



A Hybrid Generation: The Tsao-hpas of Late Colonial Burma and Their Political Demands Between Political Ethnicity and Shan Nationalism

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From the late 1880s to 1948, the British colonial empire included the Shan States in north-eastern Burma. Their rulers, the *Tsao-hpas* or *Sawbwawas*, were kept in power with the British ruling indirectly through them. During the decades of colonial rule, the *Tsao-hpas* repeatedly put forward demands to have their powers increased and to keep the Shan States independent from Burma. These were based on an understanding of Shanland as being separate and distinct from Burma. Arguing against simplified depictions of the *Tsao-hpas* as mere feudal lords keen on retaining their powers, this study not only traces their demands through the decades, but aims to show how they played an important role in the development of Shan national identity and nationalism which still plays a crucial role in Burma's conflicts today. Furthermore, the study locates the generation of *Tsao-hpas* of late colonial Burma, by being the only class in the Shan States with access to modern education until the late 1930s, as a hybrid and transitional class, between aristocracy and modern intelligentsia, fulfilling both these roles in the development of Shan nationalism, thus diverging from other examples and theories of the development of nationalisms.

Keywords: Burma; Ethnicity; Nationalism; Saohpa/Sawbwa/Tsao-hpa; Shan



INTRODUCTION

The *Shan Tsao-hpas*, the former hereditary rulers of the Shan States in today's Burma, have often been depicted as mere feudal lords keen on keeping their personal powers and wealth (Aye, 2009, p. 65; Ferguson, 2021, p. 51; Simms, 2017, pp. 294-295; Yawngnhwe, 2010, p. 77); their agency in history has often been reduced to by-lines in historiographic texts in which they are barely mentioned by name, despite their centrality in historic events as representatives of their States and peoples (see Cady, 1965; Charney, 2009; Thant Myint-U, 2006). Some attempts have been made by especially descendants of *Tsao-hpa* families to paint a different picture, which, while presenting important facts and narratives, however at times go too much into the other direction with overly benevolent depictions (see Simms, 2017; Yawngnhwe, 2010).

This study seeks to look at the *Tsao-hpas*¹ of late colonial Burma from a different angle, namely by examining their role in the development of Shan nationalism. A range of memoranda and other representations from 1920-1947, in which the *Tsao-hpas* demanded (more) independence for the Shan States, are examined to trace the development of Shan political agitation and are analyzed using a theoretical framework based on Anthony D. Smith's and Victor Lieberman's works. I will argue that the *Tsao-hpas*, as a hybrid and transitional generation themselves, played a hybrid role in the transition from Shan political ethnicity of pre-colonial Shanland², to Shan nationalism and nationhood of the mid-20th century.

The period concerned here also appears neglected in other studies on (the development of) Shan nationalism, who mostly focus on the (early) independence period. For instance, Lintner (1984) and Ferguson (2021) do not mention the memoranda or the *Tsao-hpas*' demands at all, Yawngghwe refers to them only broadly (Yawngghwe, 2010, pp. 77-79); Maule (1993) discusses them in more detail, but focuses on questions of administration, while Sai Aung Tun (2009, pp. 183-188) does the same though in much less detail. This study thus also helps us fill a periodical gap in our understanding of Shan nationalism, which plays an important role in the politics and conflicts of Burma until today.

To achieve this, the article is structured as follows: First, the theoretical framework that will guide the concluding analysis is presented; then, a brief historical overview of the Shan and Shanland is given to provide a basic understanding of the background; this is followed by a short section briefly introducing some of the most influential *Tsao-hpas* in order to show how this generation of hereditary rulers was thrust into modernity and modern ideas; after an introduction to the sources examined for this study, the political demands of the *Tsao-hpas* as found therein are presented, finally followed by the concluding analysis.

THEORETICAL ASPECTS

This study, dealing with ethnic and national identity and nationalism, analyses the role of the *Tsao-hpas* of late colonial Burma for the development of Shan nationalism using the theoretical frameworks laid out by Anthony D. Smith and Victor Lieberman. Both essentially see nations as a modern phenomenon rooted in, or an 'updated' form of, ethnic communities and consciousnesses that preceded the ideology of nationalism by many centuries (Lieberman, 2021a, 2021b; Smith, 1986, 1998, 2008).

Smith defines three different types or levels of ethnic groups which distinguish themselves by measure of shared culture, (origin) myths, collective names and solidarity. The first type he calls "ethnic categories", the second "ethnic networks" and the most elaborate type "full-blown ethnic communities" which he defines as "named and self-defined human populations with myths of common origins, shared historical memories, elements of common culture, and a measure of ethnic solidarity" (Smith, 2008, pp. 30-31). This, they share with nations; however,

¹ In most sources and literature, the Shan rulers are rendered as *Sawbwas* or *Saohpas* in English; the former is the romanized version of the burmanized version of the Shan original (meaning: Lord of the Sky), while the latter is probably meant to more closely resemble the Shan original. However, as the relevant Shan letter more closely resembles the sound *ts*, here the Shan rulers are referred to as *tsao-hpas*, as was also done by F. K. Lehman (2003). Furthermore, for simplification, the term will also be applied to Shan rulers of lesser ranks, like *myosas* or *ngwegunhmus*.

² I use Shanland when referring to the region/territory that is seen as the Shan homeland in ethnic and nationalist Shan imagination.

nations distinguish themselves from ethnic communities by a more distinct connection to an “historic ‘homeland’”; a more distinctive public culture; and by common laws. Smith thus sees nationhood as a “specialized development of ethnicity” (Smith, 2008, p. 31).

While Smith is a general theorist of nationalism using a wide range of examples throughout history and the world, Lieberman’s starting point is that of an historian of Burma, which he later expanded to compare long-term developments in Southeast Asia with those in Europe (Lieberman, 2003, 2009). Similar to Smith, he understands nationalism “as a peculiar elaboration of a more general phenomenon apparent in parts of both Europe and Asia centuries before the French Revolution” (Lieberman, 2021b, p. 4). He sees certain groups as early as in the 13th century as communities “of distinct custom, language, descent, and interest” and defines ethnicity “a set of distinctive cultural traits and symbols shared by a named population” (Lieberman, 2021b, pp. 5-6). Probably similar to what Smith meant by “a measure of ethnic solidarity”, Lieberman argues that ethnic traits “became ‘political’ when one or more elements were used to proclaim membership in a state-centered collectivity eager to secure resources for its members” (Lieberman, 2021b, p. 6). He thus employs the term “political ethnicity” for this type of ethnic community, which he sees in certain parts of Asia from the 11th to the late 19th century, and in Europe from the 11th to the early to mid-18th century (Lieberman, 2021a, p. 311).

Lieberman contends that while certain aspects of ethnic identity did play a role already in 12th century Burma, there were many mitigating factors against a full measure of “political ethnicity”. For the Shan, the topography of the mountainous regions they inhabited was an additional, strong factor that prevented political unification of the many polities (Lieberman, 2021a, p. 317). Yet, starting even during the fragmented period from the 14th century on, Burmese inscriptions regularly differentiated between the Bamar, Mon and Shan countries in name and also “suggest that Burmese, Mon, and Shan leaders in this period commonly referred to, and sometimes pilloried, their foes in ethnic terms” and kingdoms thus “assumed an ethnic character” (Lieberman, 2021a, p. 318).

As an important distinction to nationhood, however, Lieberman states that political legitimacy was still based on Buddhism, not secular, popular sovereignty, even if superior religious piety was tied to the rulers’ own ethnic homeland (Lieberman, 2021a, p. 320). Similarly, Smith argues that “ethnicity in pre-modern periods was not normally the basis of alternative polity formation, except where it combined with religion” (Smith, 1998, p. 192).

While in Britain and other parts of Europe, political ethnicity developed into nationalism around the 18th century, in Burma – and Shanland – this only happened after the arrival of colonialism in the late 19th and early 20th century. Lieberman names a range of religious, legal, geographical and economic reasons for this divergence (Lieberman, 2021a, pp. 329-338); one of them was the absence of a substantial urban middle class or ‘middling sort’ of businessmen, shopkeepers, professionals etc., whose development and growth in Britain broadened the political culture and led to new demands for political inclusion and equality. In Burma, no equivalent social groups were to be found at that time (Lieberman, 2021a, p. 336).

Somewhat similar, Smith distinguishes two types of nation formation out of two types of pre-modern ethnic communities: 1) “bureaucratic incorporation” through a “lateral ethnîe”, that is an ethnic group largely defined by their aristocratic and scribal strata; and 2) “vernacular mobilisation” through a “vertical ethnîe”, one dominated by an (urban) intelligentsia (like Lieberman’s “middling sort”). While (1) typically leads to more “civic” nationalism imbued top-down from the aristocracy, (2) leads to the more “ethnic” type of nationalism (Smith, 1998, pp. 193-194).

As shall be argued below, Shanland presents a hybrid case between these two routes, with the *Tsao-hpas* playing a hybrid and transitional role in the process.

HISTORICAL OVERVIEW

The Shan, who refer to themselves as *Tai*³, are (an) ethnic people(s) with common cultural traits and a continuum of languages and dialects, which belong to the family of Tai-Kadai languages. They inhabit the valleys of the mountainous regions stretching from today's Assam, via northern Burma and Yunnan to the north of today's Thailand, though their biggest concentration can be found in the Shan Hills in the northeast of today's Burma (Leach, 1970, pp. 29-30; Lehman, 1988; Seekins, 2006, pp. 402-404). Whom exactly this definition includes varied over time and depends on one's exact definition. For this study, the Tai/Shan populations of what would become modern Burma stand in focus.

When the ancestors of those who would become Shan came to this region between the 10th and 13th centuries (Ricklefs et al., 2010, p. 51), there were already other peoples there, whom they did not (all) push out, but rather up into the mountains, with the newcomers taking control of the valleys, leading to a form of co-habitation typical all over the region (Seekins, 2006, p. 403). Besides differences in agricultural methods, the early Shan also distinguished themselves from most of these peoples by the adoption of Theravada Buddhism, which they received mostly through Mon-Khmer and Burmese peoples, the development of monasticism and more complex political structures. Given the geographical realities of the Shan-inhabited areas, there was never a long-lasting political unification of the many Shan *möngs*, or States (Lieberman, 2003, pp. 123-124), which were ruled by *Tsao-hpas*.

Despite this and despite cultural orientation towards Burma and interwoven history (Lieberman, 2003, p. 124; Mangrai, 1965, p. 47), the Shan States' region was terminologically identified as a common one, distinct from Burma, in local Burmese inscriptions starting from the 14th century, which referred to them as *Shan Pyi* (Shan Country, or Shanland) (Lieberman, 2021a, p. 318). Common foundational myths found across different Shan chronicles (Elias, 1876, p. 3; Ferguson, 2021, p. 3; Mangrai, 1981; Scott & Hardiman, 1900, pp. 227-229), as well as older creationary myths that identified the Shan as people distinct from other peoples (Milne, 2001, pp. 196-207), are indications that the Shan and their *möngs* could be identified at least as an "ethnic network" according to Smith's (2008, p. 30) terms for centuries prior to colonization.

In the late 19th century, the so-called Limbin Confederacy, which sought to liberate the Shan States from (perceived) oppression of Mandalay, as well as other Shan rebellions, indicate that by that time, the Shan constituted a "full-blown ethnic community" in Smith's terms, or expressed "political ethnicity" in Lieberman's (2021a, p. 311). Although the Limbin Confederacy planned to install another Burmese – the Limbin Prince – king of the same house as the ruling dynasty of the time in power, it was clearly a *Shan* uprising; the *Tsao-hpa* of Hsipaw, one of the most important Shan States, even suggested to form a completely independent Shan Federation to the leaders of the Confederacy (Mangrai, 1965, pp. 107-117).

Neither vision materialized, however, as while these rebellions were under way, the British annexed the Shan States into their colonial empire after their conquest and colonization of the last remaining part of the Kingdom of Burma in 1886. This annexation was a mostly blood-

³ *Shan* is a Burmese exonym and is assumed to share its origin with the term *Siam* and potentially *Assam*.

less affair and after a few years, all *Tsao-hpas* had submitted to British rule (for a general narrative about the annexation of the Shan States by the British, see Mangrai, 1965).

A crucial difference in British colonial rule in the Shan States compared to Burma proper was that the British applied indirect empire to these states, that is, they left the local rulers in power and ruled through them, while the old aristocratic elite of Burma was completely abolished and replaced by the Indian Civil Service, as Burma was incorporated into British India. In the first years of colonial rule, the *Tsao-hpas* were mostly left to themselves, but after a few years, assistant superintendents were increasingly supervising and controlling their rule. Until the dyarchy reforms were implemented in the early 1920s, one *Tsao-hpa* also had a seat on the Burma Legislative Council (Maule, 1993, pp. 106-107).

These reforms led to an even more pronounced distinction between Burma proper – or Ministerial Burma – and the Shan States (and other Frontier Areas of Burma). There was no Shan representation in the new Burma Legislative Assembly; instead, the Shan States were re-organized into the Federated Shan States. This federation, which included over 40 Shan entities, took over some of the powers previously held by the individual states, had its own budget and was headed by a council of *Tsao-hpas*. This council, however, was technically only advisory, with actual powers resting with the (lieutenant-)Governor (Maule, 1993, pp. 119-120). Over the years, this federation saw some reform (Maule, 1993, p. 233), but remained in place until independence in 1948.

As for the other peoples of Burma, World War II (WWII) led to a surge in Shan nationalism; Allied calls for ‘freedom and democracy’, as well as Japanese calls for ‘Asia for the Asians’ both played a role in this. The *Tsao-hpas* contributed to the war funds, some of them – and their sons – fought on the allied side, but overall less Shan were fighting on the Allied side than for example Kachins or Chins, while some also joined the Bamar/Japanese side (Stevenson, 1946b; Yawngghwe, 2010, p. 13, 80).

Over the decades of colonial rule, the *Tsao-hpas* repeatedly demanded to have their powers increased and their autonomy from Burma proper safeguarded. These demands were first focused on attaining the status of Indian Princely States and, after WWII, of attaining full independence apart from Burma. Though this demand was expressed until January 1947, in February 1947 they signed the Panglong Agreement to cooperate with Burma during the transition to independence, and finally agreed to join the Union of Burma as a federal unit. Given the centralized structure of independent Burma that ran contrary to the agreements and the Shan’ and other non-Bamar peoples’ expectations, some Shan nationalists started armed uprisings in the late 1950s. These intensified after the failure of the political attempts to amend the constitution, which were shut down with the military coup of 1962. Several members of *Tsao-hpa* families joined these uprisings and took prominent roles therein.

THE SHAN TSAO-HPAS OF LATE COLONIAL BURMA

Although the *Tsao-hpas* of the Shan States were kept in place by the British, colonialism brought substantial changes to how the States were ruled, and to the *Tsao-hpas* themselves. Not only was their rule supervised and curtailed by British officials and some of their powers streamlined in the Federation from 1922, also their education changed substantially through the establishment of the School for the Sons of Shan Chiefs in Taunggyi in 1902, access to university education in Rangoon, India and Europe, serving in the British Indian Army, the opportunity to travel across the world, and administrative training. Changes were also made to their succession: though the hereditary principle remained and successors were usually chosen from the

previous *Tsao-hpa's* family, it was the British who decided which one of them, now also focusing on competence rather than birth sequence.

Many of them used their new education to develop their States; this generation of *Tsao-hpas* could therefore – in reference to some of the reforms done by reform absolutist rulers in roughly 18th century Europe (Demel, 2015) – also be seen as ‘enlightened’ hereditary rulers. In the remaining several paragraphs of this depiction, a few examples shall illustrate this general trend (for this whole subsection see inter alia Mangrai, 1965; Simms, 2017; Yawngnhwe, 2010; for a longer presentation see Bauer, forthcoming).

The first generation under British rule can be exemplified by Sao Mawng of Yawngnhwe (1st r. 1864-1885, 2nd r. 1897-1926) and Sao Khun Seng of Hsipaw (r. 1886⁴-1902). Both were brought up at the court of Mandalay under King Mindon (r. 1853-1878) and had initially good relationships with Burma, which however soured later on, especially under the last King, Thibaw (r. 1878-1885). Sao Mawng was even restricted to Mandalay for a while by Thibaw; under British rule, he received a knighthood and was an influential voice within and of the *Tsao-hpas*. Sao Khun Seng, also under Thibaw, fled to British territory after being accused of aiding the rebellion of Mongnai and after his return to Hsipaw in 1886, suggested to the Limbin Confederacy to form a completely independent Shan Federation. Both *Tsao-hpas* served in the pre-1922 Legislative Council of Burma.

The following generation(s) that grew up under British rule had vastly different access to education than all their predecessors. Sao Khun Seng's son, Sao Khe (r. 1902-1928), attended a mission school, spent time in England and travelled widely. He was vested in his children's education, which his son and successor Sao Ohn Kya (r. 1928-1938) received mostly in England. The British viewed Sao Ohn Kya as intelligent, capable and cosmopolitan, though also as arrogant and difficult; he was one of the central figures of the *Tsao-hpas'* political agitation.

Sao Mawng's successor was Sao Shwe Thaike (r. 1927-1959), who had attended the Chiefs' School, joined the British Indian Army and fought in WWI. Though he was only a nephew of Sao Mawng, he was chosen to succeed him over his sons, given his capabilities. Described as patriotic and enlightened, he became one of the chief spokesmen of the *Tsao-hpas* and the first President of the independent Union of Burma and died shortly after being imprisoned during the 1962 coup.

Another important proponent, like his father Sao Khin Maung (r. 1906-1936), was Sao Hkun Hkio (r. 1937-1959) of Mongmit. He, too, joined the British Indian Army, studied in England and even married an English woman, much to the displeasure of his father, who while open to Western ideas, was still a traditionalist. Sao Hkun Hkio's administrative skills not only benefitted Mongmit, but also Shanland as a whole and Burma, with Sao Hkun Hkio becoming Chief Minister of Shan State and foreign minister of Burma after independence.

Sao Khun Pan Sein (r. 1926-1959) was the *Tsao-hpa* of Tawngpeng, which had a majority population of ethnic *Ta'ang*, of which he was also of partial descent. After attending the Chiefs' School, he undertook several trips around the world, bringing back ideas for modernization of the Shan States. He too had to hide from the Japanese and lost a son who fell as a pilot of the Royal Air Force. After the War, he was a central figure in the negotiations with Britain and the Burmese, and after the coup of 1962, two of his sons joined Shan and *Ta'ang* resistance groups, respectively.

⁴ Sao Khun Seng had reigned before this date for some time until he fled to Rangoon in 1882, but the exact dates are unclear.

As a final example, Sao Hkun Kyi (r. 1930-1947) stands out as the *myosa* of Hsatung, a small State with a majority ethnic Pa'O population, which he also partially descended from. Despite his minor rank, he became very influential after having attended several schools and universities in Burma and India, becoming an engineer. He used this knowledge and funds obtained from his private businesses to develop Hsatung's infrastructure and educational facilities.

To be sure, although many Shan rulers shared the characteristics just exemplified, there were also big differences amongst them, most of all in the sizes of their States, their wealth, rank, but also, for a few like Tawngpeng, Hsatung, or Kokang, in ethnicity. This of course had implications for how much education they could afford for their children, or their authority and influence amongst their fellow Shan rulers and with British authorities. However, this was not rigid either, as we can see by the influence and importance of Sao Khun Pan Sein of Tawngpweng, or Sao Hkun Kyi of Hsatung. The latter example also shows that the *Tsao-hpas* were not always of uniform opinion, although they tried to appear as a unified front in their political demands (see Sao Hkun Kyi, 1940; and below).

SOURCES

This study is based on demands made by the *Tsao-hpas* to the British in a range of memoranda, letters, notes and meetings between 1920-1947, all of which appeared during specific contexts and events:

- 1) A 1920 letter by Sir Sao Mawng of Yawngphwe, written as a reaction to the proposed formation of the Federated Shan States and the introduction of Dyarchy in Burma proper ("Letter by Sir Sao Mawng", 1920)
- 2) 1924/25: a memorandum by the rulers of Hsipaw as a first reaction to the experience with the Federation (while I could not find the original memorandum, it is referenced and summarised in Maule, 1993, pp. 172-175; see also IOR/L/PS/263, and Nichols, 1931)
- 3) Ca. 1929: A memorandum in the name of all *Tsao-hpas* to the Simon Commission which was tasked with evaluating the Dyarchy reforms ("Memorandum from the Shan Sawbwas", 1929)
- 4) 1930: A memorandum submitted by the Federated Shan States in light of the India Round Table Conference and the potential of Burma being separated from India ("Memorandum of the Federated Shan States", 1930); this is the central memorandum, to which all subsequent ones refer.
- 5) 1931: a two-part supplementary memorandum to the 1930 one, written in light of the Burma Round Table Conference and in response to suggestions for reforms for the Federation ("Supplementary Memorandum Part I", 1931; "Supplementary Memorandum Part II", 1931)
- 6) 1937: a memorandum written in light of the realisation of the separation of Burma from India ("Memorandum of the Federated Shan States", 1937)

- 7) 1941: two memoranda drafted in reaction to expected further demands for constitutional advancement in Burma (“Memorandum of the Federated Shan States”, March, 1941; “Memorandum of the Federated Shan States”, September, 1941)
- 8) January 1947: two memoranda written in light of the ongoing independence negotiations between the Burmese delegation and the British Government (“First Memorandum of the Executive Committee”, 1947; “Second Memorandum of the Executive Committee”, 1947)

The letter by Sir Sao Mawng is the only source which is an English translation, probably from Burmese, maybe from Shan, while the rest were originally submitted in English. It is also the only source for which we know the exact author; the rest of the memoranda likely had several authors, as they were signed, or submitted in the name of, several *Tsao-hpas*, or the Federation as a whole. However, from the selection of representatives, their presence around meetings around the memoranda, their signatures, or their description in primary (Nichols, 1931, p. 5) or secondary sources (see above, and Simms, 2017; Yawngghwe, 2010) as “influential”, it is fair to assume that the *Tsao-hpas* of Yawngghwe, Hsipaw, Mongmit, Kengtung, North Hsenwi, Tawngpeng, Mongpaw, Mongnai and the *Myosa* of Hsatung played important roles in the formulation of the demands.

In any case, these written statements were debated and agreed upon, and despite there being different views on the subject, once agreed by majority decision (Sao Hkun Kyi, 1940, pp. 5-7), the *Tsao-hpas* stood behind them as a group, as we can see for example by the signature of Sao Hkun Kyi of Hsatung, despite his opposition to some of the demands. The memoranda thus present themselves as unique sources showing the will and demands of the *Tsao-hpas*, written by themselves, though of course for a specific audience – the British – and within the ramifications of the time. The notes and letters written by British officials about the memoranda and the meetings they had about the issues with the *Tsao-hpas* allow for an even better understanding of them.

What they do not tell us is about the potential differences of opinion amongst the *Tsao-hpas* and discussion process amongst them. Further sources, such as correspondence between them and meeting minutes, which may lie hidden somewhere in Shan State, would enlighten this, but were not available to me. One small exception is Sao Hkun Kyi’s pamphlet (1940), which not only contains his diverging views, but also a short correspondence between him and Sao Sam Htun. Further research to get a fuller picture is certainly necessary, though.

THE TSAO-HPAS’ POLITICAL DEMANDS

It is the aim of the present delegation, by the presentation of this Memorandum, ... [to] present to the Government the ultimate aim and ideal of the Shan States to attain to the dignity and status of an Independent State under the crown with the same constitution as the Indian States. (“Memorandum of the Federated Shan States”, 1930, pp. 1-2)

This quote from the central 1930 memorandum serves to illustrate the core demand of the *Tsao-hpas*: To gain (more) autonomy and the status of an independent state under the British Crown – and apart from Burma. While from the mid-1920s to 1941, this was framed within the model of the Indian States within the British Raj in mind, as we shall see, after WWII, this became a demand for a path to independence for Shanland. Besides this larger vision, the Chiefs

also demanded more concrete reforms for the working of the Federated Shan States, as well as a raising of the status of the (major) *Tsao-hpas*.

A lot was at stake at (almost) every instance the memoranda were issued, as they were mostly reactions to (anticipated) constitutional advancements in Burma: inclusion of the Shan States in these advancements and thus in Burma proper could not only have led to the end of the *Tsao-hpas'* rule, but would have meant a potentially irreversible incorporation of Shanland into Burma – this, the *Tsao-hpas* sought to prevent.

It is unclear, however, whether their demand was to achieve the status of the Indian States together, that is, the whole of the Federation as one state, or individually for each Shan State. The formulations even within a single memorandum sometimes suggest one or the other. British officials seem to have understood it as a demand for each individual State (Nichols, 1931, p. 5; Unknown/Government of Burma, 1931). By 1947, however, the formulation in the memorandum is doubtlessly aimed at achieving the demands for Shanland as a whole. While this is not a trivial question of pure detail, as it would give us an indication of how far pan-Shan thought, or Shan nationalism, had come to replace more localized thinking amongst the Chiefs, it cannot be fully answered here. We can solely guess that there might have been different views on this and that it depended on whose influence was strongest at the time of writing which vision was put onto paper in the end.

Whatever the exact vision(s) of an autonomy/in dependence for the Shan States may have been throughout the decades, three main wishes seem to have guided this: 1) greater independence from British control; 2) enhanced status of the Chiefs; and 3) prevention of falling under Bamar control.

This is already visible in the letter written by Sao Mawng of Yawngghwe in 1920, which he wrote upon the request of his fellow Chiefs as a reaction to the proposal to create the Federated Shan States. While he does not utter the demand for the status of Indian States, his suggestions go into a similar direction, writing:

In the days of the Burmese Kings, Burma and its dependency the Shan States were administered according to different laws. For this reason the Chiefs of the Shan States have submitted to the Lieutenant-Governor that the Burma Reform Scheme should not in their opinion apply to the Shan States, but that separate constitutional changes should be introduced [sic] in their States. ("Letter by Sir Sao Mawng", 1920, p. 1)

Sao Mawng refers to an even earlier submission to the British, in which they opposed being included in the dyarchy reforms planned for Burma proper. But the desire to remain separate from Burma are also visible in his concrete suggestions for the planned Federation. For instance, he suggests that the Federation be headed by a British Chief Commissioner, not only a Commissioner ("Letter by Sir Sao Mawng", 1920, p. 5), which would have meant that the Shan States were a completely separate administration, not a sub-administration of Burma ("Note by Mr. T. Lister", 1920). In the same vein, Sao Mawng suggested that the tribute of the Federation be paid directly to the King-Emperor, not to the Government of Burma ("Letter by Sir Sao Mawng", 1920, p. 5).

To support his stance, Sao Mawng gives a long historical background of the Shan States, which, while also detailing some of the powers the Burmese Kings possessed over them, emphasizes the continuous autonomy of the *Tsao-hpas* under Burmese rule, and stating that "the Burmese King never considered the [Shan] States as his possession" ("Letter by Sir Sao Mawng", 1920, p. 4). Although British officials considered that "there is much that is of interest" in Sao Mawng's letter, most of his suggestions were not made a reality ("Note by Mr. T. Lister", 1920).

In late 1925, Sao Ohn Kya, at the time *Kyemmong* (heir apparent) of Hsipaw, met with Lord Birkenhead, Secretary of State for India, and handed him a memorandum. In this memorandum, he and his father, Sao Hke, appealed for improvements in the Federation to guarantee freedom from outside interference and to vest the Council of the Federation with actual legislative powers. They also demanded a share of forest and mineral revenues and decried a degradation in their status by being made subordinate to the Government of Burma. This was unjust, they argued, as they had never been part of the Burmese Kingdom and likened their position to that of the more than 600 Native States of India within the Mughal Empire, which were now in association with the Indian Government and the King-Emperor. They thus demanded the same constitutional status, which would protect them from Bamar control through a democratic legislature, as this could one day end the *Tsao-hpas'* rule, who they saw as the promoters and protectors of the customs and social stability in the Shan States (Maule, 1993, pp. 173-175).

The Indian States were territories on the Indian subcontinent which were not considered British territory and their inhabitants not British subjects. Their rulers, hereditary princes of varying rank, were left in place, but owed allegiance to the British Crown. They varied strongly in size, with the smallest containing less than 200 inhabitants, the largest over 14 million in the mid-20th century. The exact meaning of “paramountcy” the British held over these states was unclear, though an attempt was made in the late 1920s by the Indian States Committee (the ‘Butler Report’, “Report of the Indian States Committee”, 1929) to define it more clearly. Thus, their actual autonomy varied over time and place (Keen, 2012, pp. 1-24; “Report of the Indian States Committee”, 1929). Although some British officials contended that the *Tsao-hpas* actually possessed more power in certain respects than the Princes of the Indian States (“Note by Mr. T. Lister”, 1920), this demand was kept up as a central one in the following years.

Just a few years later, the British appointed the Indian Statutory Commission, better known as the Simon Commission, to evaluate the dyarchy reforms in India, including Burma. The *Tsao-hpas* seized the opportunity to submit a memorandum to make their demands heard, when the Commission visited Burma between October 1928 and April 1929. Sao Hkun Kyi alleges that Sao Hke of Hsipaw had hired a lawyer to draft the memorandum, but that after Sao Hke’s death in May 1928, the actual memorandum submitted by his son and successor, Sao Ohn Kya, was not the one initially commissioned by Sao Hke, though Sao Hkun Kyi does not state what had been altered in the memorandum (Sao Hkun Kyi, 1940, pp. 3-4). In a letter to a newspaper in late 1928, Maung Nyo, First Assistant Political Officer at Kengtung, suggests the *Tsao-hpas* should consult a lawyer to draft a memorandum based on similar lines as one drafted by a lawyer for the Princes of the Indian States for the Butler Commission, which also argued that the British were overstepping their powers in the Indian States (“Undated Letter to Unnamed Newspaper”, 1928).

Whatever the exact genesis of the memorandum, it differs from the 1924 one and the following ones by not demanding a status of Indian States for the Shan States. However, the *Tsao-hpas* did demand that their status as “Hereditary Ruling Princes” be confirmed, as well as the validity of the States’ Customary Law. Furthermore, they demanded never to be put under Bamar, Indian or other “Asiatic” intermediaries and not be subjected to “Reform Government”, but should always be under the English head of the Province of Burma; and that all officers sent to them should be sent at an early age so that they would understand the Shan laws and customs once they became senior officers (“Memorandum from the Shan Sawbwas”, 1929).

They justified these demands by pointing to the historical relationship with Burma as they understood it, namely as one of “subordinate alliance” and wide-ranging independence, as well as by arguing that initial British plans and promises to the Shan were that they could keep their

independence, but that in the end “other counsels prevailed”. They also lamented the conduct of British officers who had previously served in Burma for a longer period and failed to understand the system of the Shan States, as well as a tendency by British officers to “belittle” Customary Law in the States (“Memorandum from the Shan Sawbwas”, 1929).

The next year, as the India Round Table Conference was to be held and the potential separation of Burma from India would be discussed, representatives of the *Tsao-hpas* attended as observers – status as representatives was denied to them – and had another, this time longer memorandum with them, which they submitted to the Secretary of State for India. In the memorandum, the Chiefs desired to discuss the “whole position of the Federated Shan States” and presented several concrete demands, amongst them to determine the future of the Federation in case of separation of Burma from India, to attain the status “of an Independent State under the Crown with the same constitution as the Indian States” (“Memorandum of the Federated Shan States”, 1930), the restoration of certain ancient titles to them, and to review and reform the working of the Federation, naming more than a dozen concrete points. They justified these demands with reference to their understanding of history (For a thorough analysis on the role of historical narratives in the *Tsao-hpas*’ political agitation, see Bauer, forthcoming), specifically the Shan–Burma relations, which again they depicted as one of very little interference into their affairs, and to British promises of keeping this independence on the eve of annexation (“Memorandum of the Federated Shan States”, 1930).

The British examined the *Tsao-hpas*’ demands and arguments in detail (Clague, 1931) – which also goes to show that the general approach to demand Indian State status, and the arguments for it, were not completely unjustified – and set in a committee, including six of the Chiefs, to suggest reforms to the Federation. The demand for status of Indian States, however, was not granted. This prompted the *Tsao-hpas* to write two supplementary memoranda in 1931, one to support this demand (“Supplementary Memorandum Part I”, 1931), and one with further concrete demands for reform of the Federation (“Supplementary Memorandum Part II”, 1931). In general, the concrete reform proposals can be seen as practically moving towards the ‘grand vision’ within the existing framework.

With these two supplements, the *Tsao-hpas* sent Sao Shwe Thaik of Yawngghwe and Sao Ohn Kya of Hsipaw to London to attend the Burma Round Table Conference, this time as representatives, accompanied by Sao Hom Hpa of North Hsenwi and Sao Kawngtai (heir apparent) of Kengtung as advisors. Before the conference began, the Chiefs met with several British officials to present their case; in notes about these meetings, these officials emphasised that the “main desire of the Shan Chiefs is to keep the administration of the Shan States as distinct as possible from the administration of Burma proper” (“Notes on Meetings with the Shan Delegates”, 1931) and that the *Tsao-hpas* did not want to be set under either a Bamar (dominated) legislature, ministers or Governor in the future (“Note by Findlater Stewart”, 1931; “Notes on Meetings with the Shan Delegates”, 1931).

The *Tsao-hpas* reiterated their desire to remain a separate entity and not to be included in the reform schemes for Burma at the conference as well (“Burma Round Table Conference”, 1932, pp. 1-2). One paragraph of the memorandum, in which the Chiefs did not exclude that the Shan States may join a federal form of government with Burma in the future (“Memorandum of the Federated Shan States”, 1930, p. 5) caused some debate, as some Burmese delegates used this to argue for inclusion of the Shan States into Burma and the reforms; however, the Shan delegates made it clear, in the discussion and in a subsequent clarification letter, that this point had been misunderstood and that their main desire was to become an independent entity under the British Crown (“Letter by the Shan Delegates”, 1931). Finally, in a meeting with the Secre-

tary of State for India in January 1932, the *Tsao-hpas* reiterated their desire to remain separate and pressed for several points they still wished to see addressed concerning the Federation ("Additional Notes to Shan Memoranda", 1932).

Although the British again denied the *Tsao-hpas'* request for status of Indian States, the separate status of the Federation was confirmed and continued, and several modifications to its working were made to a satisfactory degree for the time being (Maule, 1993, pp. 231-233, 247). However, in 1937, when Sao Ohn Kya went to England for the coronation of King George VI, he had another memorandum with him which, by and large, reiterated the demands of the previous ones. With a more combative and frustrated tone, the *Tsao-hpas* again raised their demand for status as Indian States and further modifications of the Federation, plus a stronger demand for a raising of the status of especially the 'major' *Tsao-hpas* ("Memorandum of the Federated Shan States", 1937). A central justification given for the demand for more power and independence was:

the ever-present danger of further encroachment by interference from Burmese politicians. It must be realised, and recognised, that the Shan States are an essentially independent and autonomous race [sic], and desire to preserve the centuries-old tradition of their rulers and their people. ("Memorandum of the Federated Shan States", 1937, p. 7)

The British answer again was in the negative, although one influential official remarked that some of the grievances were understandable (handwritten comment by John Clague on "Note by D.T. Monteath", 1937). In 1941, the *Tsao-hpas* again handed a memorandum to the outgoing Governor of Burma, Sir Archibald Cochrane, as they expected further constitutional advances for Burma once the War would end and wanted to secure that they were included in discussions pertaining to the Shan States. They thus also reiterated their demand for the Federated Shan States to "form a self-governing entity under the Crown" and that the administration of the Federation should be "on much the same lines as the Cabinet in a self-governing Dominion." ("Memorandum of the Federated Shan States", March, 1941)

They furthermore stated that, given the connected interests between the Shan States and Burma, they would be willing to enter into a treaty with Burma for subjects of common concern and even explained that their desire to form a self-governing entity was "not inspired in any degree by hostility to Burma or the Burmese people" ("Memorandum of the Federated Shan States", March, 1941, p. 16). However, Cochrane, after discussing the memorandum with the *Tsao-hpas*, believed that "the principal reason for the preparation of the memorandum is to be found in the Chiefs' dislike of the idea of being controlled in any way by the Legislature at Rangoon which would necessarily have a majority of Burmese members" ("Despatch No. 15 by Governor Cochrane", 1941; see also "Minute by G. N. Gilchrist", 1941).

When later the same year Prime Minister of Burma U Saw went to London to press for further constitutional advancement, the *Tsao-hpas* again appealed to the new Governor, Sir Reginald Dorman-Smith, that nothing should be decided pertaining to the Shan States without their inclusion in the discussions ("Memorandum of the Federated Shan States", September, 1941). The reply from the British was a promise that while their proposals could not be discussed at the moment, they would be consulted as demanded after the War ("Despatch No. 52 by Governor Dorman-Smith", 1941; Maule, 1993, p. 263).

During the Japanese occupation from 1942-45, most *Tsao-hpas* cooperated out of necessity with the Japanese, though the latter were suspicious of them given some of them had served in the colonial army. The Japanese ceded the two eastern Shan States of Mongpan and Kengtung

to Thailand in 1943, which were returned after two years at the end of the war, during which time the Thais' conduct made them unpopular (Ferguson, 2021, p. 55; Yawngnaw, 2010, pp. 81-82).

After the British return, the Shan, like the other peoples of the Frontier Areas, anxiously awaited the colonial power's policy towards them and were frustrated by the lack of concrete statements and by them not being properly consulted in discussions. While they expressed a strong willingness to federate with the other peoples of the Frontier Areas, like the Kachins, Chins and Karens, the *Tsao-hpas* initially refused to even discuss federation with Burma, with some in British eyes "more extreme elements" asking why they should not consider amalgamation "with Siam or even China" instead ("Leyden to Morley", 16 August, 1946).

A step towards cooperation amongst the Frontier Areas peoples was taken at the first Panglong Conference in March 1946, organized by the *Tsao-hpas*. Bamar representatives mostly left a bad impression at the conference, and representatives of the Frontier Areas were unwilling to federate with Burma and decided that if they were to do so in the future, they would do so together, not as separate units (Stevenson, 1946a).

On 30 December 1946, when the Burmese delegation led by Aung San went to London to negotiate a path to independence, the *Tsao-hpas* sent a telegram to London that Aung San had no mandate to negotiate on behalf of the Frontier Areas and that it was the Frontier Areas' peoples' decision whether to join Burma or not, and demanded to be allowed to send their own representatives should the Frontier Areas be discussed in London ("Telegram to Secretary of State for Burma", 1946).

Two more memoranda written by the *Tsao-hpas* are both dated 16 January 1947⁵. They were drafted in reaction to the negotiations between the British Government and the Burmese under the leadership of Aung San, and in essence demanded the Shan States be accorded the same treatment and privileges as Burma, this is, the powers given to the Executive Council (of Burma) in the interim period should be mirrored in the Shan States, and that a new council that should also include people's representatives alongside the *Tsao-hpas* should be recognized as a Constituent Assembly to draft a constitution for the Shan States. However, they also laid out on which basis they would be willing to negotiate "if the question of federation with Burma" were to be raised ("First Memorandum of the Executive Committee", 1947; "Second Memorandum of the Executive Committee", 1947).

The *Tsao-hpas* again justified their demands with what they saw as historical independence from Burma, but now also with the people's right to self-determination. Probably due to the effects of WWII and the increased pressure from non-aristocratic elites like the Shan States (People's) Freedom League (SSFL), the tone in general is much more 'modern' and nationalist than the previous memoranda, the Shan people are put at center (not their rulers), and a fear for the continued existence of the Shan race is cited for why the time for amalgamation with Burma had "not yet arrived" ("First Memorandum of the Executive Committee", 1947; "Second Memorandum of the Executive Committee", 1947).

However, less than a month later, the *Tsao-hpas* signed the Panglong Agreement to cooperate in the interim administration of Burma and subsequently agreed to join the Union of Burma by participating in the drafting of, and accepting, its Constitution. This sudden shift probably happened because there, again, was no positive British response to their demands, no other realistic alternative to federation with Burma was seen, Aung San's personality, and pres-

⁵ While both are dated 16th January 1947, it appears likely that at least the first one was drafted several weeks earlier, as indicated by the language used in both memoranda.

sure from the new non-aristocratic Shan nationalist elites who were more prone to cooperation with Burma – and not by some sudden change in nationalist self-understanding or newfound fondness of Burma.

CONCLUSION

Two main contributions arise from this study: 1) it documents the political agitation and demands of the *Tsao-hpas*; and 2) it interprets them as ‘enlightened’ hereditary rulers that performed a hybrid and transitional role in the development of Shan identity from political ethnicity to nationalism and nationhood.

Ad 1): The evidence presented here shows a clear continuation of demands by the *Tsao-hpas* for Shan self-rule from at least 1920 up to 1947; arguably, this could be traced even further back to the Limbin Confederacy and other uprisings against Mandalay in the 1880s preceding colonial rule.

At every instance of political advancement for Burma, the *Tsao-hpas* demanded not only that the Shan States be kept out of the reforms, but also to achieve (more) independence for themselves and/or the Federated Shan States as a whole. In the 1920s and 1930s this was framed in the demand to be treated as Indian States; after WWII this turned into a demand for outright independence.

These demands were always justified with the *Tsao-hpas*’ understanding of historic independence of the Shan States, seeing them as distinct entities – distinct from Burma, with different rulers, laws, culture and people(s). Increasingly, the language included not only dynastic arguments, but also nationalist ones, with fears for the survival of the Shan race if Shanland were to be amalgamated with Burma. This is most pronounced post-WWII, inter alia with the demand for the inclusion of popular representatives in the governing structures of the Shan States, although this demand had been raised more quietly even before the war (see “Notes on interviews of the Shan Chiefs”, 1940). Even the most pronounced outlier of the Chiefs, Sao Hkun Kyi of Hsatung, with his agitation for federation with Burma in the 1930s, saw the Shan States and Burma as distinct entities with distinct peoples, albeit historically connected, and justified his propositions more with practical reasons and not with some shared identity (Sao Hkun Kyi, 1940; see also Kikuchi, 2024).

Some of the same *Tsao-hpas* central to the concerned period played important roles in Shan political agitation following independence, most notably as important figures in the (Shan) Federal Movement, together with the next generation of *Tsao-hpas* as well as with the non-aristocratic elite that played an ever more important role in Shan nationalism after WWII and during the following independence period (Aye, 2009, pp. 61-62; Simms, 2017, pp. 107-108; Yawngghwe, 2010, p. 111). This shows that, despite often being at odds with one another over the role the *Tsao-hpas* were to play, the two groups seem to essentially have had similar ideas of Shan nationhood and how this formed the basis for Shan autonomy – and in the end worked together to achieve it.

Similarly, though the *Tsao-hpas* initially remained distant to the Shan armed uprisings (Yawngghwe, 2010, p. 99), some of their family members did join various Shan armed groups after the coup of 1962, with the former *Mahadevi* of Yawngghwe, Sao Hearn Hkam, who had also been an MP in the upper house for a while, even uniting and leading several of these groups for a while.

Ad 2): Given this mix of dynastic arguments with (ethno-)nationalist ones, we can understand the pre-war demands of the *Tsao-hpas* as a hybrid and/or transitional form between political ethnicity and outright nationalism. On the one hand, the clinging to their personal hered-

itary powers can, and to an extent should, be seen as ‘enlightened’ expressions of pre-nationalist, dynastic understandings of legitimacy, although a more favorable reading of the *Tsao-hpas* could claim that Shan society at the time simply lacked the educational capacities to establish modern democratic institutions – something some *Tsao-hpas*’ own educational initiatives would help mitigate.

On the other hand, the increasing focus on nationalist arguments – after WWII at center with reference to the peoples’ right to self-determination and the demand for a Constituent Assembly for the Shan States that should include popular representatives – shows the modern nationalist aspect of the demands, even if this aspect was certainly also a reaction to increased pressure from groups like the SSFL. While this demand was not realized in such an assembly, it was so in the constitutional arrangement for Shan State under the 1947 Constitution, and did culminate in the abdication and transfer of the *Tsao-hpas*’ powers in 1959 to the Shan State Government of the Union of Burma – done by more or less the same generation of *Tsao-hpas* who had advocated their demands in the 1930s.

What remains unclear, because unaddressed in the examined sources themselves, is how the *Tsao-hpas* perceived the multi-ethnic composition of the population of Shanland. Despite the references to “race”, “culture” etc., no discussion about the non-Shan groups is to be found. At the same time, with Sao Khun Pan Sein of Tawngpeng and Sao Hkun Kyi of Hsatung, two of the most important representatives of the *Tsao-hpas* were of mixed Shan-Ta’ang and Shan-Pa’O descent and ruled over populations likewise dominated by these groups, respectively. Even in his own writing, Sao Hkun Kyi, while speaking of “race”, does not mention the Pa’O or other non-Shan ethnic groups of Shanland; he only distinguishes the Karenni from the Shan, though he calls for unity with them.

In this sense, we do see a feature of how Lieberman describes the role of aristocracies of dominant ethnic groups in spreading their culture to other ethnic groups on their periphery. While he describes this process for Britain and for Burma towards Shan – with Shan courts adopting aspects of Burmese culture “without abandoning Shan ethnicity” (Lieberman, 2021b, p. 14) –, the incorporation of Tawngpeng and Hsatung, their rulers and (non-Shan) populations, could be understood as a similar transmission. However, this process clearly had not yet fully shanised either the Ta’ang and Pa’O populations, or the various other ethnic groups of Shanland, as evidenced by the various political and armed ethnic groups forming quickly within Shan State after independence and lasting until today.

Looking at routes from ethnic to national identity and going back to Smith, we again find a hybrid form: On the one hand, we see aspects of his “bureaucratic incorporation”, like the territorial understanding of Shanland based on the administrative boundaries created by the establishment of the Federation, which left out other Shan States of British Burma, or the later stronger emphasis on the Shan “people” when ideas of popular sovereignty and nationalism had become more widespread amongst the Shan States’ population after WWII; on the other hand, we see aspects of Smith’s “vernacular mobilisation” in the nationalist language, the emphasis on Shan being a distinct people with a distinct culture and history, or in demands for making Shan⁶ the official language in the Shan States (“Telegram No. 125, Governor of Burma”, 1947).

To be sure, the Shan Sangha and literary societies took an important role for this “vernacular mobilisation” especially after independence (Lintner, 1984, p. 412). The historical narratives employed by the new elites’ were also more resemblant of this route, with a greater em-

⁶ The source does not clarify which Shan language/dialect was envisioned here.

phasis on ethnic heritage and migration stories than found in the *Tsao-hpas'* narratives (Bauer, forthcoming). But even here, Sao Shwe Thaik was involved with his project of having Burmese Pali Buddhist texts translated into Shan in the mid-1950s (Yawngghwe, 2010, pp. 215-216).

This hybrid form seen within Smith's "routes" applies to the *Tsao-hpas* themselves as well. While as aristocrats they represent certain aspects of "lateral ethnies", they also performed the role of the intelligentsia Smith describes for "vertical/demotic ethnies", given 1) the large-scale absence of such a class within Shan societies; and 2) the *Tsao-hpa* families' access to modern education and thus getting in touch with modern and nationalist ideas – though to be sure, the increasing importance of these ideas was also a result of the pressure of the non-aristocratic intelligentsia of Shanland once it appeared in the late 1930s and especially after WWII, for example with the young elites of the SSFL, which were (pan-)Shan nationalist, but also fiercely "anti-feudal" and cooperated tightly with Burmese politicians (for a personal account of the SSFL, see Htun Myint, 2016).

Important to remember here is also the timeframe. Smith's descriptions of both routes to nationhood take place over centuries. In this case, this happened within a few short decades and was driven largely by the *Tsao-hpas*. Essentially, pre-modern aristocratic hereditary rulers were thrust into modernity and their ideas within only one to two generations.

In this sense, and to conclude, the Shan *Tsao-hpas* of late colonial Burma present themselves as a transitional and hybrid generation: transitional in the development of Shan identity from political ethnicity, espoused right before in the Limbin Confederacy and other Shan uprisings, into Shan nationalism and nationhood, espoused until today by the many Shan political and armed groups fighting for autonomy or independence of Shanland; and hybrid in performing the role both of aristocrats and of the intelligentsia, or 'middling sort', in the development of nationalist thought. As such, their demands over the decades, albeit taking different specific forms depending on the political circumstances, were clear: Shanland has 'always' been (an) independent entity/ies, distinct and apart from Burma, and should be so in the future.

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