, personal experience and we could say that this is the first political movement inside the prison. And, I think, we cannot really say “political activities” since we focussed on the year of Phone Maw’s death and wrote about things that happened in that year. So it is more like we were celebrating the anniversary of Phone Maw’s death.

How was it decided where in the prison you were placed?

According to the Jail Manual, prisoners were not supposed to be detained for long at the same place because prisoners could try to break out of the prison and escape. Moreover, the building structure of staircase were unusual and difficult to recognize where we were at and when we were moved we were blindfolded. Inside the wards, the size of the rooms are different, and the roofs had three layers.

The British were so smart. Some of the prisoners transferred to be with prisoners from other townships when they arrived to prison. The new arrival prisoners were detained in the separate cells so that the news from outside could not reach to old prisoners. For me, I was transferred to department [number] to [number], and to dog cells, then to a single cell in department [number], next, I stayed at the department [number] for 10 days while they building re-building department [number] and [number] with the British Colonial design. After finishing department [number] and [number], we were detained in the newly rebuilt department.

**How did you think about the risk of doing activism inside prison?
Were you afraid that you would be punished?**

There were original NLD, outside (of prison) NLD, former NLD (because NLC members who went to prison were kicked out from NLD which included Aung San Su Kyi as well) and foreign NLD...

NLD was attending National Congress in 1993 without doing any political movement. NLD members and other political prisoners did not agree with National Congress and after 2 years (1993 & 1994) we were able to draw up the National Constitution which included 6 factors.

1. To free Aung San Su Kyi and all of the political prisoners.
2. To accept the result of 1990 election and all Department.
3. To have discussion about National Reconciliation among Daw Aung San Su Kyi, Military Officers and Ethnic Leaders.
4. To create a new Democratic Country.
5. To eliminate the National Congress.
6. To have discussion between Daw Aung San Su Kyi and SPDC (State Peace and Development Council).

NLD is still using these factors or at least they are still following within these trends. Everyone studied by heart after drawing these

6 factors of the National Constitution. During that time, we did not have any sources to catch the latest news so we decided to smuggle a radio inside the prison. Then, once a week, we published a newsletter by taking turns among 370 of political prisoners. We could persuade some of the guards to help us bring carbon papers and pens, and batteries for the radio. Without the guards help, we couldn't do anything. News channels were BBC, VOA and All India, and there wasn't DVB and RFA, then.

What kind of news do you get in?

News about the current situation, domestic news, foreign news, news about friends, international announcements, decisions, and demands. Especially, news from United Nations; in the inauguration speech of Clinton, he mentioned about Myanmar's issues should be solved within the first 100 days of his presidency. I am not sure whether it was in 1992 or 1993 but that kind of news gave us moral support. Without news, we had no access to the world, with news we at least knew that the world did not neglect us because we were still suffering and needing help. By the help of news, we were able to send letter to HR Conference in Vienna, Austria. Then, we could send letter to the secretary of United Nations. For Aung San Su Kyi's 50 birthday, the American Government announced, they would help to send letters to her through American Embassy so 107 of political prisoners signed on a shirt in order to remind her. Next, we heard that Mr. Michael Aris received it.

Did you face any punishments when the letter came out with the signatures?

The prison authorities did not find out about the signed shirt but they made a copy of letter which we had send to United Nations while they were searching for the radio. We planned to show it if we had an ICRC visit in the prison. 63 political prisoners were interrogated by the [Military] Intelligence after they found the letter. Some of them revealed who were leading the movement in order to avoid from being beaten and assaulted...

What was your role inside the network?

I was not a leader, they loved me like a big brother and we were brotherhood...[saying he was older than the others]... I shared about the books I had read and movies I had watched, and music. Then, to publish a newsletter once a week in the prison was not an easy job, plus we were able to deliver the letter to the United Nations so, yeah, they were quite impressed with me. Until now we

are still friends, but since then, I never felt myself like a master or leader, I bet they did not either. However, there were some people who stayed like leaders and who were leaders because they were secretaries and presidents of different parties and organizations.... [Name] wanted to maintain his power inside the prison so some political prisoners did not like him. Since we were in prison and wearing the same suits and they could not let go their power.

...

What do you think helped you survive through these experiences [of torture and punishment inside the prison]?

I think, it was in 1996 when Aung San Su Kyi was first released as well. I gained a lot of moral support from her. She founded an association called Humanitarian Support under NLD. Aung San Su Kyi encouraged by moral support to prisoner when she visited to prison and prisoners' families. I had faith in the job we had done and I thought it was worth it. Until today, [number] of us are still in the political field; few are in foreign countries, some are in the parliament, and some are in the government.

Did know you about the moral support from the outside while you were still inside?

I could meet with my family two times in 6 months while I was in the [punishment] cell. I heard from my family that Aung San Su Kyi and some organization are helping with moral support to Political Prisoner and Political Prisoners' families. Then, I heard that Aung San Su Kyi and other political activists demanded to release political prisoners and to stop beating them. I could not have privacy while I talked to my family because military officers were noting and recording everything we said.

..

Then you were in solitary for two full years?

Yes, I was but I had the chance to stay 15 minutes in the bathroom, which was attached to my cell. It was during the transition period from General Saw Maung to General Than Shwe and which was actually a coup so some of the regional officers were arrested and detained in the prison. On 14th April 1997, the name of the association was changed to State Law and Order Restoration Council (SLORC) to SPDC.

How was it to be in solitary confinement for so long, to be alone for so many hours?

I did exercise, did meditation, ate and slept that was why I got fat. I survived this situation by hoping that I would see my family one day when I was released from the prison, although I did not expect I would ever be released from prison.

How did family visits affect you mentally?

I felt even more stressful and disappointed to meet with family because I heard about the family's issues... I expected to additional trouble would come up with the next visit. Then, my wife talked about her difficulties in the family but I could do nothing to help my family.

...

Let's skip a bit all the way to your release, after your release how were you affected by having been to prison so many years?

I did not know in advance that I would be released. When officers pulled us out of the cell, we thought that we would be transferring to another cell, or that they would be charging us for additional crimes or that someone in my family was sick or died. I was concerned about my mother because my mother is quite old. Since some of the humble or famous prisoners were allowed to go out of the prison to attend their family members' funeral... Nonetheless, all morning, I was interrogated on all of my cases and then I was released in the afternoon at 4pm and sent to MI 6, then, they released me after the radio news from BBC and RFA had been run, in order to avoid the international press from getting an interview. However, I did an interview with DVB and I told them whatever I had to say.

After that you went to your family?

Yes.

How was it to get used to living outside? A lot must have changed during those [number, more than a decade] years?

Building structures and bus lines had changed. Especially, women's clothing styles were completely different and made me feel awkward since they were showing their legs which I do not really like...

ANNEX 5

Media coverage

English language media in Myanmar:

1. San Lin Tun (06.08.2018) *Beyond the Prison Gate: A tribute to those who sacrifice for democracy*, Myanmar Times <https://www.mmtimes.com/news/beyond-prison-gate-tribute-those-who-sacrifice-democracy.html>
Article with interviews and reportage from the exhibition in Moon Gallery
2. Frontier (July, 2018, printed version) ‘*Whats on*’
Print of invitation and description of the event at Moon Gallery
3. Irrawaddy (31.07.2018) *Ten things to do in Yangon this week*, <https://www.irrawaddy.com/lifestyle/ten-things-yangon-week-42.html>
Invitation and short description of the event in Moon Gallery
4. Dunant, Ben (19.07. 2018) *Myanmar's contemporary artists confront painful past*, Nikkei Asian Review, <https://asia.nikkei.com/Life-Arts/Arts/Myanmar-s-contemporary-artists-confront-painful-past>
Article about multiple exhibitions by former political prisoners taking place in Yangon. Featuring interview with photographer Sai Minn Thein and a description of the exhibition in HCPP.

Burmese language media:

5. Pho Nyi Htwe (03.08.2018) Hot News Journal, printed version
Article describing the exhibition ahead of launch in Moon Gallery downtown Yangon.

6. Cherry Htike (07.07.2018) Tachilek News Agency, <https://www.tachileik.net/2018/07/ppartshow.html>
Interview with Letyar Tun and description of the exhibition

7. Jetty 201 Media (10.08.2018) *Beyond the Prison Gate*, [https://www.facebook.com/jetty201media/?_tn=%kCHR&eid=ARDSBt3oPIO1hqqJrH2xKzWnvJi3QXXSkx-RqIJcuFNgnSYQnML9IjA7u5WDN3E8bDKd4InxeCt25ohp&hc_ref=ARRhRCyZLESOgzcVAk3QsCb2qihvAiPRVX1xy9U98VIUKXO4YzO1JkvMtO2A4VzOvGo&fref=nf&xts__\[0\]=68.ARAXqCbFIJhtz6RLplSTD_Nav2fKBRevPn2MEGqgSccZZuZCGeuiBUbnIW6zNC0Dc08MYAQcEltmPdAWePtgr5XhMIRfutDlaatT_yIxiMw42gCRJjVL2bfa0TEbGCqMpLy3TCjxHpgaP9vmsoGO6_HW6dkBsiMbQunQpVysgqsTr1neKpsXr_YkpdLaj_AEwENrGWCKvsBIPVIshtsrLNgGmitrdR2XTAnsD34](https://www.facebook.com/jetty201media/?_tn=%kCHR&eid=ARDSBt3oPIO1hqqJrH2xKzWnvJi3QXXSkx-RqIJcuFNgnSYQnML9IjA7u5WDN3E8bDKd4InxeCt25ohp&hc_ref=ARRhRCyZLESOgzcVAk3QsCb2qihvAiPRVX1xy9U98VIUKXO4YzO1JkvMtO2A4VzOvGo&fref=nf&xts__[0]=68.ARAXqCbFIJhtz6RLplSTD_Nav2fKBRevPn2MEGqgSccZZuZCGeuiBUbnIW6zNC0Dc08MYAQcEltmPdAWePtgr5XhMIRfutDlaatT_yIxiMw42gCRJjVL2bfa0TEbGCqMpLy3TCjxHpgaP9vmsoGO6_HW6dkBsiMbQunQpVysgqsTr1neKpsXr_YkpdLaj_AEwENrGWCKvsBIPVIshtsrLNgGmitrdR2XTAnsD34)
Short video featuring interviews with several of the photographers and a tour of the exhibition at Moon Gallery

Danish language media:

8. Malte Rune Skov (20.03.2019) *Tidligere politisk fange i Myanmar: "Vi kan tilgive, men aldrig glemme hvad der er sket"* (Former political prisoner in Myanmar: "We can forgive, but never forget what happened." Globalnyt, <https://globalnyt.dk/content/tidligere-politisk-fange-i-myanmar-vi-kan-tilgive-men-aldrig-glemme-hvad-der-er-sket-0>
Article about the photo exhibition in Denmark. Includes interview with Letyar Tun and Liv Gaborit.

ANNEX 6

Public dissemination

Legacies of Detention in Myanmar

07.07.16, Blog of Border Criminologies, Oxford University,
<https://www.law.ox.ac.uk/research-subject-groups/centre-criminology/centreborder-criminologies/blog/2016/07/legacies>

This is the thirteenth instalment of the themed series on Border Criminologies network members. The series aims to present our members' ongoing research, recent publications, new course modules they might be developing, grants and awards, partnerships and collaborations, and questions they have been considering or struggling with.

Post by [Liv S. Gaborit](#), PhD Student, Roskilde University and DIGNITY – Danish Institute Against Torture.



Photo: Liv S. Gaborit

Myanmar, formerly Burma, is notorious for its harsh military regime and famous for Aung Sang Sui Kyi, Nobel Peace Prize winner and the country's new leader who has been fighting for democratic reforms for decades. These two elements, contradictory as they are, exemplify the history and present of Myanmar. Historically, the country has been ruled by authoritarian regimes, be it foreign colonial or national. In recent times, the country has taken important steps towards democracy, though not democracy typical of the west, but an Asian version described in the constitution as 'disciplined democracy.' Several national elections have taken place, the latest one being the presidential election in 2015, leading to the accession of the new government last April. The new government is the first to be led by the former opposition party National League for Democracy and as such this election represents a pivotal moment for the history and future of Myanmar. Although the opposition has gained power in the formal democracy, traces of previous authoritarian regimes remain. This is exemplified by the constitution forbidding the formal leader of the winning party, Aung Sang Sui Kyi, from taking seat as president, the allocation of 25% of the seats in parliament for military representatives, and three ministries (i.e., Defence, Home Affairs, and Border Affairs) controlled by the military.

A political space has opened in Myanmar and changes are taking place. It's in this context a new research programme called [Legacies of Detention in Myanmar](#) was launched, which seeks to document the changes as they occur by studying the relations between state and citizen as illustrated by the relations between prison and prisoner. The research programme explores the historical and contemporary role of detention in Myanmar and its significance for the reconfiguration of state and society. Through the concept of 'legacy,' the programme seeks to capture the persistence and mutation of practices of detention as they affect individuals, institutions, state, and society.

The programme is based at [DIGNITY – Danish Institute Against Torture](#) headed by [Andrew M. Jefferson](#) and includes a PhD project by [myself](#), a postdoctoral fellowship by [Tomas M. Martin](#), and a partnership with the Department of Law at University of Yangon and the network for human rights lawyers called Justice for All. The programme will approach legacies by studying three dimensions—*experiences*, *technologies*, and *politics* of detention—to explain the ambiguous and contested nature of detention practices and efforts to reform them, and aims to offer insights to policy-

makers committed to supporting nascent moves toward rule of law and the realization of democracy and human rights.



Photo: Liv S. Gaborit

Within this broader programme, my PhD project will focus on the dimension of experiences. I aim to explore how experiences vary depending on what group a prisoner belongs to (ethnic or political), what point of history and thus under what political regime the detainment took place, and what kind of facility detention took place in (e.g., prison, labour camp, or IDP camp). In this study, experiences of different political and ethnic groups subjected to detention will be used to trace patterns of mutating and persistent detention legacies, and explore how different penal practices cause different processes of subjectification. By tracing patterns of prisoners' individual experiences, the study will be able to explore how different techniques of governance are applied to and experienced by subjects of the state through a phenomenological approach. The study also aims to contribute to understanding how prisons change, thereby creating important knowledge for prison reform work in Myanmar as well as in other countries.

The project will explore issues such as relations and identity of the more than 136 different ethnic groups in the country to study the connection between state and citizens through documenting experiences of detention practices. Some of these groups engage in armed struggle to free themselves from the influence of the state and the state has responded by seeking control over its territory and population through military operations and policies seeking to create a shared national identity, as evident in, for example, the presidential speeches of former president Thein Sein. This places

the study in a melting pot filled with concerns for nationalism, ethnic identity, natural resources, and political influence, in which political imprisonment, deprivation of the freedom of movement, and the creation of IDP camps become part of the conflicts.

The study will apply field based ethnographic methodology inspired by action research. To conduct fieldwork in prisons in Myanmar is to endeavour into a complicated setting for fieldwork filled with sensitive issues. At the moment, access to prisons in the country is very limited. Some of the few actors that have access are family members, lawyers, and the ICRC, whom have recently regained their access to conduct monitoring visits after a fall out with the government in 2012. Researchers or NGOs offering service delivery have so far not been granted access to prisons. The prisons will therefore be approached incrementally, starting with indirect studies of the prisons through fieldwork with ex-prisoners and then slowly approaching the actual prisons. Many prisoners have been released on amnesties, both historically and in connection to the recent election. Despite ex-prisoners' first-hand knowledge of how the state can act to stifle opposition, they are among the most outspoken critics of the continued use of detention to close down political space.

It's with great excitement that I venture in to this new project and I hope you will follow and contribute to discussions as the project progresses. Updates will be posted on this blog as fieldwork progresses.

Speaking with ex-detainees in Myanmar

12.01.17, Blog of Legacies of Detention in Myanmar,
<https://legacies-of-detention.org/news/uncategorized-da/speaking-with-ex-detainees-in-myanmar/>



PhD-student Liv Stoltze Gaborit writes from Myanmar, where she is currently researching experiences of imprisonment through interviews with ex-detainees.

By Liv Stoltze Gaborit.

Photo: Liv Stoltze Gaborit, all rights reserved.

When I first moved to Yangon this October I started a three weeks' intensive language course. Before noon I went to language class, after noon I met with stakeholders in the project, by evening I passed out, my head feeling like it was going to explode from all the new things I had to learn.

I finished the language class and the day after I passed the exam I flew to Kachin in northern Myanmar, where ethnic armed groups are still present and in conflict with the Burmese army. Up there it was not well seen that I tried to use my Burmese, since some saw it as the language of the state they are fighting, so I was back to struggling to learn to say hello and thank you in yet another language and otherwise getting by with interpreter and English.

I am now back in Yangon, trying with a private tutor to fully grasp the Burmese language. New tutor means a new way to spell most words, since the real spelling is in their own alphabet and there is no standardized Romanization. Language is a struggle, but I see progress and hope that after this course I will be able to have actual conversations and follow at least part of the answers in my interviews.

The resilience of detainees

It is fascinating to hear about the different ways that people survive inside prisons, and see the variety of feelings in our conversations about prisons. One moment we can be talking about the humiliation of living in a cell with no toilet where you would be sleeping in your own excrement, humiliated and plagued by skin diseases and maggots, the next their face light up as they tell me how they were still able to resist this system in some small way.

One former prisoner told me how he and his cell mates built an oven out of metal plates and burned plastic from their trash to light it. The smoke of burned plastic didn't alarm the guards either (my guess is I have to prepare myself for some pretty smelly prisons if I gain access to the prisons). When they were done using the oven they had to dig a hole in the cell floor and hide it – they were happy they had a cell with plain dirt floor, not cement like some of the other cells.

Another striking moment was less happy. During an interview, the woman I was talking with began to tear up. The interview was conducted through interpreter, and until then she had faced him when she spoke and me when she listened to me or him. All of a sudden she turned her face at me and said the simple sentence “I remember” and then she began to cry. She was still feeling guilty because her friend had been imprisoned based on some of the evidence the police found when they searched her room. After the friend was imprisoned they shared a cell, and every time she saw her friend struggling or heard of her friends' family struggling to get by outside, she felt it was her fault.

Death penalty at the age of 16

One of the men I talked to had been sentenced to death for high treason when he was only 16 years old because he was part of the student groups against the military regime back in '88. After one year and nine months his sentence was changed to 20 years of imprisonment, because it was illegal to give the death penalty to someone so young. He was released after 18 years – so at release he had spent more than half of his life in prison. Still, he had managed to get married and find a good job and accomplish a lot in his career and in his continued political effort. He told me that he was one of the lucky ones – because he had now reached a stage where he could try to be happy, most people in similar situations couldn't.

These are the personal experiences that make up the history of Myanmar. I am truly thankful to the people who share such painful stories with me and join me in the effort to get a deeper

understanding of what has happened and is happening in Myanmar prisons.

From the Field: Vipassana – Looking Inwards to Understand Experiences of Imprisonment in Myanmar

02.06.17, Blog of Border Criminologies, Oxford University, <https://www.law.ox.ac.uk/research-subject-groups/centre-criminology/centreborder-criminologies/blog/2017/06/field-vipassana>

Post by Liv S. Gaborit, PhD student at Roskilde University and DIGNITY working on experiences of imprisonment in Myanmar. Liv is on Twitter [@LSGaborit](#).

Since October of 2016 I have been living in Myanmar doing fieldwork for my PhD on [experiences of imprisonment](#). This particular fieldwork experience is different for me, as it is the first time I am doing prison research without access to the prisons themselves. Developments in the country over the past few years have opened a political space in which prison research is possible, though access to penal institutions is still difficult to attain. We expect that our long term engagement in Myanmar via our project [Legacies of Detention in Myanmar](#), will open these sites to researchers in the future. For now, however, I am working from the outside with several organized groups of former political prisoners (e.g., [Assistance Association for Political Prisoners](#) and [Former Political Prisoners Society](#)) and other NGOs that engage with former prisoners.

One of the organisations engaging directly with the prisons is a local meditation centre in Yangon practising the tradition of [Vipassana](#). This centre coordinates 10-day Vipassana retreats for prisoners inside the notorious [Insein Prison](#) in Yangon. Several of the former prisoners I have talked to have participated in these retreats and still come to the meditation centre, following their release. I engaged with the centre and talked to some of the teachers to get to know more about their work with prisoners. Although the teachers willingly told me about their courses, they emphasised that the only way to understand Vipassana was through first-hand experience. After some consideration, I decided to join a retreat at the meditation centre myself.



Evening prayers at Shwedagon Pagoda (Photo: Liv Gaborit)

Personally, I have some experience with meditation and have been on two similar retreats before, though none as restrictive as this one. However, considering my past experiences, I felt relatively comfortable that I would be able to stick to this stricter regime, which demanded rising at 4am, meditating for more than 10 hours a day, and staying in silence for 9 of the 10 days. My main frustration as a researcher, was that the regime did not allow writing, so I was unable to record field notes in situ.

For the first couple of days, my thoughts focused on how the experience was useful for my work. I considered the differences and similarities of my voluntary confinement within the compound of the meditation centre to the confinement experienced by prisoners. I thought about how this situation - which for me was full of deprivations – from talking, writing, eating meat and moving outside the compound - might be an experience of increased privileges for many prisoners – better food, more space, and freedom from working and attending to other people’s needs.

The first three days we did Samadhi meditations to prepare our concentration for what would come next. As expected, my mind wandered. During the first couple of days, as my thoughts

wandered, I mentally drafted this blogpost and began to reflect on the interviews I had already conducted with former political prisoners. During the subsequent couple of days, I forgot this mental draft altogether as I couldn't write it down. Slowly, thoughts about work subsided and I could focus on my experience in that particular moment. As I did, my role as tool for the research changed. Before, when I approached the field as a curious newcomer, I would use myself as a tool by being conscious of body language, adapting to local customs, when sometimes sharing carefully selected personal experiences or knowledge from previous work and when I recorded down my emotional reactions in fieldnotes. I did all these things to encourage trust building and enhance my understanding of the people I talked to. Now, I was not only a tool for the research by performing the role of the ethnographer, I was looking inwards to experience - on my own mind and body - what prisoners go through when they attend the Vipassana retreat inside prison. My position changed, from being a curious newcomer before the retreat, to a full participant during the retreat, and finally, after the retreat, to a newcomer with an improved understanding of the field in which I was engaged. And so, the emphasis as participant and observer dynamically fluctuated as I did participant observation.

The main technique used in this kind of Vipassana utilizes continuous and repeated bodyscans. As I scanned through my body, tensions, memories, and feelings came to mind. One by one I lived through them and let them go. I spent seven of the ten days struggling with a psychosomatic pain in my left shoulder. Every time I sat down for meditation, the pain arose, every time the bell rang, it evaporated. Finally, when the teacher asked if I was facing any challenges, I managed to say I was struggling with pain in my shoulder. As the sentence left my lips, I began to cry. The teacher told me to keep trying and I would succeed – which was her answer to most questions - and otherwise she did not dwell on this pain. It felt strange to me, not to engage in a conversation about it and to only receive this somewhat distant support. I would have to face the pain myself. I was unable to stop the tears from falling, so as I sat down for meditation again I was still crying. I sat there curled up with my arms around my knees crying silently for around an hour before the feelings of sadness subsided, and I was able to start meditating again. When I did, the tension in my shoulder disappeared together with the pain.

I have experienced strong emotions in connection with fieldwork before, but they have always been a reaction to the

encounter with the field. This was the first time fieldwork caused such strong emotions to arise based on introspection alone. These feelings were not connected to encounters in the field, the tragic situation of some of the people I had talked to, or the traumatic experiences they had gone through. These emotions were result of my own personal experiences long before I went on fieldwork. Through systematic introspection, I had brought my inner self into my fieldwork to a much larger extent than ever before.



Shwedagon Pagoda seen from Kandawgyi – a strong reminder of the role of Buddhism in Burmese culture, visible from most places in Yangon (Photo: Liv Gaborit)

How is this personal experience of vulnerability relevant for my research? My inner world is not the place to look for truths about experiences of imprisonment in Myanmar. By doing this retreat however, I reached a new level of understanding of what former prisoners had already told me. I began to see more nuances in what I had read and heard about meditation in the prisons here. Rather than finding answers, I left the retreat with my mind full of new and more qualified questions about the experiences of imprisonment. New questions were raised about how some find comfort and strength in the solitude of solitary confinement while others feel the

strain of it. Questions about the role of Buddhism for experiences of imprisonment; about experiences of the self and others; about perceptions of other prisoners and prison guards; the list goes on.

I had tried to reach an understanding of the role of meditation in prisons by talking with former prisoners about how they practiced it and how it helped them. I had talked to teachers and read research and the philosophy behind Vipassana meditation taught inside the prisons. But my level of understanding reached a new depth as I engaged myself in the same experience. While everyone goes through unique experiences in Vipassana, as well as in prison, having lived through the retreat I was offered a new and invaluable vantage point from which to understand the experiences that prisoners may have gone through.

Note: For more about Vipassana in Myanmar prisons, see: Ma Thida. 2016. Prisoner of Conscience: My Steps through Insein. Chiang Mai: Silkworm Books and [Win, Swe 2013. Back to Jail in Burma. Latitude Blog. New York Times.](#)

Rioting for Rule of Law – Prison Amnesties and Riots in Myanmar

17.06.2019, Blog of Tea Circle Oxford, University of Toronto,
<https://teacircleoxford.com/2019/06/17/rioting-for-rule-of-law-prison-amnesties-and-riots-in-myanmar/>

Liv Gaborit and Andrew Jefferson discuss the value of amnesties in light of the recent prison riots.



Insein Central Jail, one of the prisons from which prisoners were released on this year's amnesties (Photo courtesy of Liv S. Gaborit)

Regular readers of the Tea Circle are likely well-aware that more than 23,000 prisoners were recently released on amnesties granted in connection with the celebration of Myanmar New Year in April. In this brief piece we raise some critical questions about the presidential power to pardon.

In Myanmar, New Year amnesties are a common practice and the releases are an annual feature of news reporting. This year the amnesties were accompanied by violence. The amnesties took place in [three rounds](#) on April 17th, 26th and May 7th. As the media presented joyful accounts of reunions with family members and expressions of relief at the prospect of freedom, unrest developed in the prisons. The unrest escalated into riots in seven prisons across the country on May 8th. On May 9th [the riot in Shwe Bo Prison](#) came to a fatal conclusion after officials went in with tear gas and guns, killing four prisoners and wounding two.

A [video streamed live](#) on Facebook via an illegal mobile phone from Shwe Bo Prison on May 8th caught our attention. It features prisoners wandering around outside their cells cheering and shouting: “*We should be released like Moe Aung Yin – our cause, our cause*”. In the slogan, their call for clemency was accompanied by the slogan associated with the pro-democracy movement that fought the former military regime and whose representatives from the NLD (National League for Democracy) now govern the country.

Statements from the President’s office declared that the amnesties were given on humanitarian grounds with priority given to women and juveniles as well as elderly, sick, and disabled prisoners. The prisoners were protesting that the amnesties were not given on a systematic basis. They called for a fair and transparent amnesty practice; they called for rule of law. From their perspective, the [selection and release of people](#) such as Moe Aung Yin, a well-known Myanmar actor, and the Reuters journalists seemed arbitrary or at least not to fit the humanitarian criteria laid out. This situation is doubly ironic. Prisoners — those deemed criminal law breakers by the state — call for rule of law and stand up against the arbitrary expression of power and they do so echoing the protest slogans (“*Our cause, our cause!*”) previously used by the opposition movement as they stood up against the military regime.

After the riots, opposition parties raised a critique similar to the grievances expressed by the prisoners in a joint press conference by the National Unity Party, the National Political Alliance League and the USDP (Union Solidarity and Development Party) on June 5th. While echoing the prisoners’ critique of the arbitrariness of the amnesties, the opposition parties claimed that the lack of thorough investigation of which prisoners to release would lead to dangerous criminals being released. As a reply, a spokesperson from the President’s Office informed them that the [amnesty was aimed at minor drug cases](#) and considered appeals submitted to the President and the State Counselor. While this explains how famous cases of actors and journalists got included in what was presented as an amnesty on humanitarian grounds, it confirms the lack of transparency that makes the selection of prisoners included in the amnesties appear arbitrary.

Our research in Myanmar is about [legacies of detention](#). We are especially interested in the way prison is experienced and the politics of imprisonment. The amnesties and the prisoners’ response to them speak to these themes in interesting ways. Our research so far has made us aware that prisoners serving long sentences in

Myanmar historically came to look to amnesties as a potential route to release. Over the years, many prisoners have been released via the presidential pardon rather than on their court-mandated release date. But amnesties create uncertainty. They are at the discretion of the President's Office and the prisoner never knows whether he or she will be on the list. So, while the joyous reunions at the prison gate may make amnesties appear as overwhelmingly positive, they are more ambivalent in their broader effects when seen from the perspective of prisoners either anticipating amnesty or left behind.

We can also raise critical questions about the power to pardon and the practice of amnesties from the perspective of rule of law. In effect, amnesties are at odds with the logic meant to govern release of prisoners in a criminal justice system based on rule of law: they are arbitrary rather than systematic, discretionary rather than mandatory. Amnesties can be seen as a demonstration of executive power trumping judicial power and may have an undermining effect on the long-term efforts to transform the judicial system and bring it into line with international norms and standards for justice delivery. This is ironic given the emphasis the current administration has otherwise given to the rule of law.

Presidential pardons of this kind are perfectly legal, and relatively commonplace across the world; they serve as a gesture that emphasises executive power and reminds the judiciary that in certain situations it is subject to, rather than independent of, the executive. Complicating the situation in Myanmar is the uneasy balance of power between the NLD and the military that has the military controlling important government ministries, including those responsible for justice and prisons. It may even be the case that some aspects of the recent amnesties (for example the release of the Reuters journalists) can be seen as a kind of victory for the NLD as they were able to legitimately usurp authority from the military-controlled ministry formally responsible for the administration of sentencing and release.

Critical questions can also be raised about whether amnesties are a good solution to overcrowding, a common criticism of Myanmar's prisons. While amnesties of this size do contribute to decreasing the population of Myanmar's overcrowded prisons, they do not solve the systemic issue of over-population. Relatively large numbers of prisoners have been granted amnesties for years, but the population keeps increasing. Alternative strategies for decarceration are needed. One promising initiative in this direction is the decriminalization of drug use through ongoing reform of drug laws. In this vein, most of the amnesties have been granted to

prisoners with drug-related cases— a fact which also reflects that the majority of prisoners in Myanmar are imprisoned on such cases.

From a human rights perspective, one can ask whether pardoning is a practice that should be encouraged or frowned upon. On the one hand, the small contribution towards decarceration might ease the pains of imprisonment for those released as well as those left behind. On the other hand, it undermines the justice system's internal logic and adds to the uncertainty felt by prisoners. We might also ask whether, if someone can be released on humanitarian grounds in celebration of a holiday, there are really grounds for keeping him or her confined in the first place. In our view, rather than relying on amnesties, Myanmar politicians should look to ways of reducing the use of imprisonment through diversion, fair and proportionate sentencing practices, the decriminalisation of petty offences, and the use of alternatives to imprisonment.

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[Andrew M. Jefferson](#) is a prison scholar based at [DIGNITY – Danish Institute Against Torture](#). He specialises in ethnographic studies of prisons and prison reform processes in the global south focused especially on issues related to survival, governance and transition

Beyond the Prison Gate – Recognition through Photography and Action Research in Myanmar

17.12.2019, Blog of Border Criminologies,
<https://www.law.ox.ac.uk/research-subject-groups/centre-criminology/centreborder-criminologies/blog/2019/12/beyond-prison>

‘Beyond the Prison Gate’ is an action research project carried out by Liv S. Gaborit and four Burmese photographers and former political prisoners: Phyoe Dhana Chit Lynn Htike, Sai Minn Thein, Pho Nyi Htwe and Letyar Tun as part of the larger research project [Legacies of Detention in Myanmar](#). The project shows the everyday life of former political prisoners in Myanmar after they have been released. It shows how their continued struggles take many forms and addresses the call for recognition often set forth by former political prisoners. Today, they live in a post-authoritarian society, where the military regime they fought against has been replaced by ‘disciplined democracy’ and a civilian government, but where the military still holds strong influence and remnants of the authoritarian past endure (for more on the background [click here](#) to read a previous post).

Photographer Phyoe Dhana Chit Lynn Thike acknowledges the young generation of former political prisoners as they continue to work for democracy, freedom of speech and the right to education, the struggles which they were previously imprisoned for. His photos depict activists who were arrested and were in prison with him after the 2015 demonstration against a new education law. While the people in his photos are Barmar, the ethnic majority in Myanmar, through the selection of cases he represents, he is inclusive of other ethnic groups too. In the first photos Ko Min Thaway Thit and Ma Po Po create a political happening in their wedding photos, in the support of a group of [internally displaced people in Kachin, who were caught in between the clash between the Tatmadaw \(Burmese military\) and Kachin Independence Army](#) (ethnic armed group). In the second series, he depicts Maung Saungkha, a renowned activist for freedom of speech, who has spoken for the rights of Muslims, though he himself has grown up within the Buddhist majority Barmar. Lastly, Phyoe Dhana reaches beyond his own generation through a series about U Nay Win, the father of Ma Phyoe Phyoe Aung, also a political prisoner. This last series recognises the contribution of different generations of political prisoners. There are major differences in the struggles of activists against the military regime, and the struggles of activists

in the ‘disciplined democracy’ of today.



Photo caption: Ko Min Thway Thit was imprisoned in 2015 for his role in the protests against the new education bill and released in 2016. The pictures show how activism makes it into the most happy and intimate moments as Ko Min Thaway Thit and Ma Po Po decided to campaign for the IDP’s in Kachin even on their wedding day. (Photo: Phyo Dhana Chit Lynn Thike)



Photo caption: Maung Saungkha was first arrested on November 5, 2015 and charged with defamation under telecommunication law for a poem he posted on Facebook. He was released on May 24, 2016 when he received his sentence for 6 months, the same amount of time he had already spent in detention. He was detained again, on May 19, 2018, for his involvement in a demonstration for peace, this time he was released on bail. He undauntedly continues to work for freedom of expression. (Photo: Phyo Dhana Chit Lynn Thike)





Photo caption: U Nay Win was first arrested in 1989 and served 15 years and 4 months for being part of the communist party. He was released in 2005 but arrested again in 2008 while burying victims of the Cyclone Nargis and charged with harbouring a fugitive. The fugitive was his daughter Phyoe Phyoe Aung, who was fleeing charges for her part in re-establishing the All Burma Federation of Students Unions. In the pictures you see him together with Phyoe Phyoe Aung and his grandson and working as an acupuncturist offering free treatment to people in need. (Photo Phyoe Dhana Chit Lynn Thike)



Photographer Sai Minn Thein engages in two topics with his photos, relating to recognition of the deprivations political prisoners face. In the first series he shows U Ye Lwin receiving treatment at the [Healthcare Centre for Political Prisoners](#) (HCPP). The HCPP offers free treatment to political prisoners for the many health problems they face as a consequence of torture and many years in prisons with little access to nutritious food and healthcare. The second series of images documents the deprivation of contact with family members political prisoners faced when they were sent to prisons in remote areas. He skilfully does this through a depiction of how the Sanchaung family is picked apart as they are imprisoned one by one and sent to prisons in different parts of the country.



Photo caption: U Ye Lwin was a famous singer, guitarist and composer in Panyelann (Path of Flowers). He was arrested in September, 2007 and released in December 2007. He was known for playing at teashops and in the streets to collect donations for IDPs and support the National League for Democracy. These pictures were taken while he was a patient at HCPP. U Ye Lwin died on the 10th of July 2018, only two days after these pictures were first shown to the public. (Photo: Sai Minn Thein)







Photo caption: From left to right: U Htun Nay Aung aka. Jo Joe, arrested August 24, 2007, released November, 2007. Detained in Kyeik Ka San Interrogative Center and Kyauk Tan Police regiment; U Chit Ko Lin, arrested October 8, 2007, sentenced to 11 years and released October 12, 2011 from Pakokku Prison; Daw Thet Thet Aung, arrested October 18, 2007, sentenced to 65 years on 6 different cases, released January 12, 2012 from Myin Chan Prison; Daw Sann Sann Tin, arrested October 18, 2007, sentenced to 9 years and released October 12, 2011; Ma Nwe Hnin Yi aka. No Noe, arrested October 18, 2007, sentenced to 11 years and released October 12, 2011 from Mau Bin Prison; Daw Su Su Kyi, arrested 1992, 1993 and on October 9, 2007, released November 2007. Detained in Aung Thapyae Interrogation Center. (Photo: Sai Minn Thein)

Photographer Pho Nyi Htwe takes photos of how former political prisoners continue their struggle in various ways. His photos show Ko Kyi Soe and Ko Pho Kyaw struggling for their daily livelihood by selling lottery tickets or weighing people on the streets. The photos recognise their significant contribution to the struggle for democracy, while showing that today they struggle for everyday survival as their previous lives disappeared while they were imprisoned. In his images we also see Ma Thanda, who continues to fight for democracy within the system as a member of parliament, in spite of having lost years of her life imprisoned by the military regime, which later [tortured and killed her husband](#), who was working as a journalist in the border areas where ethnic armed struggles take place.





Photo caption: Ko Kyi Soe, was arrested on May 25, 1991 and sentenced to 6 years. He was released on December 28, 1995 from Insein Central Jail. In the pictures, he works for his daily living selling lottery tickets. (Photo: Pho Nyi Htwe)





Photo caption: Ko Kyaw Min Swe aka. Pho Kyaw joined the All Burma Students Democratic Front in the northern camp by the border to Thailand after the democratic uprising in 1988. He fled from the camp after the incident in 1991-1992 where students turned on each other and some students were accused to be informers of the state. In 1998, he was arrested because of his participation in the anniversary of the 1988 uprising. He was sentenced to 7 years under section 5J of the Emergency Act. He was released from Oh Bo Prison in 2004. In the pictures, he is earning his daily living by weighing people. (Photo: Pho Nyi Htwe)



Photo caption: Ma Thanda was arrested on April 23, 2007 at the Thai/Myanmar border. She was sentenced to 28 years of imprisonment, of which she served 6 before being released on amnesty. In the photo she works in her office next to a picture of her late husband U Par Gyi who was executed in 2014 while covering a story on the clash between ethnic groups and the military. Today she is a member of parliament (Hllutaw) for the National League for Democracy. (Photo: Pho Nyi Htwe)

Photographer Letyar Tun recognises the families of political prisoners who died while still inside prison. He does so through a series of photos previously shown in the project [Framing the Transition](#). The photos show family members of fallen political prisoners. Letyar Tun documents how memorabilia of dead political prisoners remain the same, as if frozen in time, while their families live on.



Photo caption: U Maung Ko was arrested in December 1996, accused of contacting the Communist Party of Burma. He was sentenced to 14 years imprisonment. During the imprisonment, his cardio disease was aggravated by torture and not being allowed access to medical care. He was transferred from Tharyarwady to Insein and died on 15 November 2002. In the picture his children hold a photo of him (Photo: Letyar Tun)



Photo caption: Ko Zaw Myo Htet was arrested on July 16, 2003 and died on October 19 2004 at the age of 28. He was accused of destabilizing the state and assassinating the Chief of State. He received a death sentence, which was appealed to the higher court where it was commuted and reduced to 3 years. He died of jaundice in the guarded ward of Yangon General

Hospital as a prisoner patient. In the picture his father holds a certificate of acknowledgement received from the Association of Assistance for Political Prisoners. (Photo: Letyar Tun)



Photo caption: U Tin Maung Win was born in 1939 in Khayan township. He became a political activist as a university student. In the 1990 election he was elected member of parliament for the National League for Democracy and arrested by military intelligence. Only a few months later he died in prison on January 18, 1991. In the picture, Daw Kyu Kyu stands in front of a portrait of her late husband. (Photo: Letyar Tun)

Engaging in action research with former political prisoners through photography furthered the research in two significant ways. Firstly, by working together with former political prisoners, who

had experienced imprisonment and post-prison life on their own bodies, the project was able to add nuances to understandings of political prisoners, which were previously unseen in documentation of their experiences and which improved the general understandings of experiences of imprisonment in the research. Secondly, by using visual methods in co-creation with local actors, the project was able to reach a greater audience in Myanmar and beyond. By now, the photos have been exhibited in four places, two in Myanmar and two in Denmark. In all places, different audiences have interacted with the photos and learned about experiences of former political prisoners after release. The audiences range from other former political prisoners in Myanmar, who are intimately familiar with post-prison experiences, to a Danish audience, in which some did not know what and where Myanmar was, and who had no previous knowledge about the political situation in the country or the human lives that were affected. Through the visual communication, these very different audiences were able to engage with the human experiences of life after imprisonment.

Beyond the Prison Gate is part of the research project Legacies of Detention in Myanmar, which is funded by the Danish Foreign Ministry.

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