

**HERITAGE IN THE MYANMAR FRONTIER:
SHAN STATE, HAWS, AND CONDITIONS FOR PUBLIC PARTICIPATION**

Zaw Lin Myat

**Submitted in partial fulfillment of the requirements for the degree
Master of Science in Historic Preservation**

Graduate School of Architecture, Planning and Preservation

**Columbia University
May 2016**

For the Union

ACKNOWLEDGEMENTS

I would like to express my deepest gratitude to my advisor, Dr. Erica Avrami, in guiding me through this process since the beginning. This thesis would not have been possible without her support, encouragement, and understanding. I would also like to thank my readers, Prof. Paul Bentel, and Prof. William Logan, for offering me insights and criticisms for improvement. Many thanks to my professors at the Graduate School of Architecture, Planning and Preservation for an amazing academic experience at Columbia University. I would also like to acknowledge the support provided by GSAPP's Kinne Fund and Dorothy Miner Fund, which enabled my thesis travel.

During the research trip in Shan State, many local residents helped me in finding sources, accompanied me to visit many places, and invited me warmly to their homes. I am very grateful for their hospitality and support. I would like to thank my grandparents in Taunggyi especially, U Tin Win and Daw Shu Fong, for their support although grandpa was very much concerned about my travel as he called me every few hours on the phone to check on my travel route. I apologize for the worries I might have caused. My beloved aunts, Kyu Kyu and Chun Nyunt from Yawnghwe, not only supported me enormously in planning the travel routes but also took care of every accommodation and meal during the trip in Shan State so that I could concentrate on this thesis. Without them, I would not have been able to undertake the survey in this thesis. Daw Mie Mie Thein from Yawnghwe was a staunch supporter of my interest in Shan heritage, and her enthusiasm kept me moving along when I conducted interviews within a tight schedule as she accompanied me around Yawnghwe. I owe her my greatest thanks as well. I would also like to thank U Sao Htao (Uncle Phillip) for guiding me to the books and resources on the historical research. I am also grateful that I could count on my cousin May Thet Khine to find contacts in Taunggyi and for corresponding with them.

I would like to thank Ko Maung Bo Bo, Rupert Mann, Kecia Fong, Daw Nang Lao Hom, Ma Thet Hnin Kyi Phyu, Ma Su Su, May Thway Ko, and many others who had helped me with bits and pieces of information I needed. I thank my friends, colleagues, and relatives whose support and trust kept me going throughout my four years of graduate studies.

Writing this thesis would have been impossible six years ago. Many thanks go to the people of Myanmar who believe in democracy, believe in the Union, and paved the way for someone like me to study what would have been a controversial topic.

Last but not least, I thank my dearest parents, U Wai Lin and Daw Khin Aye Win, for believing in me and for allowing me to study what I wanted and what I am passionate about. Their unwavering support in my education since kindergarten to this day is something I will never be able to pay back in my lifetime. My love and gratitude to both of you.

ABSTRACT

Lack of public participation and engagement in the decision-making process hinders heritage conservation in Myanmar, in particular for the ethnic minorities who have been marginalized in the conservation practice. This thesis builds on the assumption that establishing participatory processes and decision-making mechanisms for heritage conservation in Myanmar can improve heritage representation in Myanmar. It will also serve the preservation of ethnic minority heritage better. As a multiethnic country with various historical narratives and interests, Myanmar faces challenges in representing the diverse heritages it possesses. Concerned with built heritage, this thesis seeks to improve heritage practice in Myanmar to include sites that are oriented towards the diverse history of the Union. It looks forward to broadening the conversation of public participation in Myanmar's heritage sector.

This thesis assesses the current conditions for public participation in Myanmar, providing an overview of heritage sites in Shan State and a more in-depth investigation of a case study site in Yawnghwe. In this research, history and identity are explored to understand the historical narrative and heritage of the ethnic minority in relations to the Union. Existing heritage conservation laws are analyzed and critiqued to suggest improvement for the conditions of the heritage sites. The conditions for public participation are examined through the use of the case study and community interviews to inform how heritage sites chosen are understood, and how they are conserved. The case study in Yawnghwe helps to explore policy improvement in heritage conservation, framing the opportunities and challenges that exist in heritage conservation practice in Myanmar.

TABLE OF CONTENTS

Chapter 1 INTRODUCTION.....	1
1.1 <i>Problem Statement</i>	1
1.2 <i>Rationale</i>	4
1.3 <i>Thesis Questions</i>	5
1.4 <i>Methodology</i>	6
1.4.1 <i>Historical Research</i>	7
1.4.2 <i>Review of Heritage Conservation Laws</i>	7
1.4.3 <i>Shan State as a Case Study State</i>	8
1.4.4 <i>Specific Case Study</i>	10
1.5 <i>Literature Review</i>	11
1.6 <i>Limitations</i>	17
1.7 <i>Name Usage</i>	19
Chapter 2 BACKGROUND: THE UNION, ITS PROMISE, AND MARGINALIZED HERITAGE.....	21
2.1 <i>Pre-Union</i>	21
2.2 <i>British Colonization and its Implications on Burma’s Future</i>	22
2.3 <i>Bogus Independence, Japanese Rule, and Simmering Distrust</i>	23
2.4 <i>Forging of a Union and its Independence</i>	25
2.5 <i>Destabilization and Discontent within the Union</i>	27
2.6 <i>Oppression and Injustice</i>	28
2.7 <i>Key Findings</i>	29
Chapter 3 STATE OF HERITAGE CONSERVATION IN MYANMAR	31
3.1 <i>Ongoing Democratic Transition</i>	31
3.2 <i>Overview of Heritage Conservation Laws in Myanmar/Burma</i>	33
3.3 <i>Review of Heritage Conservation Laws and Regulations today</i>	37
3.4 <i>Civil Society and Public Involvement</i>	45
3.5 <i>Public Participation in the United States, United Kingdom, and South Africa</i>	46
3.6 <i>Key Findings</i>	49
Chapter 4 SHAN STATE: HERITAGE CHALLENGE.....	50
4.1 <i>Overview of Haws</i>	50
4.2 <i>Brief Survey of Haws</i>	53
4.3 <i>Summary of the State of Haws</i>	90
4.4 <i>SWOC Analysis (Strengths, Weaknesses, Opportunities and Challenges) for Heritage Conservation of Shan Haws</i>	91

4.4.1	Varied Ownership	92
4.4.2	Interpretation	93
4.4.3	Historical Setting	95
4.4.4	Community Participation.....	97
Chapter 5 CASE STUDY OF YAWNGHWE HAW		99
5.1	<i>History of Yawngwe Haw</i>	100
5.2	<i>Architecture of Yawngwe Haw and its Cultural Ties with the Community</i>	104
5.3	<i>Stakeholders in Yawngwe</i>	109
5.4	<i>Qualitative Community Interviews</i>	110
5.4.1	Methods.....	110
5.4.2	Area of Coverage in Yawngwe	111
5.4.3	Interview results	111
5.5	<i>Significance of the Site</i>	114
5.6	<i>State of Heritage Conservation</i>	116
5.7	<i>Findings</i>	121
Chapter 6 EXPLORATION OF PARTICIPATORY FRAMEWORK FOR YAWNGHWE USING YAWNGHWE HAW AS A CASE STUDY		122
6.1	<i>Vision</i>	123
6.2	<i>General Policies</i>	124
6.3	<i>Overarching Objectives and Specific Objectives</i>	126
6.3.1	ACCESSIBILITY	126
6.3.2	USE	129
6.3.3	HERITAGE CONSERVATION	131
6.4	<i>Governance Framework</i>	133
6.5	<i>Stakeholder Structure</i>	135
6.6	<i>Management Structure</i>	137
6.7	<i>Monitoring and Evaluation Mechanisms</i>	138
6.8	<i>Findings</i>	140
Chapter 7 CONCLUSION.....		142
	<i>How?</i>	142
	<i>Why?</i>	143
	<i>Next Steps</i>	146
ABBREVIATIONS.....		147
LIST OF FIGURES.....		148

APPENDICES.....150
 A. Consent Form150
 B. Interview Questionnaires153

BIBLIOGRAPHY.....154

Chapter 1 INTRODUCTION

1.1 Problem Statement

Heritage conservation¹ in Myanmar² does not provide a means for the public to participate and engage in the decision-making process. As a multiethnic Union with diverse historical narratives and interests, this poses significant challenges. The Republic of the Union of Myanmar is made up of seven states³ that are primarily inhabited by minority ethnic nationalities, and seven regions⁴ where the majority Bamar ethnic nationality resides. Although Myanmar has a rich and complex history manifested in historic sites throughout the Union, shared by over 100 ethnic nationalities, conservation of heritage sites is single-handedly managed by the central government. Because of the long history of authoritarian governments in Myanmar, the democratic process of public participation is non-existent. The decision-making process of what to conserve is often misguided by the ulterior motives of the government to promote a particular narrative of the State. Preservation of cultural heritage was often used as a political tool by the government in the past to legitimize itself as the protector of the Union and national unity.⁵ Between 1988 and 2010, under the SLORC (State Law and Order Restoration Council) and SPDC (State Peace and Development Council) governments, reconstruction of the palaces of Bamar⁶ kingdoms had been prioritized over conservation of existing palaces of the ethnic minorities.⁷ In fact, Keng Tung Haw⁸ Palace in Shan State was demolished by SLORC in 1991, despite the appeal made by the local

¹ In the United States, heritage conservation would be equivalent to historic preservation. Historic preservation or heritage conservation is an endeavor to protect, preserve, and conserve the built environment of historical significance.

² The use of Myanmar vs. Burma and other terms is explained in Section 1.6.

³ Seven States are Kachin, Kayah, Karen, Chin, Mon, Rakhine, and Shan.

⁴ Seven Regions are Sagaing, Magway, Yangon, Ayeyarwaddy, Bago, Mandalay, and Thanintharyi.

⁵ Janette Philp, "The Political Appropriation of Burma's Cultural Heritage and its Implications for Human Rights," in *Cultural Diversity, Heritage and Human Rights: Intersections in Theory and Practice* (London: Routledge), 83-99.

⁶ Burman or Bamar ethnic group consists of estimated 68% of the Union and forms the majority.

⁷ 19th Century Mya Nan San Kyaw Palace in Mandalay was reconstructed in 1989. 16th Century Kanzawzathadi Palace in Bago was reconstructed in 1992. 11th Century King Anawrahta's Palace in Bagan was reconstructed in 2003.

⁸ Haws are generally referred to palaces in Shan State.

Buddhist monks to the government.⁹ Ethnic minority heritage sites that did not fit the narrative of the SLORC and SPDC regimes were systematically erased, ignored, or hidden.

Decades of broken governance, misguided policies, and corruption ranked Myanmar as one of the least developed nations in Asia.¹⁰ Regarding governance, according to the World Bank's latest available data, Myanmar was in the bottom 10th percentile of all countries in four out of six indicators: voice and accountability, government effectiveness, regulatory quality, and the rule of law. It was in the bottom 25th percentile in two other indicators: political stability and absence of violence/terrorism, and control of corruption.¹¹ Ranking ninth percentile in the category of voice and accountability indicates that people in Myanmar are hardly able to participate in governance.¹² Myanmar also ranks 148 out of 188 countries in the United Nations Human Development Index and is third lowest in Asia, just above Afghanistan and Yemen.¹³ Similarly, the heritage sector in Myanmar suffered not only from the shortage of funding and human capacity, but also from misdirected policies and propagandist priorities. Although these problems are prevalent throughout the Union, the inequality is more apparent in the ethnic states regarding heritage identification and protection.

One indicator of such an imbalance is the number of heritage sites listed for protection and conservation by the Union-level Ministry of Culture. The law governing heritage protection in Burma, "Protection and

⁹ Shan Women's Action Network, *Forbidden Glimpses of Shan State*, November 2009.

¹⁰ A least developed country (LDC) is a country that, according to the United Nations, exhibits the lowest indicators of socioeconomic development, with the lowest Human Development Index ratings of all countries in the world. The concept of LDCs originated in the late 1960s and the first group of LDCs was listed by the UN in its resolution 2768 (XXVI) of 18 November 1971.

¹¹ World Bank, *Country Data Report for Myanmar*, Worldwide Governance Indicators, accessed February 7, 2016, <http://info.worldbank.org/governance/wgi/index.aspx#countryReports>.

¹² Definition of Voice and Accountability by Worldwide Governance Indicators: "Capturing perceptions of the extent to which a country's citizens are able to participate in selecting their government, as well as freedom of expression, freedom of association, and a free media."

¹³ United Nations Development Programme, "Human Development Indicators," accessed February 7, 2016, <http://hdr.undp.org/en/countries/profiles/MMR>.

Preservation of Cultural Heritage Regions Law,” delegates the sole authority to carry out preservation to the Ministry of Culture, with further delegation for research and determination of heritage sites to the Department of Archaeology under the direction of the Ministry. 84 sites have been listed since the law was enacted in 1998. Only nine sites or 11% are from the ethnic states, and only 5 out of those nine sites are buildings and old cities.¹⁴ The four other sites are Neolithic caves. Note that there is no other state or municipal level heritage ordinance. Only Yangon City Development Committee (YCDC) keeps a list of 189 buildings that were listed once in 2003, and no new listing was added since then. Therefore, lack of protection, lack of will and lack of mechanisms for the public to participate in heritage conservation created a lopsided heritage representation in Myanmar.

This thesis builds upon the assumption that establishing participatory processes and decision-making mechanisms for heritage conservation in Myanmar can potentially empower the people to self-determine their heritage, protect and preserve the values they want to uphold, and instill a sense of pride in managing the heritage themselves. Because the whole Union lacks participatory processes in heritage conservation, empowering the public to determine and manage their heritage assets benefits both the majority and the minorities. It will potentially mitigate the current imbalance in heritage listing and diversify the portfolio. The public may also have the opportunity to become familiar with participatory processes and democratic governance. As a result, understanding and appreciation of diverse ethnic groups and cultures may help to strengthen the ties of the Union.

¹⁴ According to the available data up until February 2016 from the Ministry of Culture.

1.2 Rationale

Myanmar's recent liberalization processes open the door to new opportunities for increased public participation. Democratic transition to a new government, led by the National League for Democracy (NLD), is on course to pave the way for public engagement in governance. Successful transfer of power to the NLD government in March 2016 increased the possibility of more open and democratic processes in Myanmar. Therefore, a push for a participatory process in heritage management may be possible.

Democratic institutions will have to be built to ensure Myanmar continues on the path to a genuine democratic Union. Participatory decision-making in heritage management could potentially serve as an important reconciliation tool to increase engagement with minority ethnic groups and communities. Ethnic histories and architectural resources that were previously marginalized can be injected into the narrative of building a true federal Union. Participation by the public in heritage conservation has the potential to strengthen and solidify the emerging democratic political processes based on equality and justice.

Heritage management could be utilized as a tool to promote just processes. Loosening central control over heritage identification and developing public participatory processes for local heritage could restore dignity in the preservation of the heritage of ethnic minority in Myanmar. It will also produce benefits for the minorities. Participation at a local level will allow the community to not only engage in protecting and preserving their heritage, but also nurture the democratic process using heritage preservation as a practice.

The author hopes to contribute to heritage conservation in Myanmar by advancing public participatory processes to identify, protect, and manage historic sites. This thesis seeks to improve heritage practice

in Myanmar to include sites that are oriented towards the diverse history of the Union. It looks forward to broadening the conversation of public participation in the heritage sector, particularly for the ethnic states that had been marginalized in the conservation of built heritage. Moving forward as a democratic federal Union, it is crucial that all ethnic nationalities have the opportunities to participate in the governance of their built environment.

As Myanmar aspires to establish a democratic federal Union, the question of the role of community in the management of these historic sites is one that must ensure equal footing for all ethnic nationalities. Public participation processes can provide opportunities to foster mutual understanding among various ethnic groups. Just and inclusive, participatory processes for multi-ethnic Myanmar can promote a reconciliatory environment for social and cultural development. Caring for heritage together means empowering the people to determine their heritage and allowing them to take part in decision-making mechanisms.

1.3 Thesis Questions

Overarching questions:

1. How can the diverse heritage of the ethnic minorities in Myanmar be better preserved?
2. How can preservation of minorities' heritage serve to build capacities for civic participation?

The ancillary questions that inform the above thesis questions are:

1. What is the role of ethnic minority heritage in the Union?
2. How is ethnic minority heritage represented within heritage conservation policies and institutions in Myanmar?
3. What aspirations do the communities in ethnic states have for their heritage?
4. What are the conditions for communities and ethnic states to participate in heritage conservation? How might conditions be improved?

1.4 Methodology

The following diagram represents how the author approached the thesis questions. History and identity are vital components to understand historical narrative and heritage, and they inform the bulk of the sites chosen to be studied. Laws are important tools for heritage conservation that the feedback loop between heritage and the existing legal framework was used to explore policy improvements. Specific case studies are used to substantiate the arguments, and the specifics elements are described in the sections to follow.

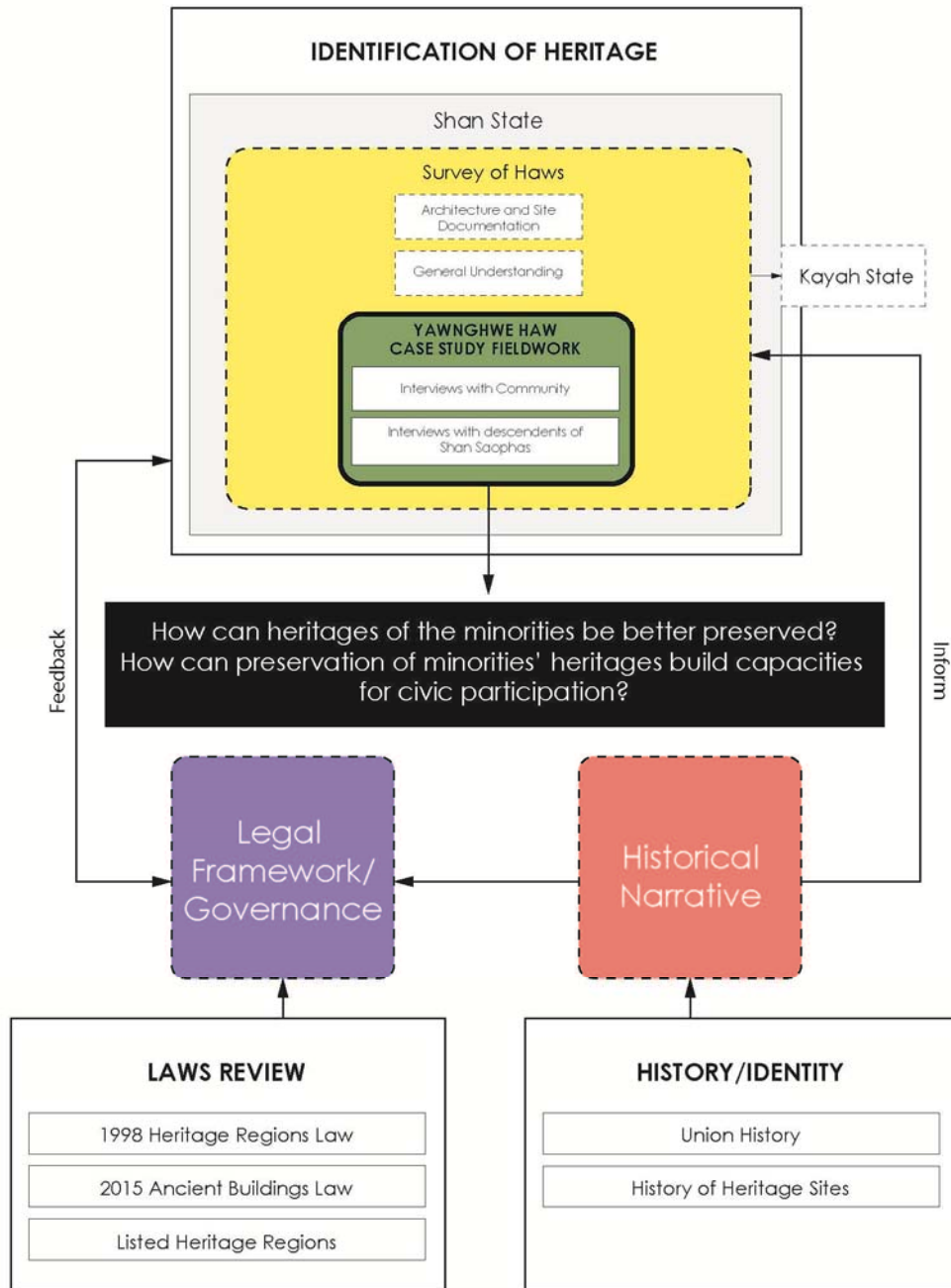


Diagram 1 Research Process

1.4.1 Historical Research

The history of Myanmar and its formation as a Union was studied to understand the complex political situations that led to the challenges of public participation today. It informed an overview of the power structure in Myanmar and the understanding of the struggles of the minorities in achieving a greater role in governance.

Since the thesis focuses on the tangible heritage¹⁵, specifically built heritage of the minorities, history relating to the minorities' heritage sites were studied to inform and complement the narratives of the Union as they are currently missing in the national discourse of Myanmar history. They became part of the rationale to comprehend current conditions of heritage representation in Myanmar.

1.4.2 Review of Heritage Conservation Laws

Existing heritage laws and policies in Myanmar were reviewed to understand the challenges of current legal structure for heritage conservation. The findings from the review are used to inform how Myanmar can improve public participation processes.

Comparison of Myanmar heritage conservation laws to those of South Africa, the United Kingdom, and the United States heritage systems are presented here. These countries were chosen because they practice a federal system of government to which Burma aspires. Moreover, South Africa, after apartheid, pushed for reconciliation in which heritage and history are very much a part of a concerted effort to make peace with past oppressions. They provide lessons from which Myanmar might learn.

Since Burma was colonized by the British and its laws are derived from the colonial rule, development

¹⁵ Intangible heritage of minorities are equally important and integrally related to the built heritage. However, it is beyond the scope of this thesis. See 1.6 Limitations.

and changes made in the UK laws might inform a way forward for Myanmar as well. The federal system of the United States government was one to which Burma looked since constitutional questions were discussed before independence by the leaders of the Frontier Areas. The model of having strong local ordinances that the federal government support is something Myanmar might also adapt from the US.

1.4.3 Shan State as a Case Study State

Shan State was chosen for this thesis because it has a shared history with Burmese Kingdoms. Its leaders also played important roles in the formation of the modern Union. Shan State is the largest minority state constituting 11.31% of the total population, ranking as the 4th most populous state in the country.¹⁶ In terms of land area, it covers 60,155 square miles, the single largest state of the Union. Its rich history and historic sites are well known in Myanmar, but the Ministry of Culture listed only one heritage region in Shan State. Shan people have expressed concern over the marginalization of their built heritages since they had been effectively removed from the national narrative. The lack of recognition by the Union government and the past destruction of their heritage create worries within the Shan community.

Shan State is a multi-ethnic state, and Shan people make up the majority. Other ethnic nationalities that live in the State are Pa-O, Intha, Lahu, Lisu, Taungyo, Danu, Ta'ang, Ahka and Jinghpaw. Historically, it is not a unitary state but smaller fragmented states ruled by various Shan chiefs. At the time before colonial period, three levels of administration were used: 1. The state ruled by *Saopha*¹⁷ (Chief) 2. Tributary states administered by Myosa (Duke), and 3. Smaller territories run by Ngwegunmhu (Revenue Chief). At various points in history, they either paid tributes to the Burmese Kings or the Chinese

¹⁶ Department of Population, Ministry of Immigration and Population, the 2014 Myanmar Population and Housing Census.

¹⁷ Saopha or the Lord of the Sky, is how feudal princes are referred to in Shan State. They no longer have power today since they abdicated their power in 1959.

depending on the strength of the neighboring empires. At favorable times, they also ruled independently. Under the British administration, many of these states, large and small, were combined into a federation called the Federated Shan States. It is a unitary state today as part of the Union of Myanmar.

From many historical sites and heritages to choose in Shan State, *haws* are chosen as sites of interest because of the following reasons:

1. *Haws* are revered places of Shan people. They form a unique typology in Shan architecture, and they embody the socio-political and cultural values representative of an era.
2. Although *haws* are important sites in Shan State that contribute to the history of the Union and are valued by Shan community, they are not viewed as important sites in heritage conservation policy at a national level. None of these *haws* are under the protection of the heritage conservation laws. The Union level government that has control over protection of heritage sites is not invested in conservation of *haws*.
3. *Haws* represent complex political values due to the history of serving as abodes of Saophas and their rule. Shan people are also proud about their self-rule.
4. *Haws* are poorly preserved, and the communities have limited resources and means to conserve them.
5. *Haws* present challenges in terms of power relationships, making them important test grounds for the idea of inclusive and participatory processes to be worked out within the communities.

Various *haws* are in different states of condition today. Some have been demolished. Some are in an advanced state of decay. Some are adapted to different uses. To understand the state of these buildings and their context, a survey of these sites was conducted through site visits, photography, and interviews with some of the descendants. To understand the scope of the problem at present and the level of representation of these sites in the public heritage realm, eight sites in Southern Shan State, two sites in Northern Shan State, and one site in Kayah State were visited. From the survey, the general conditions

of the *haws* and their current relations to the community were examined. Each of these sites presents unique challenges, but as a typology they share many values. They could also benefit from a shared framework for public participation. Through investigation of communities in Shan State, the idea of inclusionary processes for heritage conservation will be tested using one of the survey sites in the state as a case study.

1.4.4 Specific Case Study

From the survey of *haws*, *Yawnghwe Haw* was selected as a representative case to be studied in-depth for this thesis because it shares socio-political and cultural customs with other *haws*, reflecting Shan civilization and its political structure between late 19th century and early 20th century. The *haw* still stands among the residential neighborhood of the town just like other existing *Haws* in the survey that it is embedded within the fabric of the community.

Yawnghwe Haw was chosen among other *haws* for several reasons. Firstly, the *Haw* is located in a vibrant town with a diverse community, and the town itself is a gateway to Inle Lake, which is a major tourist destination. This create favorable conditions for testing public participatory processes for heritage conservation. Secondly, the *haw's* unique history positions itself as an important heritage site for the Union because the first President of the Union of Burma hailed from this town and from the *Yawnghwe haw*, yet, it is missing in the narrative of national heritage in Burma. Thirdly, oppression of Shan political history is a shared fact with other *Haws*. In 2007, the SPDC government angered the public by changing the *Haw* into a "Buddha Museum" after removing all the royal artifacts from the *haw* which was *Sawbwas* Museum at the time. The public saw it as an attempt to erase Shan history, but they felt helpless to oppose the heavy-handed action from the government. No public consultation or views were considered in the management of the site.

The case study aimed to achieve the following:

- a. Investigate community understanding and aspirations through qualitative research on what the *Haw* means to the people of Yawnghwe today architecturally, politically, economically, and socially within the city and how they might participate in the preservation of the site. The research was undertaken through interviews with residents of Yawnghwe.
- b. Document and spatially analyze the relationship of the site to the town to understand the challenges and opportunities of physical engagement by the community.
- c. Use the case as a testing ground for methods of participation in heritage site management.
- d. Study the possibility of expanding and emulating the processes for other sites identified in the survey.

1.5 Literature Review

Since Shan State and its haws were used primarily as the focus of study, primary resources on the *Haws*, historical records, personal memoirs, and biography of Shan Chiefs and their descendants were examined to explore the question of the significance of these sites and to understand their relationship to and the building's association with constituent communities. This allowed comparison of the views towards these sites in the past and present. They were helpful in generating the questionnaires for case-study interviews. The insights from this body of literature are also incorporated in the relevant chapters to follow.

The literature on the preservation of built heritage in Shan State is rare to find, with the exception of a post-graduate diploma research paper on Yawnghwe *Haw* being displayed as a museum by Khun Kyaw Sein.¹⁸ Khun Kyaw Sein presented the conditions of the haw as a museum in its existing state in 2003

¹⁸ Khun Kyaw Sein, "Sawbwa Gyi Myar Pya Tike," Post-graduate diploma research (Yangon: University of Culture, 2003).

and made three suggestions: upkeep of the *haw*, public outreach to promote visitation, and the recommendation to add an exhibition of Panglong agreement.¹⁹

Internationally, heritage conservation discourse widely focuses on value-based approach to heritage, and this has engendered more recent research on rights-based approaches to heritage. An ongoing debate on how best to approach heritage rights involves the relationship of heritage to social justice and well-being. As William Logan points out, cultural heritage is a “residual” thought and “left-over” category in many of the earlier documents on human rights.²⁰ The interdisciplinary nature of human rights and cultural heritage is relatively unexplored, so, approaches and methods are still underdeveloped. Much of the research discusses more conceptually the rights to heritage, the limitations of the rights discourse in the field of heritage, and the possible means to approach heritage from the lens of human rights.

Ian Hodder and Lynn Meskell suggest that the rights discourse is limiting because it focuses on the rights conferred by the States, and it is really not within the control of heritage professionals.²¹ Therefore, the goals we set out to achieve – empowering communities, honoring the heritage of the minorities, etc. – may not be effectively supported through existing systems of representation. Peter Schmidt’s work in east Africa offers documented examples of deprivation in Kenya and Tanzania where the state party violated heritage rights of the communities, but even with the evidence, Meskell discusses that the minorities from those countries do not have voices in the global stage because of the legal structure of the United Nations, which only allows each state party as the sole representative of one country.²²

¹⁹ Khun Kyaw Sein, “Sawbwa Gyi Myar Pya Tike,” 30.

²⁰ William Logan, “Closing Pandora’s Box: Human Rights Conundrums in Cultural Heritage Protection,” in *Cultural Heritage and Human Rights* (New York, NY: Springer, 2007), 38.

²¹ Lynn Meskell, “Human Rights and Heritage Ethics,” *Anthropological Quarterly* 83.4 (2010): 849.

²² Meskell, “Human Rights and Heritage Ethics,” 845.

Meskeil also writes how international frameworks for heritage lack enforcement mechanisms that address minorities' heritage rights at a global level, further hindering the positive benefits the field hopes to achieve for heritage and the minorities.²³ She argues that informal negotiations on the ground locally would serve heritage claims and be more workable than putting local claims to the global arena.²⁴ Also, Ian Hodder concurs that these issues could be solved through social negotiation since "the determination of rights tends to pit people against each other in an adversarial setting."²⁵ Although the rights dialogue may open discussions about cultural heritage in relation to social justice issues, as Ian Hodder points out, it is generally agreed that getting entangled in the myriad web of the international rights arena may not alone produce the results the heritage field intends to achieve.²⁶

Rights-based preservation practice are discussed as an instrument to promote inclusive decision-making processes at the local level, and to improve social justice and social well-being. William Logan argues that preservation has become a cultural practice, rather than a technical or management matter, meaning that the formation and protection of cultural heritage encompasses political dimension in resource management and resource sharing that benefits some and affects some negatively.²⁷

Preservation practice cannot turn a blind eye to human rights infringements but should help to improve the rights to culture through the medium of preservation for the benefit of wider members of the communities that heritage preservation intends to serve.

²³ Meskeil, "Human Rights and Heritage Ethics," 845.

²⁴ *Ibid.*, 846.

²⁵ Ian Hodder, "Cultural Heritage Rights: From Ownership and Descent to Justice and Well-being," *Anthropological Quarterly* 83.4 (2010): 866.

²⁶ Hodder, "Cultural Heritage Rights: From Ownership and Descent to Justice and Well-being," 864.

²⁷ William Logan, "Cultural Diversity, Cultural Heritage and Human Rights: Towards Heritage Management as Human Rights-based Cultural Practice," *International Journal of Heritage Studies* 18.3 (2012): 241.

Because inequities arise in the process of heritage identification, inscription, and management, as Logan rightfully highlights, it is particularly compelling for us to explore ways to mitigate this while finding just processes to ensure that the community we intend to serve will have access to the management framework and share benefits that arise from the preservation of heritage in their communities.²⁸ Since social justice is a very broad topic, there are a lot of overlaps in terms of subcategories such as ownership, control, resource-sharing, etc. Peter Schmidt and Lynn Meskell's work in Africa illustrate examples of the complex interdisciplinary issues confronting heritage rights.

Ian Hodder argues that the focus of heritage should shift from objects to people, and for heritage rights to focus on social justice "without the entitlement to that justice being based on the assumption of exclusionary descent,"²⁹ the participatory component is a key to open up the ways people engage heritage issues. His definition of the right to cultural heritage is that "everyone has a right to participate in and benefit from cultural heritage that is of consequence to their well-being."³⁰ Instead of ascribing to the "absolute and universal" right, Hodder argues that heritage rights "dependent on and relative to a particular practical context" would localize and shift the arguments towards the issues of social justice and well-being.³¹

Literature on Burma/Myanmar regarding heritage issues is growing. Local literature on heritage is mostly technical and historical that they provide little understanding of existing social conditions. As a result, the human component from heritage is not attended to as much as objects and their immediate owners or patrons. Few have deeply explored social justice issues regarding heritage, especially heritage

²⁸ Logan, "Cultural Diversity, Cultural Heritage and Human Rights: Towards Heritage Management as Human Rights-based Cultural Practice," 241.

²⁹ Hodder, "Cultural Heritage Rights: From Ownership and Descent to Justice and Well-being," 871.

³⁰ *Ibid.*, 871.

³¹ *Ibid.*, 874.

of the minorities in the country. Janette Philp has written about the political appropriation of heritage by SPDC government in Burma, giving numerous examples of how it promotes a singular narrative based on majority Burman and Buddhist identity, and concluding that the culture heritage of many diverse ethnic groups has been largely ignored and diminished.³²

Philp very briefly touches on community participation in Burma. Her focus on SPDC and its actions brings to light the difficulties other ethnic groups within Burma face. She cites an example in Bagan where, after designating it as an “archaeological” zone, the government forcefully removed people who had historically been living among pagodas and temples as part of the physical and social fabric of the ancient city.³³ She writes that “the SPDC have shown no concern whatsoever for maintaining the integrity or authenticity of those sites in terms of their function either in the broader social context today or their significance in the historical past.”³⁴ Throughout her writing, one can find a suggestive theme that SPDC violated not only the rights of the minorities but also used heritage as a tool to promote their own agenda. However, little research has been undertaken about how to correct these issues, other than suggestions of appealing to international institutions.

Literature on heritage conservation in Myanmar now revolves around Yangon and its urban heritage. Western scholars began to study Yangon in the past several years with the opening of Myanmar. Noting the lack of grass-root movement and participation in planning, William Logan explains how decision-makers failed “to consider heritage protection as a component of urban planning” in Yangon.³⁵ In other research, Logan discusses the authorized heritage of the national government and the unauthorized

³² Philp, “The Political Appropriation of Burma’s Cultural Heritage and Its Implications for Human Rights”, 83-100.

³³ Philp, 95.

³⁴ Philp, 95.

³⁵ William Logan, “Heritage in Times of Rapid Transformation: A Tale of Two Cities – Yangon and Hanoi,” in G. Bracken (ed.) *Asian Cities: Colonial to Global*, 296.

heritage of local communities in Myanmar.³⁶ He describes how heritage of the ethnic minorities are paid “scant attention” by the governments and that minorities have to find ways to safeguard their heritage.³⁷ Nonetheless, much of this discussion revolves around intangible heritage, and conservation of the built heritage of ethnic minorities is not directly addressed.

The level of participation desired for inclusive decision-making for heritage management poses many challenges to the power relations of various stakeholders in ethnic states while opportunities for collaboration between these stakeholders may bring about just processes. Thus, secondary literature on ethnic politics, basic human rights issues, and development issues in Shan State and Burma were studied to identify problems and challenges. These are incorporated in later chapters.

This thesis aims to highlight the need to discuss built heritage in ethnic States. It hopes to contribute to the vacuum of knowledge around built heritage in ethnic states like Shan States.

³⁶ William Logan, “Whose heritage? Conflicting narratives and top-down and bottom-up approaches to heritage management in Yangon, Myanmar,” in *Urban Heritage, Development and Sustainability: International Frameworks, National and Local Governance*, 259.

³⁷ Logan, “Whose heritage?,” 264.

1.6 Limitations

Since Shan State is the home state of the author, the familiarity and access to people in the State make it possible to do this research. Because of the author's background and prior knowledge of the state, a preconceived notion of what heritage means is already engrained in the author's mind. However, choosing the sites in Shan State does not mean that they are more important than those of other states or other heritages.

Even within Shan State, the question arises to why *haws* are chosen to be studied instead of other sites. The author visits Yawnghwe often, and it always brings about interesting stories in town. The interest in the *haw* typology around the Shan State led the author to investigate further. Choosing sites that are from the feudal era seems antithetical to the democratic ideas presented in this thesis. But it is to be acknowledged that these feudal lords voluntarily abdicated their hereditary power, and contributed to the founding of a democratic Union, thus the buildings associated with them are part of the history of Shan State. Also, the Shan community has voiced concern over the lack of conservation of these *haws*. Born in Shan State, the author does see *haws* as heritage. However, heritage can be broad and diverse, and the recognition of *haws* does not discount other types of heritage. *Haws* are deliberately chosen because they are rare and they are in danger of disappearing. Regardless, the author acknowledges the limitation of choosing a certain typology to study public participatory process.

The focus on built heritage in this thesis does not necessarily mean to sideline the intangible heritage that is integral part of the history and life of Shan State. Built heritage is inextricably linked to intangible values and traditions that the author made effort to include some of the cultural traditions as social values in the case study. However, the scope of this thesis largely focuses on tangible built heritage.

Other diverse ethnic groups might have different opinions what their heritage might be as well. This thesis does not aim to identify heritage for the people of Shan State, but rather it advocates that people should have the means to determine their heritage. Since the case study and survey focus on a particular heritage type of Shan ethnic group, some of the recommendations set forth in this thesis might not be applicable to other types of heritage.

Being a graduate student in historic preservation at Columbia University, the author is limited to the knowledge of heritage conservation practice in the United States that is accrued over the coursework. Therefore, some of the work presented here may have bias towards a particular type of management practice.

Local literature on heritage conservation in Burma is limited. Government sources and data are very thin regarding to the *haws*. Reliance on the *Gazetteer of Upper Burma and Shan States* as a primary source on the Shan history is heavy in this research. There is a large gap of information due to the fact that information in *the Gazetteer* was available up to 1901. Oral history, news stories, and the public in general provided some knowledge to fill these gaps. Due to geographic and time constraints, the author was unable to access to information at the National Archives in Burma, if any applicable information exists there.

1.7 Name Usage

The transliterations and pronunciations of names from Myanmar to English are varied today since the State Law and Order Restoration Council (SLORC) adopted new ones in 1989. Many literature and sources that had been published before 1989 used Burma that the author will use as such when referring to them. Literature and other sources published after 1989 used both Burma and Myanmar. This thesis will respect the original author's usage respectively. Myanmar and other new spellings will be used when referring to the official government documents after 1989. The author chooses to use both depending on the context. In the case of Shan names, Burmanized transliterations and pronunciations will not be adopted. For example, *Mong Nai* is corrupted and spelled *Moe Ne* in Myanmar that Shan people continue to use the prior in their news organizations and literature written in English. To avoid confusion, a list of names, where there is an alternative but equivalent, is provided below.

Places

Burma	= Myanmar
Rangoon	= Yangon
Yawnghwe	= Nyaung Shwe
Hsipaw	= Thibaw
Keng Tung	= Kyaing Tong
Hsenwi	= Theinni
Mong Pai	= Moe Bye
Panglong	= Pin Lon
Lai Hka	= Le-gya
Mong Nai	= Moe Ne
Mong Pawn	= Maing Pawn

Ethnicity

Burman	= Bamar
Tai	= Shan
Arakan	= Rakhine
Karreni	= Kayah
Karen	= Kayin

Clarification on the usage of ethnic states, Frontier Areas and ethnic minority heritage:

The term “ethnic states” is used because the name of these states make reference to the name of the ethnic groups while the seven regions (formerly divisions) where the majority Bamar reside do not make reference to “Bamar”. Bamar people are one of the ethnic groups, and they form the majority in the regions. Ethnic states generally refer to the seven states. States and regions have equal status within the Union. “Frontier Areas” was a term coined by the British administration that referred to the areas outside of Ministerial Burma. Some of the Frontier Areas which formed today’s ethnic states included Federated Shan States, Kachin Hills Tracts, Chin Hills Tracts, Wa States, Arakan Hill Tracts, Karenni States, and Karens of the Salween District.³⁸ When referring to the period before independence, the term “Frontier Areas” are used. Mon State was the only other ethnic state that was created with an ethnic name in 1974, and it was formerly Tenasserim Division (1).³⁹ In this thesis, ethnic states refer to the seven states of the Union of Myanmar.

When referring to heritage, “ethnic minority heritage” was used to distinctly call out the heritage of the ethnic minorities. “Ethnic heritage” would encompass heritage in Myanmar that belongs to all ethnic nationalities including Bamar. The author hopes that such distinction would no longer be necessary in the future when all heritage of the Union are equally respected and protected under the banner of Union heritage.

³⁸ Report of the Frontier Areas Committee of Enquiry, 1947.

³⁹ The Constitution of the Union of Burma (1974), Article 30.

Chapter 2 BACKGROUND: THE UNION, ITS PROMISE, AND MARGINALIZED HERITAGE

The promise of freedom, autonomy and equality among the States within the Union did not materialize after gaining independence from Great Britain as decades of internal conflicts, external interferences, and authoritative military rule followed. In the last two decades under the SLORC and SPDC governments, national heritage has become synonymous with Bamar and Buddhist heritage, disenfranchising ethnic minority heritages. Before delving into the conditions and status of ethnic minority heritage, knowing and acknowledging the complex history of multi-ethnic Myanmar might help to unpack the challenges and problems that impact heritage preservation in the Union today.

2.1 Pre-Union

Before the nation-state of the Union of Burma was conceived, there were multiethnic empires that rose and fell over time, namely Bagan Kingdom (9th-13th CE), Hanthawaddy Kingdom (14th CE), Ava Kingdom (14th CE), Mrauk-U Kingdom (14th CE), Taungoo Empire (15th CE), Restored Hanthawaddy Kingdom (18th CE) and Konbaung Kingdom (18th-19th CE), in addition to smaller vessel states and city states. The last Burmese Kingdom under Konbaung dynasty expanded its power beyond present boundaries, bringing many smaller states surrounding its territory under its- rule as tributary states. The tributary or vessel states made up today's minority ethnic states. They were mostly autonomous states under the Konbaung kings who are ethnically Bamar, as Bamar ethnic group made up the majority of the country. Under the suzerainty of the Konbaung Kings, the vessel states had little interference from the central government in their local affairs as they paid annual tributes, voluntary services, supply of war contingents and taxes.⁴⁰ However, the political situation became unstable after the death of King Mindon. King Thibaw was enthroned, but his mismanagement of state and economic affairs led some of

⁴⁰ Sai Aung Tun, *History of the Shan State: From its Origins to 1962* (Chiang Mai, Thailand: Silkworm, 2009), 111.

the Shan vessel states to revolt while accelerated the colonization by the British.⁴¹ As Shan Chief *Saopha* Sao Hkun Kyi of Mong Nai state, his Keng Tung counterpart *Saopha* Sao Hkun Hti and others formed a confederacy to plot a palace coup to install a Burmese Prince whom they could influence, the British had already dethroned King Thibaw, ending the Konbaung dynasty.⁴²

2.2 British Colonization and its Implications on Burma's Future

The Burmese Kingdom was officially annexed into the British Empire on 1 January 1886. After the annexation of Upper Burma, it took several years for the British to pacify armed rebellions and resistance that continued in the ethnic states.⁴³ As a province of British India, Burma proper or ministerial Burma was administered directly by the British colonial government. Frontier Areas or Scheduled Areas that included Kachin tracts, Chin Hills, and the Shan States were administered by the Burma Frontier Service, separated from the ministerial Burma. In the Shan States, traditional forms of governance under the *Saopha* were maintained under the Burma Frontier Service. However, administrative reforms were pursued by the British administrators limiting the hereditary rights of the Shan *Saopha*. Later the feudal administration proved inadequate and outdated. The British needed centralized administration for effective governance and development, and the Federated Shan States were formed in 1922.⁴⁴

Burma was separated from British India in 1937 as an independent colony of the British Empire with some representation in the colonial government. However, full independence and anti-colonial nationalist movement persisted. Because the British administered Burma with two separate systems,

⁴¹ Sai Aung Tun, *History of the Shan State*, 129.

⁴² *Ibid.*, 141.

⁴³ *Ibid.*, 141.

⁴⁴ *Ibid.*, 171.

the Burmese nationalists under ministerial Burma saw it as a “divide and rule” system that they believed was designed to create disunity between Bamars and other ethnic groups. Possibly, they were also discontented that ethnic states continued to have their chiefs as rulers while the Burman King was exiled. It set up divisions and disagreements when Burma negotiated for independence from Great Britain and years after independence.

2.3 Bogus Independence, Japanese Rule, and Simmering Distrust

In the meantime, the Second World War brought Japanese rule to Burma. General Aung San, who led the Burma Independence Army (BIA), cooperated with the Japanese Imperial Army, who promised independence. As the British and Allied forces retreated from Burma, a new administration was established by the Japanese with their Burmese counterparts declaring Burma independence in 1943. The leaders of the Frontier Areas were never consulted and were not part of the scheme. Moreover, between the Japanese and Burmese government, an agreement was reached to annex Shan States under the government of Burma.⁴⁵ The government of Burma, under the mercy of Japanese imperial government, agreed to cede Keng Tung and Mong Pan State which were part of Federated Shan States, to Thailand without any consultation with the Shan *Saophas*.⁴⁶ Such actions only sowed more distrust as Shan people were given no means to appeal or petition on the matter of transferring their States to foreign powers.⁴⁷ Soon, both Burmese and Shans would find out that the independence achieved was bogus.

An anti-fascist organization, a resistance movement against the Japanese occupation, led by General Aung San was formed in August 1944. He made contact with the British and switched side to support the

⁴⁵ Sai Aung Tun, *History of the Shan State*, 203.

⁴⁶ *Ibid.*, 203.

⁴⁷ *Ibid.*, 203.

Allied forces to drive out the Japanese army. When Second World War ended, the British administration returned to Burma, but talks of complete independence continued.

The first multinational political conference was convened in Pang Long in 1946 to discuss the matter of unification of Frontier Areas and ministerial Burma. Kachin, Karen, Chin, and Shan discussed their views among themselves as well as with the Burmese delegation. While U Saw, one of the Burmese delegates tried to persuade the leaders of the Frontier Areas for unification with Burma, another Burmese delegate U Nu's speech "took the form of a diatribe against the British couched in immoderate terms" as he accused them of sowing distrust between the Burmese and the Hill Peoples.^{48 49} Leaders of the Frontier Areas expressed displeasure since considering that U Nu was one of the Burmese leaders who brought in the Japanese without any consultation with leaders of the Frontier Areas, wreaking havoc in their states as a result.⁵⁰ The conference, however, brought about a good result which was that the leaders of the Frontier Areas agreed to consult together further in a bloc and cooperate on the issue of a possible federation. The future of ministerial Burma and Frontier Areas continued to hang in balance.

In January 1947, when General Aung San went to negotiate independence with Prime Minister Clement Attlee in London, without any representation or mandate from the Frontier Areas, the leaders of these areas anxiously awaited the news whether they would become part of Burma without their consent. Since no consultation with the leaders and representatives of the Frontier Areas was made prior to negotiation, the ethnic states were not able to participate in negotiating the many crucial sections of the agreement between General Aung San and Prime Minister Attlee. However, the British government sought to give the people of Frontier Areas a chance whether they would join Burma Proper to gain

⁴⁸ Sai Aung Tun, *History of the Shan State*, 210.

⁴⁹ Report on the Political Discussions at Panglong. April 30, 1946.

⁵⁰ Sai Aung Tun, *History of the Shan State*, 210.

independence. Thus, when Aung San-Attlee Agreement was signed, it was agreed that the free consent of the Frontier Areas from the leaders and representatives of the peoples must be sought.⁵¹

2.4 Forging of a Union and its Independence

The question of amalgamating ministerial Burma and its Frontier Areas was central to the political future of Burma. Second Panglong Conference was held in February, a month after the Aung San-Attlee Agreement was signed. Hosted by Lai Hka State in its Pang Long town in Shan Frontier Areas, Pang Long Conference was a defining moment in the history of Burma. For the first time, a political settlement is possible through discussion and negotiation between different ethnic nationalities.

Kachin, Chin, and Shan of the Frontier Areas negotiated the agreement with General Aung San, a sole Bamar representative from the Burmese government. Negotiations were led largely by Sao Shwe Thaik of Yawnghwe State and General Aung San. The principles on which the agreement was reached were to warrant fundamental democratic rights of the people in the Frontier Areas and to ensure the full internal autonomy of the States. The 9-point Panglong Agreement was reached on the 12th of February 1947 as the members “believing that freedom will be more speedily achieved by the Shans, the Kachins, and the Chins by their immediate cooperation with the interim Burmese government”.⁵² The Agreement paved the way for the formation of a Union and ultimately, independence from Great Britain.

The Frontier Areas Committee of Enquiry was organized to discuss the matter of constitution further. The Supreme Council of the United Hill Peoples (SCUHP) was formed to establish representative institutions. Over the period of two months in March and April, witnesses and testimonials from various

⁵¹ Aung San-Attlee Agreement of 1947.

⁵² Panglong Agreement of 1947.

representatives of Frontier states and other territories were made to the Committee of Enquiry. Sao Shwe Thaik, the *Saopha* of Yawnghwe, as the president of SCOUHP, expressed that “we want to associate with Burma on the condition that full autonomy is guaranteed in our internal administration” and that a federal government is suggested, possibly similar to the United States’ system.⁵³

While all these constitutional talks were happening, General Aung San and six cabinet ministers from the interim government were assassinated on 19th of July 1947 during a meeting at the Secretariat Building in Rangoon. However, the process to grant independence by the British was not delayed, and constitutional talks were wrapped up amid high tension and emotions. On January 4, 1948, independence from Great Britain was granted, and the Union of Burma was born as an independent sovereign state with a constitution.



Figure 1 Panglong Monument, Panglong, Shan State, Myanmar.

⁵³ Evidence from Representatives of the SCOUHP, Maymyo, April 21, 1947. Sai Aung Tun, *History of the Shan State*, 235.

2.5 Destabilization and Discontent within the Union

Soon after independence, the Union was embroiled in crisis after crisis. The constitution hastily drafted was inconsistent in granting political capital to diverse ethnic groups. While Shans and Karennis were given the right of succession, Kachin, Chin and Karen did not have that right. Other significant ethnic groups like Karen, Mon, and Rakhine, were not yet given their own state but were left for further discussions in the future. Some took up arms and the fighting ensued with the Burmese army.

In 1949, only a year after independence, the war in China spilled into Burma as Nationalist Kuomintang (KMT) invasion posed a great threat to the sovereignty of a newly independent Union. The KMT intrusion into Shan State had a major impact on the Union as it destabilized Burma. The Union government and Burmese army were occupied with the crisis as they struggled to expel foreign forces from the Union territory for the next decade. With the support of the United States and Central Intelligence Agency (CIA), KMT forces increasingly occupied a large part of Shan State. Without any success with diplomacy, a formal complaint was brought to the United Nations in 1953. The resolution to evacuate the KMT forces was passed, but a complete evacuation was never achieved as it dragged on until 1961. The whole debacle cost Burma not only a lot of economic resources and political capital but also ethnic unity within Burma.⁵⁴ On top of the destabilization politically, it created a strong army which went on to stage a coup against the democratic government in 1962.⁵⁵

Distrust and misunderstanding between ethnic states and Burma proper had heightened to a whole new level. There were accusations against each other in and out of government and legislature. Impatience grew as the government is mainly controlled by the Burman was unable to provide a solution to the discontent of the diverse group of people. Proposal for amending the unpopular constitution was put

⁵⁴ Robert H. Taylor, *Foreign and Domestic Consequences of the KMT Intervention in Burma* (Ithaca: NY, 1973).

⁵⁵ Mary P. Callahan, *Making Enemies: War and State Building in Burma*. (Ithaca, NY: Cornell UP, 2003).

forward in 1960 by leaders of the ethnic states who increasingly became suspicious of the Union government and felt that the nation was deviating from a federal union to a unitary state.⁵⁶ “The Federal Principle” pursued by the ethnic states was proposed at a national conference following the deliberations of various committees. Before any resolution was made, the army led by General Ne Win staged a coup after the second day of the conference on 2nd March 1962. There were many theories and suggestions to how the coup had come into being, but it surely ended democracy in Burma.

2.6 Oppression and Injustice

The military rule and subsequent authoritarian regimes presented many problems. Many armed groups were formed in ethnic states, and Burma spent decades waging guerrilla warfare. Moreover, the general public suffered years of closed-door policy and economic mismanagement. Uprising in 1988 ended the Burma Socialist Programme Party (BSPP). The uprising was crushed brutally by the military. A new cadre of military leaders formed State Law and Order Restoration Council (SLORC) to replace BSPP. Call for multi-party election and return to democracy grew ever louder that an election was promised in 1990. National League for Democracy (NLD) won landslide but the result was ignored by the military government. Many members of NLD were imprisoned including its prominent leader and daughter of General Aung San: Daw Aung San Suu Kyi. SLORC was renamed State Peace and Development Council (SPDC) in 1998.

In the two decades of SLORC and SPDC government, it is more apparent that ethnic minority heritage sites were increasingly marginalized and disenfranchised. Janette Philp wrote about the political appropriation of heritage by the State Peace and Development Council in Burma, in which she gives numerous examples of how SPDC promotes a singular narrative based on majority Burman and Buddhist

⁵⁶ Sai Aung Tun, *History of the Shan State*, 448.

identity that the culture heritage of many diverse ethnic groups has been largely ignored and diminished.⁵⁷

2.7 Key Findings

Until a political settlement between the major ethnic groups was secured through the Panglong conference in 1947, Burma was constantly under warring regimes. It was a major achievement for both Bamar majority and other major ethnic groups, namely Kachin, Chin and Shan, to bring peace to the country with a newly founded Union. The complexity of Burma's politics cannot be fully described in this chapter but in general, political instability of the country, 27 years of self-imposed isolation by the Burma Socialist Programme Party, and 23 years of isolation by the international community under the SLORC and SPDC governments that followed after the 1988 coup, did not create a favorable climate for public participation in governance. The pursuit of peace and a true federal Union is an ongoing endeavor for many minority ethnic groups. The political climate in Myanmar was not favorable for the development of heritage conservation, especially in the ethnic states where stability and peace was compromised more often than conservation of their heritage had been marginalized.

⁵⁷ Philp, "The Political Appropriation of Burma's Cultural Heritage and Its Implications for Human Rights," 83-100.



Figure 2 Map of Myanmar, June 2012 ⁵⁸

⁵⁸ United Nations, Map of Myanmar, June 2012, accessed May 6, 2016.
<http://www.un.org/Depts/Cartographic/map/profile/myanmar.pdf>

Chapter 3 STATE OF HERITAGE CONSERVATION IN MYANMAR

Heritage conservation relies on public policies that guide the processes of heritage protection and management for the benefit of society. Thus, politics and legislative frameworks have a substantial influence on heritage conservation. Analysis of the political and legal context in Myanmar provides an understanding of problems, challenges, and opportunities that may inform how participatory heritage practices might evolve, and navigate the ways in which participatory processes might be gradually introduced in Myanmar.

Dissecting Myanmar's heritage conservation laws provides an understanding of how they operate currently and how they represent the public interest of the Union. It also identifies where the laws need reforms to suit the changing political structure of the country better as an emerging democracy. While there were reviews in the public media for many other draft laws and enacted laws in the past, for example, foreign investment laws, association registration laws, condominium laws, etc., there was no substantial review of the heritage law that was quietly passed in August 2015.

3.1 Ongoing Democratic Transition

After the Burmese monarchy had been abolished in 1886, Burma was under British colonial administrations discussed in Chapter 2. Representation of people in the government did not come about until the 1920s when a rising nationalist movement pressured the British government for greater autonomy. Elections were introduced in Burma proper slowly, the 1922 election being the first election for Legislative Council. The 1947 election for Constituent Assembly brought in the newly independent government, and the Union of Burma was on a fresh journey with their first free representative government. The democracy in Burma was short-lived. It only experienced three elections between 1948 and 1962.

Establishing a democratic federal union is a goal yet to be achieved since 1962, when the military coup disrupted constitutional talks. After 48 years of authoritarian rule, Burma is again on the path to democracy. The return to a quasi-democratic form of government is made possible through the constitution drafted and approved in 2008. In November 2010, the first election in 20 years was held, although it was considered neither free nor fair.⁵⁹ The Union Solidarity and Development Party (USDP) formed by ex-military generals won 76.5% of the seats in the Parliament, and President Thein Sein's government took office in March 2011.⁶⁰ The political and economic reform by President Thein Sein's government paved the way for the National League for Democracy (NLD)⁶¹ to contest in 2012 by-election.⁶² NLD won overwhelmingly in the by-election and entered parliamentary politics after it boycotted in 2010 election.⁶³

An optimistic outlook for Burma's progress was shared by many due to continued transformation of the political and economic climate.⁶⁴ In November 2015, a historic election was held in which 91 parties and over 6,000 candidates participated and marked an important milestone for a democratic transition.⁶⁵ Again in this election, NLD won an absolute majority that it was given the mandate to form a new government. A new government led by NLD chairwoman Daw Aung San Suu Kyi and President U Htin Kyaw was sworn in on the 30th of March. In his first speech to the parliament, President U Htin Kyaw pledged to implement national reconciliation, peace in the country, and the emergence of a constitution that will pave the way to a democratic union, and to enhance the living standards of the people.⁶⁶ There

⁵⁹ The Burma Fund UN Office, *Burma's 2010 Elections: A Comprehensive Report*.

⁶⁰ Democratic Voice of Burma, "President Sworn in, Junta Dissolved."

⁶¹ NLD won in 1990 election but the result was ignored and later annulled.

⁶² BBC, "Aung San Suu Kyi Registers for Burma Election Run."

⁶³ Xinhua, "Myanmar Election Commission Announces NLD Wins Overwhelmingly in By-elections."

⁶⁴ Jon Springer, "Reflecting On Myanmar's (Burma's) Future."

⁶⁵ European Union Election Observatory Mission. 2015. *Preliminary Statement*. General Elections Report, Yangon: European Union Election Observatory Mission.

⁶⁶ Oliver Holmes, "Myanmar Swears in Htin Kyaw's First Civilian President in Decades."

are many challenges for the new government to resolve but building strong democratic institutions in which the public can participate in decision-making processes is one that will not only ensure a working democracy but also leave a long-lasting impact on the Union. With the majority of power in the hands of civilians, it is now possible to push for just processes and to increase public participation in building a federal democratic nation.

Nurturing the democratic processes in the coming years will be crucial to achieving the aspirations of a truly democratic Union. Public engagement in heritage preservation is one avenue that can assist in building foundations for budding democratic processes. Moreover, wider participation in heritage identification and management could benefit reconciliation efforts by mending weakened ties between ethnic nationalities and by building a broader understanding of diverse and shared heritages of the Union.

3.2 Overview of Heritage Conservation Laws in Myanmar/Burma

The preservation of heritage sites in Burma focuses on Buddhist monuments, ancient cities, and archeological sites. This state of affairs is reflected in the laws, and is evident in the list of protected heritage sites and regions around the country. Preservation in Burma can be loosely characterized as formal and informal. Formal preservation follows the codified laws and regulations since the sites are protected legally. Informal preservation does not have legal backing but is carried out in the form of community efforts to maintain and upgrade Buddhist structures in their locale. This chapter touches on why current legal structure and embedded cultural practice of renovating pagodas and temples do not serve other sites of importance that are outside of the abovementioned categories.

The following are a chronological list of laws that Burma enacted for heritage conservation.

Burma as a province of British India (1886-1937)
British Colonial Government

- 1878 India Treasure Trove Act (*No Longer Applicable*)
- 1904 The Ancient Monuments Preservation Act (*Repealed by the Antiquities Act of 1957*)
- 1921 Amended List of Ancient Monuments in Burma (*Repealed by the Antiquities Act of 1957*)

Union of Burma (1948-1962) Union Revolutionary Council (1962-1974) Socialist Republic of the Union of Burma (1974-1988) Union of Myanmar (1988-2010) Republic of the Union of Myanmar (2010-Present)

- 1957 The Antiquities Act (*Repealed by 2015 Antique Objects Law*)
- 1962 The Law Amending the Antiquities Act of 1957 (*Repealed by 2015 Antique Objects Law*)
- 1998 The Protection and Preservation of Cultural Heritage Regions Law
- 2009 The Law Amending the Protection and Preservation of Cultural Heritage Regions
- 2011 The Protection and Preservation of Cultural Heritage Regions Bylaws and Regulations
- 2015 The Protection and Preservation of Antique Objects Law
- 2015 The Protection and Preservation of Ancient Buildings Law

As mentioned earlier, although preservation of Burma's built heritage revolves largely around ancient monuments and ancient cities, a large concentration of those sites are located in Bamar-dominated Regions⁶⁷ where they became the foci of preservation since the protection of monuments was codified into law in 1904 under the British Empire. If one looks at the schedule of ancient monuments protected under the Ancient Monument Preservation Act of 1904, almost all of the heritage sites are in Burma proper.^{68 69} There were no known surveys undertaken by the government in the Frontier Areas under the colonial government.⁷⁰ In addition, the heritage protection laws during the colonial period were applied to major masonry monuments in Burma proper.⁷¹

⁶⁷ Today, seven Regions with majority Burman population are Sagaing, Magway, Yangon, Ayeyarwaddy, Bago, Mandalay, and Thanintharyi.

⁶⁸ The term Burma proper is explained in Chapter 2, Section 2.2.

⁶⁹ Amended List of Ancient Monuments in Burma, 1921.

⁷⁰ The term Frontier Areas is explained in Chapter 2, Section 1.7 and 2.2.

⁷¹ Amended List of Ancient Monuments in Burma, 1921.

In 1957, the Antiquities Act was enacted by the Union government giving the President the power of compulsory purchase of antiquities, the definition of which included “any ancient structure” for which he found the need for protection and preservation.⁷² It also allowed the director of the Burma Archaeological Survey to make application to the President for scheduling monuments if the director deemed necessary for protection and preservation “in the public interest.”⁷³ However, it continues to protect the previously scheduled monuments and sites in Burma proper. It is also worthwhile to note that between February 1958 and April 1960, a caretaker government led by General Ne Win and the army took charge of the administration. It is unclear whether, and unlikely that, any new monuments were scheduled during these tumultuous years. The schedule under colonial preservation law was continued. No progress was made nor was there any inclusion of sites from the Frontier Areas of the Union. The instability of the territories in ethnic states⁷⁴, especially in Shan State, where KMT intrusion was threatening the sovereignty of the state, only exacerbated the problems.⁷⁵

After the 1962 coup, an ambiguous amendment to the Antiquities Act of 1957 was passed by the Revolutionary Council, adding a sub-section that proclaimed “ancient monuments which existed before 1886 shall be deemed as the buildings protected by Union of Burma Revolutionary Government.”⁷⁶ Although at first, blanket protection may seem logical due to the insurgencies around the country, it would have been virtually impossible to enforce. Without proper research and survey of sites, no one could have clearly known which sites are protected since the determination of age and what constituted antiquities was the duty of the Ministry of Culture. Since the 1962 amendment to the 1957 Antiquities

⁷² The Antiquities Act of 1957, Section 6.

⁷³ The Antiquities Act of 1957, Section 11.

⁷⁴ Ethnic states consist of Kachin, Karen, Karreni, Chin and Shan as constituted by 1947 Constitution of the Union of Burma.

⁷⁵ See Chapter 2, Section 2.5.

⁷⁶ 1962 Amendment to the Antiquities Act of 1957, Section 5.

Act protected only those monuments built before 1886⁷⁷, the year when Burma was annexed to the British Empire, it limited the protection to the monuments before the colonial period. Subsequent civil wars and continuation of laws that were a more or less varied modification of colonial-era law further complicated the protection of heritage in the ethnic states. Moreover, limited resources and underdeveloped institutions contributed to the singularity of focus.

⁷⁷ 1962 Amendment to the Antiquities Act of 1957, Section 5.

3.3 Review of Heritage Conservation Laws and Regulations today

The Ministry of Culture oversees heritage conservations laws in Myanmar.⁷⁸ It also oversees the by-laws and regulations regarding the maintenance of heritage sites. The Ministry of Union Cultures was established in 1952, but its name was changed to the Ministry of Culture in 1972. The reason why “Union” and the plural “cultures” were removed was baffling, but it leads one to surmise that such change was meant to foster a policy to homogenize heritage. Today, the Ministry of Culture (henceforth, the Ministry) operates three departments and two universities:

1. Department of Archaeology and National Museum
2. Department of Fine Arts
3. Department of Historical Research and National Library
4. National University of Arts and Culture (Yangon and Mandalay)

Current governance framework under 1998 Protection and Preservation of Heritage Regions Law:

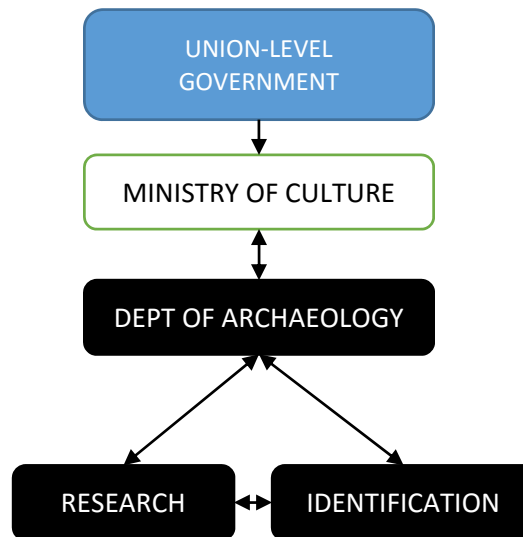


Diagram 2

⁷⁸ In March 2016, the new government combined the Ministry of Culture with Ministry of Religious Affairs to become one ministry: Ministry of Religious Affairs and Culture.

Current governance framework under 2015 Protection and Preservation of Ancient Buildings Law:

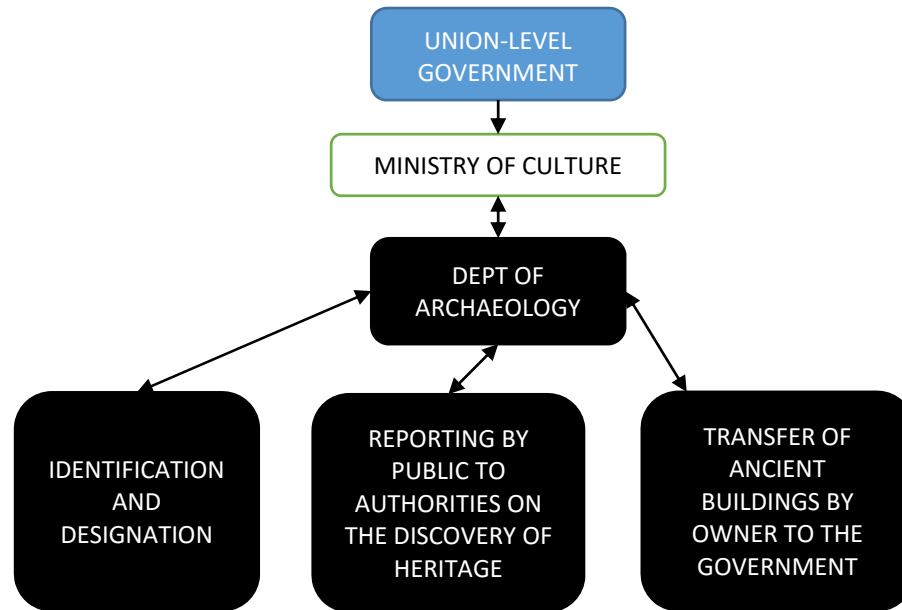


Diagram 3

The Ministry oversees the Protection and Preservation of Cultural Heritage Regions law (henceforth, 1998 Heritage Regions Law) enacted in 1998, which gives the Ministry the sole authority to list cultural heritage regions as identified and determined by the Department of Archaeology. There is no public consultation nor is there a path for the public to contribute to or engage in identifying, designating, and managing heritage. Because it closely follows the structure of the colonial era law, it is not participatory in nature nor does it meet the challenges that the Union faces today. It is especially problematic for a multi-ethnic union like Myanmar where one witnesses a great disparity of heritage protections for sites in majority regions versus minority states. Analysis of the latest available data from the Ministry indicates that only 9 out of 84 (11%) listed heritage regions are located in the ethnic states. Ethnic states make up 54% of the land area of the Union and 29.3% of the total population of the Union.⁷⁹ Although land area and population should not necessarily have a direct correlation to the number of heritage

⁷⁹ Department of Population, Ministry of Immigration and Population, the 2014 Myanmar Population and Housing Census.

sites, a disproportionate concentration of heritage protections in the majority regions reflects the disparity.

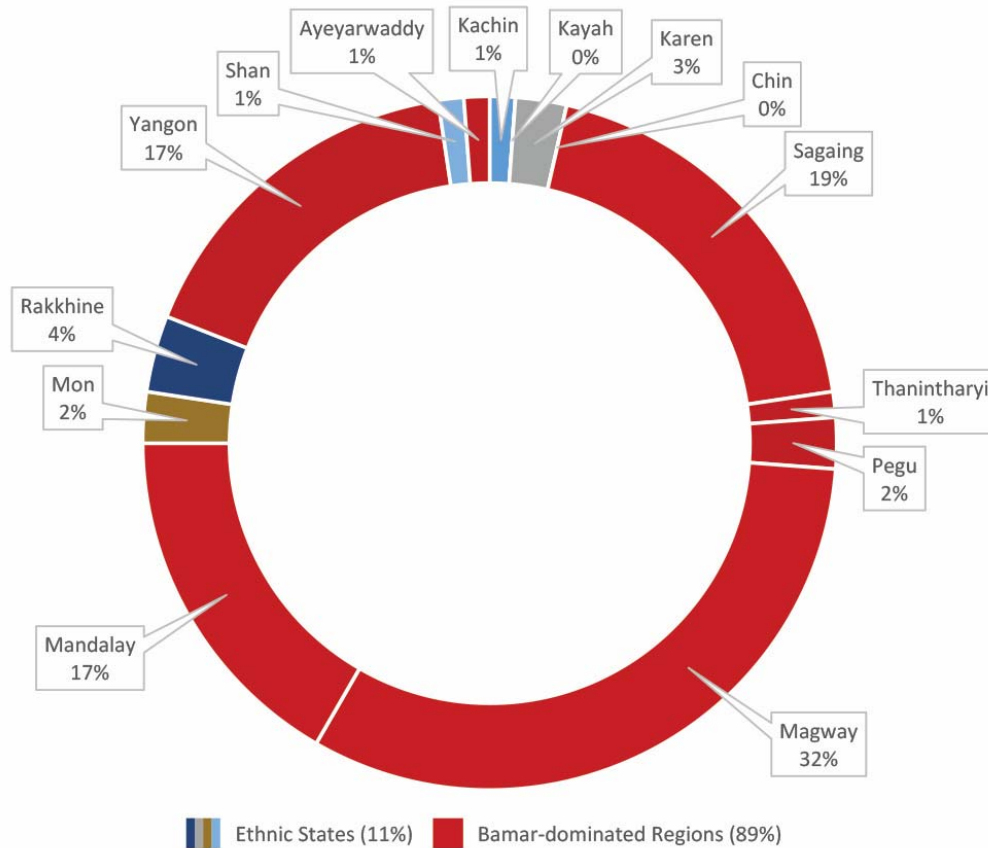


Chart 1: Distribution of Listed Heritage Regions by States and Regions

There are no official categories in terms of listing heritage regions but after analyzing the list, the heritage regions can be categorized into two overarching groups: 1. built heritages that include archeological sites, cities, and buildings, and 2. non-built heritages that are exclusively Neolithic caves at the moment. It shows that only 5 out of 43 listed heritage regions with built heritage are located in the ethnic states. 4 out of 36 listed heritage regions with non-built heritages are in the ethnic states. This is not to discount the fact that preservation of heritage in Bamar-dominated regions is problematic and often undertaken poorly. Even the most important historical sites, such as Bagan, face controversial restoration, and experts have repeatedly pointed out the damages done by the SLORC and SPDC

governments.⁸⁰ Setting the technicality of heritage conservation or lack thereof aside, an overhaul of the system of heritage listing is needed to reflect a higher representation of sites from ethnic states. In Shan State, the focus state of this thesis, only one heritage region is listed: the Neolithic Padah-Lin cave. Effectively, no built heritage is included in the form of heritage regions in Shan State, a state that possesses many architecturally and historically important buildings and sites.

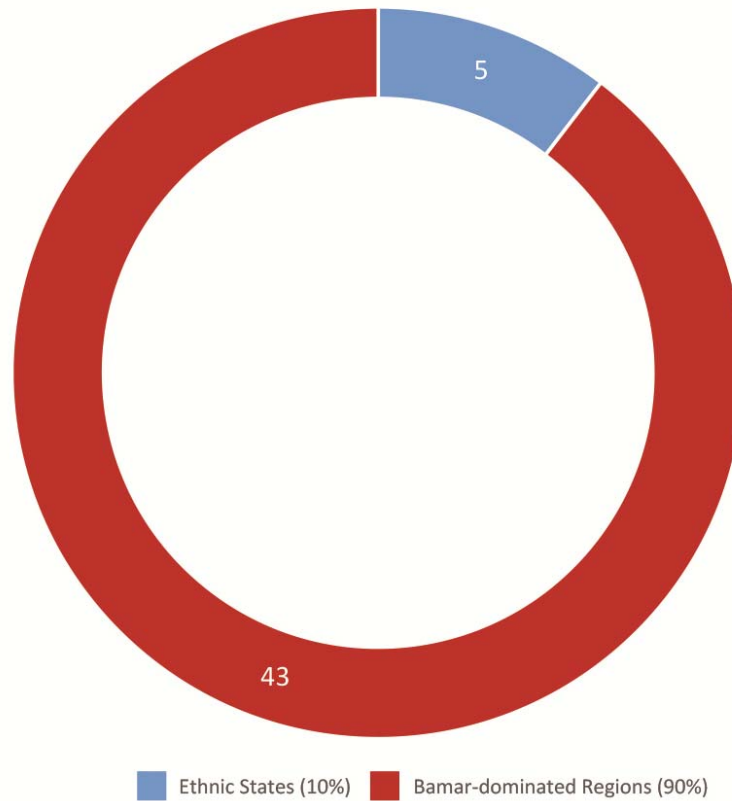


Chart 2: Number of Heritage Regions that are Built Heritages

Breaking down the listing further, 48 listed heritage regions of built heritage, which amount to 54% of total heritage regions with built heritage⁸¹, are Buddhist pagodas, temples, and monasteries. 46% are old cities, city walls, moats, gates, etc. Shan State possesses all of the typologies above, and they are as

⁸⁰ Brenden Brady, “The Ancient Burmese City of Bagan Struggles for International Recognition.” Daniel Schearf, “Burma Seeks World Heritage Status for Ancient Royal Capital.”

⁸¹ Bagan with more than 2000 monuments is counted as one heritage region. Shwedagon Pagoda in Yangon is counted as one region. One region does not necessarily mean it includes one building.

important to communities as the ones that are listed in Bamar-dominated regions. Some examples of the prominent sites in Shan State include 12th-13th century Shwe Indein Pagodas, 16th century Kakku Pagodas, Kaw Hsam Hpi old city, 19th century Shwe Yan Pyay monastery and all four given examples are located in just one district out of eleven districts in Shan State. None of them is listed as a heritage region, and thus, basic legal protection and support from the central government are not afforded to the sites in Shan State. This illustrates that the lack of listed sites is not because ethnic states do not have built heritage, but because there is no process nor political power for the historically oppressed minorities to keep their heritage legally protected.

A lopsided listing in favor of the majority's built heritage only points to the inequality within the Union. Even though heritage listing is not the only way to protect historic sites, basic legal protection and recognition are necessary for heritage conservation. Establishing a participatory decision-making mechanism that will allow states and regions to protect heritage sites legally might increase ethnic representation. Instead of concentrating the power to list heritage at a Union-level ministry, developing a framework for democratic institutions within states and regions could produce outcomes that would more likely reflect the values of the multi-ethnic Union. In a country as diverse as Burma, inclusive decision-making processes can benefit the communities around the country, including Bamar-dominated regions. Local voices must be incorporated into the listing of heritage sites in order to reflect the will and values of the people who live and cherish their built environment. One of the Ministry's stated duties is "to strengthen the spirit of the Union in all citizens" but how that might be achieved depends on the citizens' participation in heritage conservation.⁸²

⁸² Duties of the Ministry of Culture, accessed 07 April, 2016.
http://www.culture.gov.mm/About_Culture_mm/History_mm/default.asp?id=200

Another law recently passed in August 2015 named the Protection and Preservation of Ancient Buildings Law (henceforth, 2015 Ancient Buildings Law), also fell short of genuine public participation. The structure of the law continued to be based upon previous laws and does not include a public nomination process. An interesting clause in the law asks a person who supposedly “discovers” potential ancient buildings to “report” to the local authorities who will again report to the department of archeology of the Ministry of Culture for determination according to section 12 of the Ancient Buildings Law.⁸³ By section 17 of the law, the reporting by the owner or anyone who “has knowledge or assumes to have knowledge within reasons” that the building they own or they find is an ancient building, is also made compulsory.⁸⁴ The law even has punishment for those who fail to “report” with a maximum prison sentence of six months or a minimum fine of 100,000 MMK⁸⁵ but not exceeding 500,000 MMK or both.⁸⁶ What constitutes “reporting” is not clearly defined and how this is enforceable or beneficial to heritage conservation is perplexing.

After “reporting,” the person is effectively removed from the process as the responsibility of listing is transferred to the Ministry for further deliberations. Apart from this communication with a supposedly knowledgeable person, the law continues to provide the public no channel to participate genuinely in the decision-making process regarding protection and preservation of heritage. The power is again very much concentrated to the Ministry that the public will not be able to protect their heritage without the approval of the Ministry.

⁸³ 2015 Protection and Preservation of Ancient Buildings Law, Chapter 6, Section 12.

⁸⁴ 2015 Protection and Preservation of Ancient Buildings Law, Chapter 8, Section 17.

⁸⁵ MMK = Myanmar Kyat. MMK is the currency used in Myanmar.

⁸⁶ 2015 Protection and Preservation of Ancient Buildings Law, Chapter 9, Section 22.

Because the decision-making power rests solely with the Ministry, inclusive government policies become the only way to ensure diversity. However, past precedents point to the fact that this was not the case. During the SLORC and SPDC government, destruction of ethnic minority heritage by the limitation of minority groups to care for their heritage and identity was one approach that was used.⁸⁷ Giving Myanmar as an example, William Logan argues that when forcible adoption of dominant culture by non-democratic governments occurs in multi-ethnic states like Myanmar, not only will there be the marginalization of ethnic minority heritage but also it may also lead to the destruction of minority cultural identity.⁸⁸ Although extreme policies might not be possible with the election of a more democratic government, genuine participation from all ethnic groups in heritage conservation is currently lacking, and it should be encouraged so that the rights and values they have are respected.

There are also other nuances in the laws that are problematic. When the 2015 Antique Objects Law was enacted, it repealed the Antiquities Act of 1957. Therefore, the clause in the 1962 amendment to the 1957 Antiquities Act that supposedly protected all ancient monuments that existed before 1886 was also repealed. Even though the government could not practically enforce the blanket clause, any potential heritage sites that are not listed become vulnerable if not more. It is also unclear whether any of the previous schedules of monuments is still protected because of the repeal. Section 27 of the 2015 Antique Objects law says that any by-laws, regulations, orders and directives that were made under the 1957 Antiquities Act shall continue if they do not contradict the 2015 Antique Objects Law. It is unclear whether the scheduled monuments protected under the 1957 Antiquities Act are part of any by-laws, regulations, orders, and directives. No publicly available information is found as to whether the Ministry continues to maintain the schedule.

⁸⁷ Philp, "The Political Appropriation of Burma's Cultural Heritage and Its Implications for Human Rights", 85.

⁸⁸ Logan, "Cultural Diversity, Cultural Heritage and Human Rights: Towards Heritage Management as Human Rights-based Cultural Practice," 237.

In both the 1998 Heritage Regions Law with 2009 amendments and 2015 Ancient Buildings Law, the age requirement for either heritage regions⁸⁹ or ancient buildings to be listed is 100 years old.⁹⁰ The 100-year age requirement hinders heritage conservation the most for protecting and preserving the heritage sites of the modern Union. When 1962 amendment was made to include age limit, any site that was 76 years at the time would have been eligible. The 100-year requirement today is more arbitrary than the limit of 1886 which was to protect only the sites that pre-date colonial period. The arbitrary 100-year requirement may now include some of the colonial-era buildings, but it does aspire to protect the heritage relating new Union was formed in 1948. Because the Union is only 68 years old, the requirement limit only serves to exclude the historic sites that are significant the Union. A fundamental question needs to be asked whether the laws aspire to reflect and include the history of all people in the Union and whether such provision marginalizes participation by the people who contributed to the Union.

Shared historic sites of the Union between the many ethnic nationalities including Burman will take decades to become eligible for legal protections. For instance, the site where the historic Panglong conference⁹¹ was held would not be eligible for listing as a heritage region today because it is only 69 years old in 2016. In fact, the Panglong conference site has already faced an encroachment. A 31-foot tall Panglong monument was built in 1950 to commemorate the site where the Panglong agreement⁹² was signed. It was built exactly on the spot where the table of the signing ceremony was.⁹³ In 2002, the SPDC government ordered the construction of a 135-foot tall pagoda in front of the Panglong monument. It was finished in 2006 and named Maha Rahtarbhithamaggi meaning “Great State Unity.”

⁸⁹ Heritage regions can be either ancient monuments and/or ancient sites.

⁹⁰ 2009 amendment to the Protection and Preservation of Heritage Regions Law (1998), Section 2(a) and Section 2(b). The Protection and Preservation of Ancient Buildings Law (2015), Section 2(a).

⁹¹ Refer to Chapter 2.

⁹² Refer to Chapter 2.

⁹³ Panglong Monument Inscription, Panglong, Shan State.

The pagoda enormously overshadowed the historic monument. According to Shan Women's Action Network, "an entire quarter of the town was forcibly relocated to make way for the new pagoda" and many residents protested such an inappropriate gesture under the veil of Buddhism.⁹⁴ Although legal protection as a heritage region for the monument might not have deterred the authoritarian government like SPDC from building the pagoda, such an example points to the fact that without community participation and legal infrastructure, communities and their heritage will continue to be marginalized in Myanmar today.

3.4 Civil Society and Public Involvement

Because of the long history of oppression against freedom of assembly and association, civil societies in Burma operated under difficult legal conditions. Among many laws limiting civil liberties, the Law Relating to Forming of Organizations (No.6/88) was a hindrance to operate freely in public. Section 5 of the law with vague clauses effectively banned organizations "that attempt, instigate, incite, abet or commit acts that may 'affect or disrupt the regularity of state machinery' or 'disrupt law and order, peace and tranquility, or safe and secure communications.'" It allowed the authority to interpret the law broadly and arrest anyone for forming an organization or forming an organization. A new Association Registration Law was enacted in 2014 which was widely criticized for continuing "to perpetuate the government control over civil society."⁹⁵ Limit to public participation in the form of an organization continues to exist today, although the law is more relaxed than before.

In the field of preservation, there is no organization in ethnic states specifically focused on the preservation of their built heritages to the author's knowledge at the time of this writing. Even in terms

⁹⁴ Shan Women's Action Network, *Forbidden Glimpses of Shan State*, 21.

⁹⁵ Khin Ohmar, "Burma's Draft Association Law: a Smokescreen for Further Repression?"

of the whole country, Yangon Heritage Trust is the first and only non-governmental organization to focus on the conservation of built heritage. Although there are pagoda trustees throughout the country to look after individual pagodas and temples, there is no similar form of civil society organization for protecting and conserving other built heritage. For Shan people, there are civil society groups such as Shan Women's Action Network, Shan Youth Power, but again, their focus is on other social issues. In Shan State, Shan Literature and Culture Association is the only organization to "promote, preserve, and develop Shan literature, culture, and national identities."⁹⁶ However, it focuses largely on the promotion of Shan language learning, collection and safeguarding of Shan cultural objects, and preservation of other intangible cultural heritage such as music, dances, and festivals.

3.5 Public Participation in the United States, United Kingdom, and South Africa

In the United States, a variety of legal tools and policies at different levels of government are available for preservation. Although the federal government of the United States maintains a register of historic places that are significant nationally, local ordinances and local governments play a key role in protecting and preserving their heritage in the community. A system of State and Tribal Historic Preservation Offices (SHPOs and THPOs) serve as an interface between the federal government and the 50 states and their communities, helping to put forward nominations to the National Register of Historic Places and channel funding and support to Certified Local Governments (CLGs). Local communities can participate through these avenues and can likewise engage in the designation of landmarks (heritage) through preservation commissions that are established at the municipal level. Nominations are made either by the public or preservation commissions through an open public process that ensures voices within the community are heard. The role of the federal government is to encourage the preservation of

⁹⁶ Constitution of the Shan Literature and Culture Association, 2011.

cultural and historic resources and to assist state and local governments “to expand and accelerate” preservation programs and activities.⁹⁷

At a local level, for example, New York City Landmarks Preservation Commission not only conducts research locally but also accepts suggestions to include in the process of designation from the public. The public is also allowed to give testimony through a public hearing. The bottom-up approach in nominating the historic sites ensures public participation in the preservation of heritage resources in the United States.

In the United Kingdom, the Historic Buildings and Monuments Commission for England (Historic England) which is a statutory governmental body instituted by National Heritage Act of 1893 oversees the historic environment by preserving and listing historic sites. It plays a central role advising central and local governments regarding the historic environment and heritage assets.⁹⁸ Although it is a national level body, Historic England allows the public to make applications to list a historic building or site that an open process provides a platform for which the public can contribute to the identification of heritage assets. The Historic England also assists them in the process of protecting and preserving heritage. Moreover, as a matter of public policy, the Historic England also engages under-represented groups through public consultations and workshops.⁹⁹ Again, democratic processes and inclusive policies in the UK ensures that the public has a voice in heritage representation.

⁹⁷ National Historic Preservation Act 1966, Section 1(B) 6 and 7.

⁹⁸ Historic England’s Role, accessed April 10, 2016.

<https://www.historicengland.org.uk/about/what-we-do/historic-englands-role/>

⁹⁹ Historic England Equality Scheme 2015-18.

After emerging from apartheid in 1994, South Africa enacted the National Heritage Resource Law in 1999 to “enable and encourage communities to nurture and conserve their legacy so that it may be bequeathed to future generations”.¹⁰⁰ Its preamble states the need to expand previously neglected research as well as to facilitate healing from the past. South Africa manages its heritage resources through a three-tiered system. South African Heritage Resources Agency (SAHRA) is responsible for national level heritage while provincial and local heritage resource authorities are tasked with identification and management of resources respective to their level of significance. Although there is no direct participation from the public in the identification processes, the local and provincial governments were given explicit authority to identify and manage their heritage sites.¹⁰¹

There are different forms of participation used in these democratic countries ranging from information sharing to joint decision-making that Myanmar can learn. Institutions such as National Heritage Trust in the US, Historic England in UK and South African Heritage Resource Agency in South Africa are established to expand heritage resources and to coordinate among government agencies that they are integral part of public engagement with heritage resources. Myanmar, as a Union, can learn from how these diverse nations address the issues of diversity, representation, and public participation.

¹⁰⁰ National Heritage Resources Act, 1999, Preamble.

¹⁰¹ National Heritage Resources Act, 1999, Section 8.

3.6 Key Findings

Heritage laws in Myanmar lack a serious framework for public participation. They do not address the challenges the country faces today. There is no mechanism to incorporate public input nor to allow public participation at any level of heritage management. The lack of a legal framework and heritage policies at the state and regional level compels the states to rely on the national law. The laws at the national level are also not sufficient to address complex heritage challenges that are unique to individual state and region within the Union. Listing of heritage sites is carried out solely by the Ministry at the Union level that no genuine public participation is possible with the current legal framework. No other states or regions keep a registry of heritage resources with the exception of Yangon at the moment and how the Ministry will support is not laid out clearly. Moreover, the 100-year requirement runs antithetical to the heritage of the Union. Unclear clauses and definitions are also problematic. Detailed by-laws and regulations are promised, but no such drafts are yet made available to the public.

Transparency and civic engagement are necessary to ensure relevant parties are empowered to protect and preserve their heritage. It would not only create equal footing for all states to identify and list their heritage but also manage them in a way that reflects the community values and ideals. This chapter finds that there needs to be substantial reforms and improvement for heritage conservation to effectively serve the public.

Chapter 4 SHAN STATE: HERITAGE CHALLENGE

Shan State, being the largest state in terms of land area and the fourth most populous state in the Union, lacks legal infrastructure and participatory processes for heritage conservation. Difficulties and challenges in Shan State are ample regarding heritage conservation due to a wide range of heritage sites. Being the largest minority state in Myanmar, Shan State as a representative model might elucidate how to address the challenges shared by other minority states that are also marginalized in the representation of their built heritage. This chapter's particular focus is Shan *haw* typology. A combination of site visits and a general review of the history of *Haws* provide an understanding of existing heritage resources and infrastructure that are marginalized in the practice of heritage conservation within the Union. The review of these sites not only examines the stories that the Shan public might want to share but also demonstrates the state of heritage conservation in Shan State.

4.1 Overview of Haws

Haw can be translated as a palace of Shan Chiefs. Shan Chiefs are called *Saopha*. *Sao* is a Shan word for ruler or king. *Pha* translates into the sky. The combination of the two, *Saopha*, is to be understood as the Lord of the Sky. It means that the *Saopha* has a divine right to rule their subjects, and it is hereditary. The *Saopha's* feudal administration was housed at the *Haw*. The *Saopha* would be assisted by ministers at the *Haw* in administering their state. Their rule was limited to Mong (state) or principality. Shans were not able to unify as a kingdom partly due to the natural topography of Shan plateau which prevents effective communication and partly due to attending the matters of allegiance to powerful neighbors like Burman kingdoms and China.¹⁰² Over the centuries, *haws* were destroyed in wars or fire, or they were demolished to build new ones. Not many old *haws* survived today. Many of the *haws* currently existing were built in the 19th century and later. They have become palaces of a bygone era. As

¹⁰² Sai Aung Tun, *History of the Shan State*, 41.

a result of political turmoil in the Union, they were not looked after at all. Some have fallen apart. Some were demolished. Few survived the ravages of time, nature, and political conflicts. In the past several decades under SPDC and SLORC government, Shan people felt their heritages were systematically destroyed. Shan Women’s Action Network highlighted the destruction and neglect of Shan *haws*, among other damages done to Buddhist and natural heritage in Shan State in their “alternative guide” to heritage sites in Shan State, and they called this a “cultural sabotage.”¹⁰³ The guide voiced strong displeasure towards the government. Regardless, the remaining *haws* are important cultural and historical artifacts of the past.

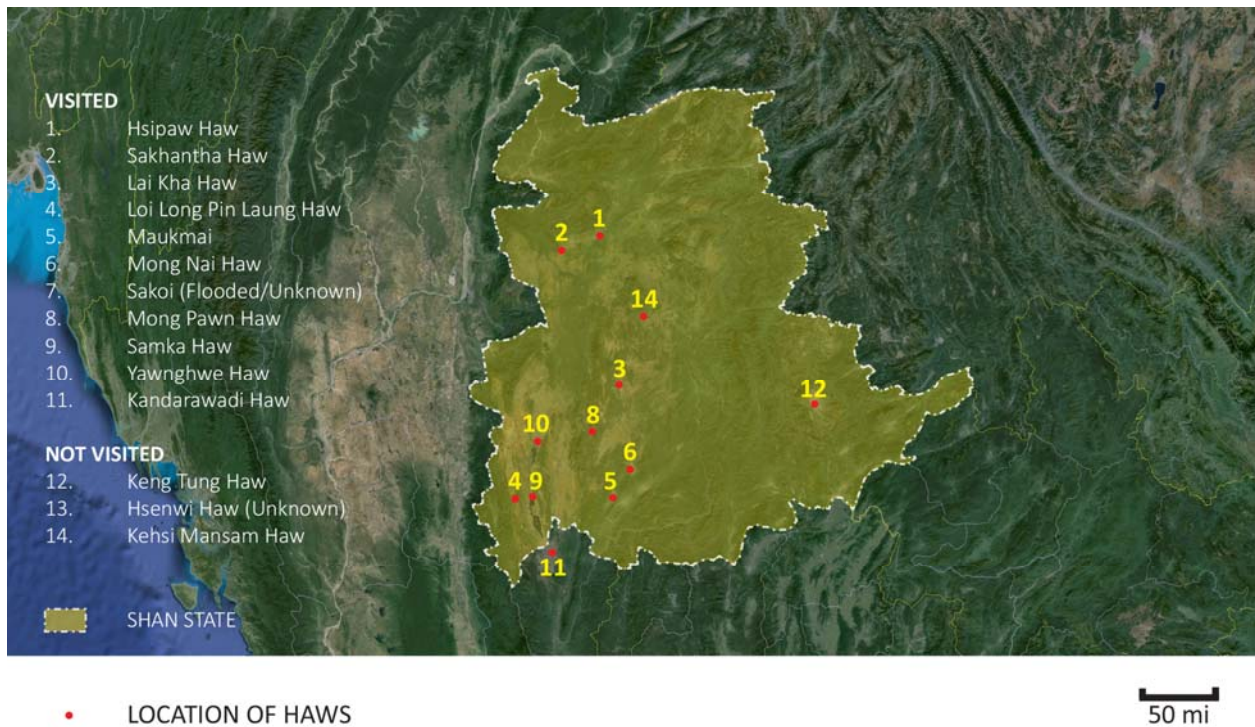


Figure 3 Map of Shan State and Location of Haws¹⁰⁴

¹⁰³ Shan Women's Action Network, *Forbidden Glimpses of Shan State*, 6.

¹⁰⁴ Google Earth Image with author’s graphic overlay.



Figure 4 A Poster of Shan Haws Distributed within Shan Community¹⁰⁵

¹⁰⁵ The photo of this poster was taken at Pin Laung Haw.

4.2 Brief Survey of *Haws*

The following rapid survey of *haws* sought to establish a general understanding of the history, architecture, and conditions of those remaining in Shan State. The rapid survey did not allow for extensive examination, consultation with communities, or an assessment of significance (as in the case of Yawnghwe Haw, in Chapter 5). It did, however, provide a broad understanding of the shared strengths, weaknesses, challenges, and opportunities of this heritage typology.

Shan State is geographically divided into three parts today: northern, southern and eastern. Among the ten sites visited, two *haws* are in Northern Shan State, and eight are in Southern Shan State. Two *haws* in Northern Shan State are from one principality: Hsipaw State. Hsipaw has two because a summer palace was built at Sa Khan Thar on the hill to escape the heat of Hsipaw Valley. Eight sites in Southern Shan State that were visited are Lai Hka State, Loi Long (Pinlaung) State, Mauk Mai State, Mong Nai State, Mong Pai (Moebye) State, Mong Pawn State, Sam Ka State, Yawnghwe State.

One *Haw* in Kayah (Karenni) State was also visited. It is located in Loikaw that belongs to Kantarawadi State. Shan and Karenni share similar administrative structure since they are beside each other geographically.

A) *Northern Shan State*

1. Hsipaw *Haw* or East *Haw* (Hsipaw State)

Longitude: 97°18'19.32"E



Figure 5 Map of Hsipaw Haw¹⁰⁶

History

Hsipaw *Saopha* Sao Ohn Kya, then the crowned Prince of Hsipaw, built the East *Haw* in 1924 upon his return from England after earning an M.A. degree from Oxford.¹⁰⁷ Built in Edwardian style, the East *Haw* completely deviated from traditional style *haws*. It was meant to be just a simple residence of the *Saopha* rather than incorporating administrative offices. The administration of the state remained in the traditional *Haw*, built in the style of Mandalay court by Sao Hkun Hseng until it was destroyed in Second World War.¹⁰⁸ East *Haw* became the primary residence of the *Saopha* as it reflects the influence of British education and lifestyle on him while he was studying abroad in England.¹⁰⁹

¹⁰⁶ "Hsipaw Haw," 22°37'35.49"N and 97°18'19.32"E. Google Earth. April 13, 2010, accessed April 11, 2016.

¹⁰⁷ Sao Sam Hpong, interview by Zaw Lin Myat, January 10, 2016.

¹⁰⁸ Inge Sargent, *Twilight over Burma: My Life as a Shan Princess* (Honolulu: University of Hawaii), 129.

¹⁰⁹ Sargent, *Twilight over Burma*, 77.

Hsipaw's East *Haw* is well-known due to Sao Kya Seng's tragic story chronicled by his Mahadevi (Chief Queen) Sao Thusandi or Inge Sargent, an Austrian he married in the United States during his attendance at the Colorado School of Mines in Golden, Colorado.¹¹⁰ Sao Kya Seng, the last *Saopha* of Hsipaw State, ruled Hsipaw from 1947 to 1959. As a *Saopha*, he became the legislative, judicial, and administrative head of Hsipaw State until 1959.¹¹¹ He also served as a member of the Shan State Council and the House of Nationalities of the Union of Burma.

One of his wishes after returning to the Shan State from the United States in 1954 was to change the political system in his state from feudalism to democracy.¹¹² Sargent recounted his belief that "people had a right to be heard and to participate in decisions affecting their lives" and that "he was determined to give them this opportunity."¹¹³ Unfortunately, Sao Kya Seng, like many other leaders, was detained during the 1962 military coup¹¹⁴, and he disappeared after he was kept at Ba Htoo prison.¹¹⁵ A short secret note he sent to Sao Thusandi from captivity in prison through a messenger was the last time she ever heard from him.¹¹⁶

Sargent narrated about her life in the East *Haw* in her personal memoir: *Twilight over Burma: My Life as a Shan Princess*. In the chapter that described her official Shan ceremony recognizing her as the Mahadevi of Hsipaw, she wrote that the *Saopha* who was not enthusiastic about "splendor and pomp of the times past" whereas he questioned the need to "go through all the formalities when it is not

¹¹⁰ Sargent, *Twilight over Burma*, 29.

¹¹¹ Sao Kya Seng studied in the United States from 1949-1953 during which Hsipaw State was left with court administrator U Lek. In 1959, all Saophas in Shan State, including Sao Kya Seng, surrendered their feudal power to the Shan State Government.

¹¹² Sargent, *Twilight over Burma*, 31.

¹¹³ *Ibid.*, 32.

¹¹⁴ Refer to Chapter 2.

¹¹⁵ The story is chronicled in details by Inge Sargent in *Twilight over Burma*.

¹¹⁶ Sargent, *Twilight over Burma*, 174.

necessary.”¹¹⁷ When a formal golden divan was brought out together with the white umbrellas, important royal regalia traditionally, to be placed at the four corners of the divan, inspecting *Saopha* asked the attendants to remove the umbrellas for they “had been appropriate for the old Grand Palace, but not for the modern East *Haw*.”¹¹⁸ Western-educated Hsipaw *Saophas* found comfort in their western-styled *Haw* with modern amenities. Sargent recalled how Sao Kya Seng “dreaded the thought of ever having to live” in the old *Haw*, which had dark halls with no privacy and indoor plumbing.¹¹⁹ Since Mahadevi Sao Thusandi escaped Burma with her two daughters after two years of unsuccessful attempts to locate her disappeared husband, the *Haw* is left under the care of the relatives of the *Saopha*.¹²⁰

Architecture



Figure 6 Hsipaw Haw (East Façade)

¹¹⁷ Sargent, *Twilight over Burma*, 74.

¹¹⁸ *Ibid.*, 77.

¹¹⁹ *Ibid.*, 129.

¹²⁰ *Ibid.*, 188-213.

The East *Haw* is a “Shan version of an English country house” according to Inge Sargent.¹²¹ At her first arrival at the *Haw*, she described it as “a beautiful white brick building with tiled roof, large French windows and doors, and balconies and terraces, surrounded by well-kept gardens, lawns, and exotic trees”.¹²² One would arrive at the porch on the east side of the building. The cornice ceiling of the porch is decorated with dentils. The long porch at the west side of the building has beautiful beige mosaic floor finished with fish-scale patterns bordered by Greek key pattern. Five ionic columns support the long porch. From this porch, the visitors may enter the “audience hall” or a living room as currently used. It is spacious and equipped with French bay windows at the east end of the room. The parquet floor of the room extends into the foyer. Sargent described the living room or audience hall:

“The vast audience hall was divided by slender pillars into three distinct sections, and each area was given its own character. In the east section, with a tall, oversized bay window and contemporary European sitting room furniture. Soft sunlight flooded through the lace curtains and was reflected in two enormous silver bowls decorating pedestals on either side of the French doors, which opened onto the marble terrace. The middle section set an example in simplicity and served as a reception area for Shan visitors, who traditionally sat on the floor. A thick Chinese silk carpet covered the entire area. The only piece of furniture, a low platform sofa, stood across from the large fireplace. The third section on the west side had at some time housed a large book collection, judging from rows of empty teak shelves, cabinets and intricately carved small tables”.¹²³

Adjoining the living room is a foyer with stairs that lead to the second floor. Through foyer, one can access to the dining room which is on the northwest side of the building and the office in the northeast. On the first floor, according to Sargent, there are “the sitting room, the luxurious bath, the screened verandah and a bedroom large enough to be a gymnasium” and the bedroom “was decorated with an interesting mixture of colonial, contemporary American, and Burmese styles”.¹²⁴

¹²¹ Sargent, *Twilight over Burma*, 25.

¹²² *Ibid.*, 25.

¹²³ *Ibid.*, 26.

¹²⁴ *Ibid.*, 28.

Since it is built as a typical suburban English home, no Shan or Burmese motifs can be found. It reflects the changes in lifestyle for Hsipaw royal family. Many building hardware such as window-stoppers, latches, and door knobs are imported from England. One important artifact or a machine Sao Oo Kyar proudly described as a heritage was a tractor that the *Saopha* imported for agriculture development in his state.¹²⁵ The tractor is displayed right outside the *Haw*. On the *Haw* ground, there is a tennis court in the northwest of the *Haw* and a swimming pool at the southwest of the *Haw*. Because of its architecture and significant political history, Hsipaw *Haw* is uniquely positioned to tell the story of the changing times and lives during the colonial period, well into the independence era.

State of Heritage Conservation

Sao Oo Kya, the last *Saopha's* nephew and his wife, Sao Sarm Hpong from Mong Yai, are taking care of the *Haw* today. In 2005, Sao Oo Kya was handed a 13-year prison sentence by the court for the reason that he was operating as an unlicensed tour guide and defaming the State.¹²⁶ After four years in prison, he was conditionally released with nine-year probation in 2009. Although he no longer gives any tour to the public due to this, his wife opens the *Haw* for curious local and foreign visitors. The *Haw* is open to the public between 3-6pm daily at the time of the author's visit in January 2016. Sao Oo Kyar and Sao Sarm Hpong kept the building intact over the difficult years. They accept voluntary cash donation from the visitors, and it goes towards maintaining and upkeep of the *Haw*.

The living room is the only publicly accessible space inside the *Haw*, and the rest of the *Haw* interior is off-limit to the visitors. The visitors are allowed to enter the living room from the west side through the porch. Sao Sarm Hpong was kind to allow the author to go further in on the first-floor foyer. The interior

¹²⁵ Sao Oo Kyar, interview by Zaw Lin Myat, Jan 2, 2016.

¹²⁶ Ibid.

is well-kept. However, the exterior is showing signs of age and weathering but judging with naked eyes, a cosmetic fix would be sufficient. The tennis court and swimming pool have fallen into despair, overgrown with bushes. There is another wooden structure at the east of *Haw* that used to house Buddha's altar room but since it is in a dangerous condition, it was cordoned off.



Figure 7 South Portico



Figure 8 Tractor in front of the haw



Figure 10 View from Southwest



Figure 9 Emptied Swimming Pool

2. Sakantha *Haw* (Hsipaw State)



Figure 11 Map of Sakantha Haw¹²⁷



Figure 12 Map of Sakantha Haw¹²⁸



Figure 13 Map of Sakantha Haw¹²⁹

¹²⁷ "Sakantha Haw," 22°26'58.78"N and 96°56'49.16"E, Google Earth, February 2, 2004, accessed April 11, 2016.

¹²⁸ *Ibid.*, December 24, 2013, accessed April 11, 2016.

¹²⁹ *Ibid.*, November 11, 2015, accessed April 11, 2016.

History

Sakantha *Haw* was built by Hsipaw *Saopha* Sir Sao Hke in the early 1900s on the hill near Sakantha village. It was used as a summer palace by the Hsipaw royal family when they needed to escape the heat of the Hsipaw valley. Approximately 30 miles away from Hsipaw, retreat at Sakantha means a whole convoy of the royal family, relatives, guest and household servants happily pack to move the court temporarily up on the hill.¹³⁰ Sargent recalled her husband's wish that the Sakantha *Haw* be their permanent residence when he no longer had to rule the state as a *Saopha*, expecting democratically elected Shan government would assume the state duties within the Union of Burma.¹³¹



Figure 14 Sakantha Haw (East Facade)

Architecture

Sargent described the Haw as a “cream-colored neoclassic building” and it “looked as though it belonged on a hill in northern Italy”.¹³² The white marble of the central staircase or the Mingalar staircase came from the Mediterranean. It led to the central throne room with parquet flooring. Sargent

¹³⁰ Sargent, *Twilight over Burma*, 59.

¹³¹ *Ibid.*, 58-67.

¹³² *Ibid.*, 61.

felt that the “large windows, slim pillars, and ample terraces gave the building an appearance of lightness.”¹³³ Second World War did not spare this *Haw* from damage either. Although it was at a distant location for Hsipaw town, the *Haw* was still on the path of war. Japanese forces occupied the *Haw* for a period and when they fled at the end of the WWII in 1945, the *Haw*, including its outlying houses where state officials and servants live, were left burning, either intentionally or by accident to no one’s knowledge.¹³⁴ Two-thirds of the *Haw* survived the fire. It was never reconstructed due to the *Saopha’s* pre-occupation with rebuilding Hsipaw State after the war.¹³⁵ The extent of damage described by Sargent is as follow: “Only the central part (where the throne room was) had its original roof; the right wing was covered with makeshift corrugated sheets. The left wing, devoid of ceilings and roof, bore witness to the senseless destruction of war”.¹³⁶



Figure 15 Sakantha Haw and its northern colonnades

State of Heritage Conservation

Today, the Sakantha *Haw* had fallen further into ruin. The throne hall and the Tuscan colonnades that connected the two wings from the hall are the only prominent structures standing. The Palladian-style central throne hall had lost its roof and years of weathering inside had caused deterioration to the plastered wall and the parquet floor. The parquet floor is still visible through the bushes and small plants

¹³³ Sargent, *Twilight over Burma*, 61.

¹³⁴ *Ibid.*, 62.

¹³⁵ *Ibid.*, 63.

¹³⁶ *Ibid.*, 61.

that are overgrown inside the hall. Without any fencing or protection, anyone can come in and out of the ruin. There are some graffiti on the walls indicating visits by humans to this remote *Haw*.

All four walls of the throne hall are still standing. Under the morning sun, the east façade, with the Ionic pilasters and the pediment with intricate floral patterns, exudes the austerity of the *Haw*. A large courting/dancing peacock motif, the emblem of the Hsipaw royal family, is clearly visible at the center of the pediment, though its body is missing. The main marble staircase leading to the throne hall is hardly a marble staircase anymore since the majority of the tiles are missing. Only some of the marble risers are indicating of this fact. The west façade is also very much intact. Ionic columns support its portico, and its pediment is similar to the East side but without the peacock emblem. The north and south wings that are attached to this main hall have fallen into total disrepair. The Tuscan colonnades on the eastern façade, some fireplace and chimneys are the only structures left standing. Even so, the south wing is completely inaccessible due to the overgrown plants, and it seems to have suffered the most damage. The north wing is still accessible through the colonnaded terrace that looks over the valley and mountain ranges to the east.

The foundation and the floor of the north wing are intact. The building was raised about 3 feet from the ground with crawl space underneath. The terracotta tiles of the terrace floor in the north wing are marked with "England" on the back, indicating import from England. Many of the tiles are loose, and they are found only on the edges of the terrace while the rest is covered with wild plants. The plinth of the columns are covered with green glazed tiles, but they have fallen apart as well. Traces of the roof profile is visible on the north and south wall of the throne hall. Exposed bricks without plaster on the exterior might continue to accelerate the deterioration of the building.

Already a ruin, the *haw* is in a dangerous condition and a complete loss within a decade is very much possible. Weathering is not the only danger, but there are encroaching farms from around the village nearby. Satellite images show that the farms have reached the doorstep within the last two years. The *Haw* is now almost entirely surrounded by the farm. Because more human activities around the *Haw* can be expected, it will no longer be left in isolation and desecration of the ruin of the *haw* is a possibility.



Figure 17 Pediment with Peacock Emblem



Figure 16 Throne Room

B) *Southern Shan State*

3. Lai Hka *Haw* (Lai Hka State)



Figure 18 Map of Lai Hka Haw¹³⁷

History

Lai Hka State is most famous for holding the Panglong conferences in its town of Panglong in 1946 and 1947. Panglong agreement signed in 1947 paved the way for the establishment of the modern Union of Burma.¹³⁸ As the host of the conference, Lai Hka *Saopha* took the responsibility in arranging the meeting and shouldered a large portion of the expenses.¹³⁹ Lai Hka *Haw* was built in the mid-1950s by *Saopha* Sao Num, the last *Saopha* of the state. Earlier *Haw* was built of thatched roof and weaved bamboo wall on high stilt, but it no longer exists today.¹⁴⁰

¹³⁷ "Lai Hka *Haw*," 21°16'27.82"N and 97°39'59.10"E, Google Earth, January 23, 2013, accessed April 11, 2016.

¹³⁸ Refer to Chapter 2.

¹³⁹ Sai Aung Tun, *History of the Shan State*, 14.

¹⁴⁰ Lai Hka *Haw*'s Collection.

Architecture



Figure 19 Lai Hka Haw (East Facade)



Figure 20 Artifacts and Photographs Display

The new two-story *haw* was built of brick and wood floor joist system. The *Haw* is a very plain and simple contemporary building with little architectural motifs other than columns with unique floral capitals for the portico. The floor plan is symmetrical. However, in elevation, the north wing of the building has a five-tiered roof, breaking the symmetry. Architecturally, such roof would indicate the important space underneath, but no record was found of the use. Entering the building from the portico, one arrives at the foyer which has two staircases on each side that lead to the foyer of the second floor. A large hall, supposedly a throne room or audience hall can be entered through the foyer. The rooms are arranged along the north and south wings.

State of Heritage Conservation

After the death of *Saopha* Sao Num in 1986, the *Haw* was under the care of family members. In 2008, the family donated the *Haw* and its ground to be used as a monastic school in order to do the meritorious deed for the *Saopha* and his relatives who have passed away according to the Buddhist

traditions.¹⁴¹ The stone inscription below the east portico memorialized the donation. Other than the stone inscription describing the donation, no other information was available to understand the history of the site.

Inside the monastic school-turned *Haw*, a museum-like room in the southern wing displays photographs and artifacts of the royal family. The room is not well kept. It is dusty, and spider webs can be seen all over the room. Other than captions for the photography, no other information was available. The main central hall becomes a recitation hall for the young monks. The room underneath the seven-tiered roof is used as the room for Buddha Altar. The gold painted altar seems to be an old altar housing ancient Buddha statues worshiped by the *Saopha*. Although the historical nature of the room cannot be confirmed, it is expected that Buddha's altar room would be placed under the five-tiered roof. A southeastern room on the ground floor is used as a small library that contains ancient Buddhist scriptures or *parabeik*. The rest of the rooms in the *Haw* are used as offices or private bedrooms for senior monks.

Although the *Haw* is not architecturally significant, its social and political significance in Shan history makes it an important historic site. Under the care and use of the local Buddhist monks, the *Haw* will unlikely be fallen into disrepair. However, as a historic site, proper interpretation and presentation of its history are lacking. Since donation to the cause of Sasana will never come attached with conditions, it can be safely assumed that the family did not put any limit on the use and changes for the future.

¹⁴¹ Stone Inscription at Lai Hka Haw, 2008.

4. Pin Laung *Haw* (Loi Long or Pin Laung State)

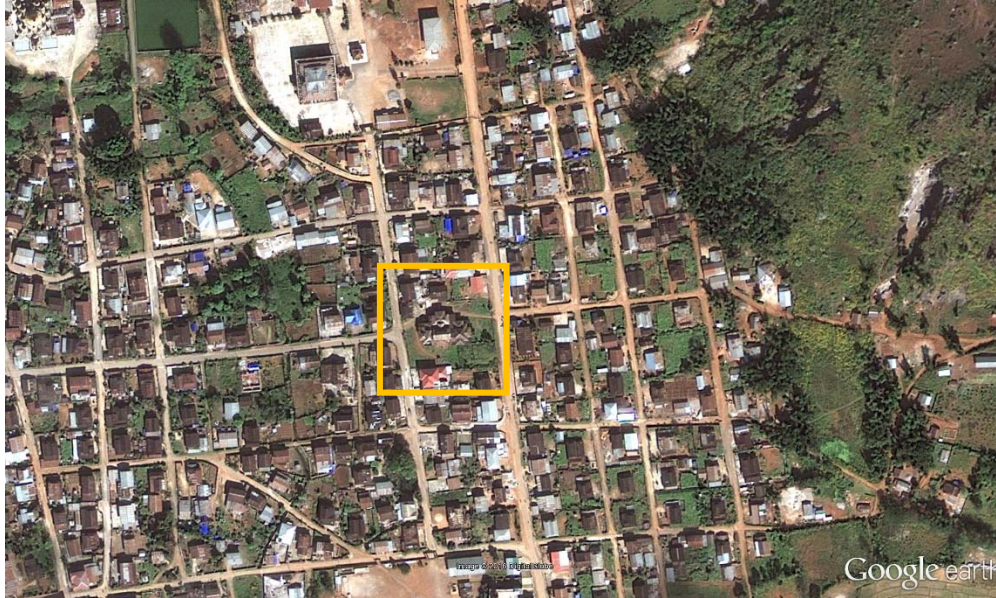


Figure 21 Map of Pin Laung Haw¹⁴²

History

Pin Laung is the capital of Loi Long State, and it is one of the smaller Shan States. Sao Moe Kyaw was the last *Saopha* to reside in Pin Laung *Haw*. However, little is written about him and his state. Loi Long was described as a less significant state with little trade.¹⁴³ Oldest Pagoda in Pin Laung is the Mwe Daw Pagoda built in 1794.¹⁴⁴ According to the description in the painting of the *Haw* in the hall of Mwe Daw monastery, it is estimated that the *Haw* is over 100 years old.

Architecture

The *Haw* is built mainly of wood. The *Haw* faces east. The front façade is symmetrical with Mingalar stair at the center. Only the ground floor of the East façade and Mingalar Stair are built with bricks. The stairs still have polished wooden balustrades. Ornamental roof hangings, made of wood and metal, are still

¹⁴² "Pin Laung *Haw*," 20° 7'26.84"N and 96°46'59.25"E, Google Earth, November 24, 2009, accessed April 11, 2016.

¹⁴³ Sir James George Scott. *Gazetteer of Upper Burma and the Shan States*. Vol. 2. Part. 2, 61.

¹⁴⁴ Scott, Vol. 2. Part. 2, 61.

present. Its two-tiered pyramid hip roof is topped with a wooden sculpture in the form of a lotus bud with carvings.



Figure 22 Pin Laung Haw (East Facade)

State of Heritage Conservation

The *Haw* is in an advanced state of disrepair. The last wife of the *Saopha* moved out of the *Haw* in recent years and built a modest one-story house beside it. The front part of the *Haw* is still holding up, but the rear has partially collapsed. Only a brick staircase is left standing. The wooden posts and columns are leaning by as much as 20 degrees towards the south, and the rear structure is in risk of pulling down the front structure together with it since some of the wooden floor beams and joints are still connected. The wooden shingle roof is still intact in the front of the *Haw*. On the second story, the floor of the main hall had already caved in at the back. Two interior staircases leading to the hall have polished wooden balustrades. Although many of the features of the *Haw* are still salvageable, the *Haw* is in danger of collapse. The structure condition of the *Haw* needs to be attended immediately in order to remediate stress that is causing problems by leaning on its own weight. No one is permitted to be inside the *Haw* anymore due to this precariousness of the structure condition.

The challenge to preserve the *Haw* with little human resources and knowledge is daunting for Pin Laung *Haw*. However, the wife of the *Saopha* is planning to donate the *Haw* to a monk to be used as a monastic school.¹⁴⁵ Similar to how Lai Hka *Haw* which was donated to the local monks by the family, she pledged to donate to a monk she revered.¹⁴⁶ She hopes that the monks will bring together necessary means to renovate the *Haw* and to conserve it.¹⁴⁷ When asked about the plan, no detail is available, and nothing is written for the supposed renovation. The *Haw* land had been divided and sold at various points in time by family members after an inheritance is divided among them. Only the portion of the land that is now surrounding to the *Haw* is left and is retained by her.



Figure 23 East Mingalar Stair



Figure 24 Tilting West Part of Haw

¹⁴⁵ Interview with wife of the last *Saopha*, interview by Zaw Lin Myat, Dec 28, 2015.

¹⁴⁶ *Ibid.*

¹⁴⁷ *Ibid.*

5. Mauk Mai *Haw* (Demolished)



Figure 25 Map of Mauk Mai Haw¹⁴⁸

History

Mauk Mai is one of the largest Shan States during the colonial period. A significant fire in 1888, caused by the raid of Karenni from Kantarawadi, burnt the whole Mauk Mai town “to the last stick”.¹⁴⁹ The last Mauk Mai *Haw* would have been built not earlier than 1888. A photographic record was all that is left how Mauk Mai *Haw* looks like. It was demolished by the government, but the exact date of demolition is unknown. U Phoe Hla, who served at the *Haw* in the past, recalled how the government turned the *Haw* into a hospital after the military coup in 1962.¹⁵⁰ According to U Phoe Hla, the *Haw* was confiscated by the government. However, according to a descendant of the *Saopha*, it was donated to become the township hospital to the government.¹⁵¹ According to her account, the *Haw* became a local hospital but was demolished during the socialist era.¹⁵² It was unclear how it was donated since there was no written record nor inscription at the hospital.

¹⁴⁸ “Mauk Mai *Haw*,” 20°13'44.99"N and 97°43'28.84"E, Google Earth, February 13, 2015, accessed April 11, 2016.

¹⁴⁹ Scott, *Gazetteer of Upper Burma and the Shan States*, Vol. 2. Part. 2, 232.

¹⁵⁰ U Phoe Hla, interview by Zaw Lin Myat, January 3, 2016.

¹⁵¹ Interview with a descendant of Mauk Mai *Saopha*, interview by Zaw Lin Myat, January 3, 2016.

¹⁵² *Ibid.*



Figure 26 Mauk Mai Haw¹⁵³ (Demolished)

At the house of U Phoe Hla, a photograph of the *Haw* (Figure 13) hung on the wall. The family described that someone sold the enlarged picture as a small poster and they bought it for memory's sake.¹⁵⁴ The *Haw* image was real, but its background and its surrounding were edited with Photoshop. The original part of the image was in sepia tone, but the Photoshop addition was a lush surrounding composed of palm trees, blue sky, and green front lawn. Perhaps, the producer wanted to portray the *Haw* in a positive light as their heritage. Producing, distributing and keeping an image of the *Haw* that had been lost shows that there is an affection to the *Haw* by the people and proves to a certain extent that they value it as their heritage. The photo allows them to appreciate the memory they might have with the *Haw* or as a reminder of their lost heritage.

Architecture

Mauk Mai *Haw* was a single story wooden building built on stilt. Facing east, the haw's Mingalar stair was under three-step roof bringing one directly inside the *Haw*. The audience hall would have been under the highest roof, and it was flanked by two wings in the north and south.

¹⁵³ Laminated Photo hanged at U Phoe Hla's home.

¹⁵⁴ U Phoe Hla, interview by Zaw Lin Myat, January 3, 2016.



Figure 27 Mauk Mai General Hospital

State of Heritage Conservation

The *Haw* was demolished, and a single story brick structure with a tin roof was built in its place. The new hospital is a modest building in the form of a U-shape plan with an annex between the two wings. On the *Haw* ground, there are small piles of old wooden posts and balustrades presumed to be from the old *Haw*. It is not known why the new hospital was built to replace the *Haw*. The concrete fence of the hospital today is adorned with donation plaques by the military generals, including that of the current Commander-in-Chief Senior General Min Aung Hlaing when he was a Lieutenant General. No signage or any other indication is made that this hospital had been the site of the Shan *Haw*.

6. Mong Nai *Haw*



Figure 28 Map of Mong Nai Haw¹⁵⁵

History

Mong Nai was one of the largest and important states, but the state had been a battleground for centuries that little record was left of its early history.¹⁵⁶ Nonetheless, its later history with the Burmese Kingdom provides the background for understanding the complex relationships between the Burmese Kingdom and a Shan State. Mong Nai was certainly at an important crossroad for the Konbaung dynasty and its eastern territories as well as constant Burmese invasion into the Kingdom of Siam.¹⁵⁷ The state maintained close relations with the Mandalay Palace and Mong Nai *Saopha* supplied one hundred households to Burmese King Mindon in 1853 to fill up the new town of Mandalay as the King moved his capital from Amarapura to Mandalay.¹⁵⁸

¹⁵⁵ "Mong Nai *Haw*," 20°30'45.84"N and 97°52'13.67"E, Google Earth, February 10, 2011, accessed April 11, 2016.

¹⁵⁶ Scott, *Gazetteer of Upper Burma and the Shan States*, Vol. 2. Part. 2, 418.

¹⁵⁷ *Ibid.*, 418.

¹⁵⁸ *Ibid.*, 409.

Relations between the Burmese Kingdom, Mong Nai and its surrounding states in the late Konbaung Dynasty became unstable when King Thibaw was installed in Mandalay Palace through a violent palace coup.¹⁵⁹ Led by Mong Nai *Saopha* Sao Hkun Kyi and Keng Tung *Saopha* Sao Hkam Hpa including several other states, Limbin Confederacy was set up to dethrone King Thibaw initially and to replace him with the Limbin Prince, a disenfranchised Burmese prince.¹⁶⁰ However, political instability increased, if not worse, when King Thibaw was dethroned by the British in 1885. The Confederacy faced a different opponent, the British Empire. A year after the annexation of Burma to British India, the British forces advanced to quell rebellions in the Southern Shan States. The British succeeded in subduing warring Shan States one after another through the policy of olive branch, carrot, and stick.¹⁶¹ *Saopha* Sao Khun Hti of Mong Pawn, a spokesman for the Confederacy, suggested that the British forces led by Superintendent Hildebrand should negotiate with Mong Nai *Saopha*, who is a backbone of the Confederacy and with Limbin prince.¹⁶² They reached Mong Nai in 1887 when Mong Nai *Saopha* Sao Hkun Kyi entered a negotiation with the British forces and agreed to accept suzerainty.¹⁶³ This was the beginning of the end of the Confederacy and changed the course of the history.

Sao Hkun Kyi flew the Union Jack at his *Haw* as the people of Mong Nai watched it unfurled at the top of a bamboo pole.¹⁶⁴ Soon, the *Haw* fell to the rebel Twet Nga Lu in May 1888, but it quickly recaptured by the British forces within a week. The recapture took place at the *Haw* and St. James's Gazette reported:

“Mr. Scott, the Assistant Superintendent of the Shan States, with Lieutenant Fowler... and six men of the Rifle Brigade mounted on officers' ponies... they galloped straight on the palace,... the clatter of the hoofs brought Twet Nga Lu to a window. Mr. Scott knew him by sight, and with the assistance of a soldier, had the rebel tied to his own bedpost within two minutes”.¹⁶⁵

¹⁵⁹ Scott, *Gazetteer of Upper Burma and the Shan States*, Vol. 2. Part. 2, 422.

¹⁶⁰ Sai Aung Tun, *History of the Shan State*, 128.

¹⁶¹ *Ibid.*, 136.

¹⁶² *Ibid.*, 139.

¹⁶³ *Ibid.*, 139.

¹⁶⁴ *Ibid.*, 139.

¹⁶⁵ “A Dashing Exploit,” St. James's Gazette, July 3, 1888; “A Dashing Exploit,” The Echo, August 18, 1888.

Mong Nai *Saopha* was reinstalled at the *Haw*. The *Haw* at the time was described in Gazetteer of Upper Burma and the Shan States as following: “The Sawbwa (*Saopha*)’s *Haw* stood in the center of the town in a large and spacious compound, surrounded by a row of tamarind trees, interspersed with coconut palms.”¹⁶⁶ In 1898, a destructive fire broke out in Mong Nai that destroyed 400 houses to the ground including the *Saopha*’s *Haw* and the Gazetteer reported that “the property lost by the Sawbwa alone being estimated at over Rs. 40,000, mostly in gold and silver ornaments.”¹⁶⁷



Figure 29 Mong Nai Haw (East Façade)

Architecture

There would have been an older *Haw* built after the 1898 fire but according to a member of the Mong Nai family¹⁶⁸, it was burned down by the retreating Japanese forces during Second World War. The *Haw* existing today is a modern residence built of concrete and brick in 1956. When one enters from the east gate, the *Haw* lies on the main east-west axis and its main façade facing east. Approaching the entrance

¹⁶⁶ Scott, *Gazetteer of Upper Burma and the Shan States*, Vol. 2. Part. 2, 431.

¹⁶⁷ *Ibid.*, 431.

¹⁶⁸ Interview with a relative of the *Saopha*’s family, interview by Zaw Lin Myat, January 3, 2016.

of the building from the east, a semicircle landing enclosed by a waist-high railing would lead one to the three-step staircase which enters directly into a room, presumably a living room/guest reception room. Above this room is a large open balcony. Exiting from this room opposite of the entrance, one arrives at the semi-enclosed corridor that connects the living room with the two-story residence. A relative of the Saopha's family who lives nearby told the author that there was a bar and a dining room on the ground floor. There are three rooms on the second floor; southern room for the *Saopha*, northern room for the royal mother and a changing room with a bath. The back of the *Haw* also has a porch and the balcony on it is accessible on the second floor.¹⁶⁹



Figure 30 West Portico of Mong Nai Haw

State of Heritage Conservation

After the *Saopha* had been detained in the 1962 military coup, no family member lived in the *Haw* other than an occasional visit by the Mahadevi.¹⁷⁰ When Mong Nai Saopha Sao Pye died in 1974, the oldest son of the *Saopha* inherited the *Haw* and the current land around it. The *Haw* used to have a larger land, but other family members divided those land that belonged to the *Haw*. The divided land was sold off to

¹⁶⁹ Interview with a relative of the Saopha's family, interview by Zaw Lin Myat, January 3, 2016.

¹⁷⁰ Ibid.

the townspeople with smaller division by the family members over the years the *Haw*. In 1992, the eldest son's family was pressured to sell the property to the government. The family was afraid that the *Haw* might be confiscated, and they sold both the land and the *Haw* to the Ministry of Cooperatives for 700,000 Kyats. The *Saopha's* bed was donated to the local monastery, but it was no longer found in the monastery today. A large bell in front of the *Haw* was also donated to Waso monastery but after the head monk of the monastery passed away, the bell went missing as well.¹⁷¹ Other significant objects left on the large compound which is now part of a neighborhood are the large wooden poles in front of the *Haw* and the eastern gate.

The government uses the main *Haw* as the head office of the local Ministry of Cooperatives. There are two other adjacent single story structures to the north and south of the *Haw* that are built together with it in 1956. The south hall is named "*Dakkhina*" guesthouse, and the north hall is named "*Uttara*" guesthouse. Today, the south hall is used as the office for the department of information and public relations under the Ministry of Information while the north hall is used as the township courthouse. Like Mauk Mai *Haw*, there is no indication of any kind of what this site had been. Division of land into small parcels to be sold by family members after an inheritance is a widespread practice in Myanmar, and it is more problematic for a site like this because the historic setting is lost.

¹⁷¹ Interview with a relative of the Saopha's family, interview by Zaw Lin Myat, January 3, 2016.

7. Sakoi *Haw* (Flooded by Mo Bye Dam construction)

Sakoi State is located south of Loi Long State, and it is the smallest of Shan States. Nearly the whole state of Sakoi “lies in the valley of the Pilu or Balu River”.¹⁷² In 1970, when Mo Bye¹⁷³ dam was constructed on Balu River for the first hydropower project in Burma with war reparation money from the Japanese government, Sakoi was flooded after the dam’s completion.¹⁷⁴ It created approximately 80-square-miles reservoir for Lawpita hydropower project, relocating 8000 people.¹⁷⁵ While Mo Bye dam is located entirely in Shan State, Lawpita hydropower is in Karenni State, which borders Shan State. The project was built without any consultation with the people both in Shan or Karenni State.¹⁷⁶

Many households including the Sakoi *Saopha* family had to relocate to current town of Pekon as the water rose when the reservoir filled up.¹⁷⁷ Some wooden posts of the *Haw* were salvaged, but they were donated to monasteries in the new resettlement town.¹⁷⁸ It is believed that sacred materials used by *Haw* are not suitable for reuse for an ordinary household.¹⁷⁹ No photographic record of the *Haw* could be found or remained.

This case represents how ethnic states had suffered from projects that affected not only their livelihood but also their nature and culture. A report by Karenni Development Research Group (KDRG) documented the impact of the series of dams for the hydropower project that started in 1954 and continued till today. It is unlikely that any survey of heritage sites in the Sakoi area was conducted

¹⁷² Scott, *Gazetteer of Upper Burma and the Shan States*, Vol. 3. Part. 2, 80.

¹⁷³ Mo Bye is a Burmese corruption of Mong Pai.

¹⁷⁴ Karenni Development Research Group (KDRG), “*Dammed by Burma’s General’s – the Karenni Experience with Hydropower*,” 2006, 29.

¹⁷⁵ *Ibid.*, 28.

¹⁷⁶ *Ibid.*, 7.

¹⁷⁷ Interview with a villager at Pekon, interview by Zaw Lin Myat, 28 Dec 2015.

¹⁷⁸ *Ibid.*

¹⁷⁹ *Ibid.*

before the dam was built. More dams are planned in Myanmar today without consultation with the local people that risk for losing more heritage sites is as high as before, on top of the loss of farmland and natural habitat of wild animals.¹⁸⁰

8. Mong Pawn *Haw*



Figure 31 Map of Mong Pawn Haw¹⁸¹

History

Located south of Lai Kha State, Mong Pawn was once part of Yawnghwe and Mong Nai State until it was raised to statehood in 1816.¹⁸² One of the most important household names in the country comes from Mong Pawn: Sao Sam Htun, *Saopha* of Mong Pawn. He was one of the Shan representatives to the Pang

¹⁸⁰ KDRG, 64. KDRG warned the submergence of the site Karreni Haws at Saw Lon village, which the Shans called Sao Lon Haw Kham.

¹⁸¹ "Mong Pawn Haw," 20°48'54.44"N and 97°27'19.02"E, December 23, 2015, accessed April 11, 2016.

¹⁸² Scott, *Gazetteer of Upper Burma and the Shan States*, Vol. 2. Part. 2, 467.

Long Conference and a signatory to the historic Pang Long Agreement.¹⁸³ Recognized as one of the architects of the Shan State Council and the creation of the Union, Sao Sam Htun served as the Minister of Hill Regions before independence from the British Empire. During the cabinet meeting on the 19th of July in 1947 at the Secretariat in Rangoon, he was assassinated together with General Aung San.¹⁸⁴ Sao Sam Htun was cremated on a traditional funeral pyre in Mong Pawn by his family. His son, Sao Hso Hom, who became the last *Saopha* of Mong Pawn, ignited the funeral pyre.¹⁸⁵ Some of his ashes were buried at the Martyr's Mausoleum in Rangoon, buried together with eight others who were assassinated on the day. Mong Pawn *Haw*, a residence of a national martyr who made politically important contributions to the Union, is a site of important political significance. As a small state, Mong Pawn did not have a grand *Haw*, but it is still a big building. Built around 1900 by *Saopha* Sao Hkun Ti, it is a very large wooden building constructed on stilts with stone footings.



Figure 32 Mong Pawn Haw (View from Northeast)

¹⁸³ See Chapter 2.

¹⁸⁴ See Chapter 2.

¹⁸⁵ Sao Hso Hom, interview by Phil Thornton for Shan Herald Agency for News, October 12, 2012, accessed April 15, 2016. <https://www.youtube.com/watch?v=NXnyJJeieYY>

Architecture

The *Haw* looks vernacular and lacks any ornamentation on the exterior. Although it looks austere, the size of the *Haw* is rather impressive, sitting handsomely in the middle of the town. The *Haw* structure is a wood post and beam system. Wood is also the main material for floors, walls, and ceilings. The inner audience chamber is under the highest roof. There are two large rooms north of the audience chamber under separate roofs. The inner audience hall has a three-story tall tiered pitched roof while the other two are single pitched roofs. West to the inner audience hall is another hall under a two-tiered pitched roof. This west hall is connected to the inner audience hall with an enclosed wooden bridge. In terms of other materials, some metal balustrade panels with peacock and floral design are found.

State of Heritage Conservation

The eastern-most audience chamber had been demolished by the family in recent times due to dangerous conditions.¹⁸⁶ According to U Win Yin, a relative of Mong Pawn family, the Mingalar stair was also included in the demolition. The throne was however retained and moved to the inner audience chamber. The rest of existing structure is in a state of disrepair. The room east of the inner audience hall had lost a quarter of the floor due to wood deterioration and unstable structure below. The bridge connecting the inner audience chamber and the west hall had also collapsed, and only the roof remained.

The original footings of the square-profile post are made of largely congregated stones, and the wood posts are embedded in them. The wood rotting can be seen at the foot of these wooden posts, and it is affecting the structure severely. An effort to stabilize the structure is observed. Some of the feet of the

¹⁸⁶ U Win Yin, interview by Zaw Lin Myat, December 29, 2015.

wooden posts are encased in concrete poured on top of the stone footings. The idea is perhaps to prevent the posts from further deterioration and to support the structure further.

The *Haw* today is under the custody of the descendants of the *Saopha* although its compound had been divided and sold just like many other *haws*. The granddaughter of Sao Sam Htun expressed wishes to conserve the building to U Win Yin.¹⁸⁷ However, no detail as to how it will be done is unknown at the time of inquiry.



Figure 33 Throne of Mong Pawn Saopha

¹⁸⁷ U Win Yin, interview by Zaw Lin Myat, December 29, 2015.

9. Sam Hka *Haw*

Figure 34 Map of Sam Hka Haw¹⁸⁸

Sam Hka is another small state south of Yawnghwe state. The last *Saopha* was Sao Hkun Kyi, who ruled Sam Ka since 1914 at the age of 22.¹⁸⁹ A new *Haw* was built in 1915, but it no longer exists today.¹⁹⁰ Little information could be gathered other than that it was destroyed during one of the ethnic conflicts.¹⁹¹ No photographic record remained. The site of the *Haw* is now occupied by a school. The last *Saopha* Sao Hkun Kyi served as the Speaker of the Chamber of Nationalities and was one of the political leaders detained during the military coup in 1962 but released shortly after.¹⁹² Sam Ka state also suffered from flood due to Mo Bye Dam construction.

¹⁸⁸ "Sam Hka *Haw*," 20° 9'23.23"N and 96°56'42.27"E, Google Earth, February 2, 2014, accessed April 11, 2016.

¹⁸⁹ Thaung Tin Yee, *About Sam HKa: Sam HKa History*, 27.

¹⁹⁰ *Ibid.*, 27.

¹⁹¹ Interview with a villager in Sam Ka, interview by Zaw Lin Myat, August 2014.

¹⁹² Sai Aung Tun, *History of the Shan State*, 485-487.

10. Yawnghwe *Haw*

See Chapter 5: Case Study of Yawnghwe *Haw*.

C) *Kayah (Karenni) State*

11. Kantarawadi *Haw*

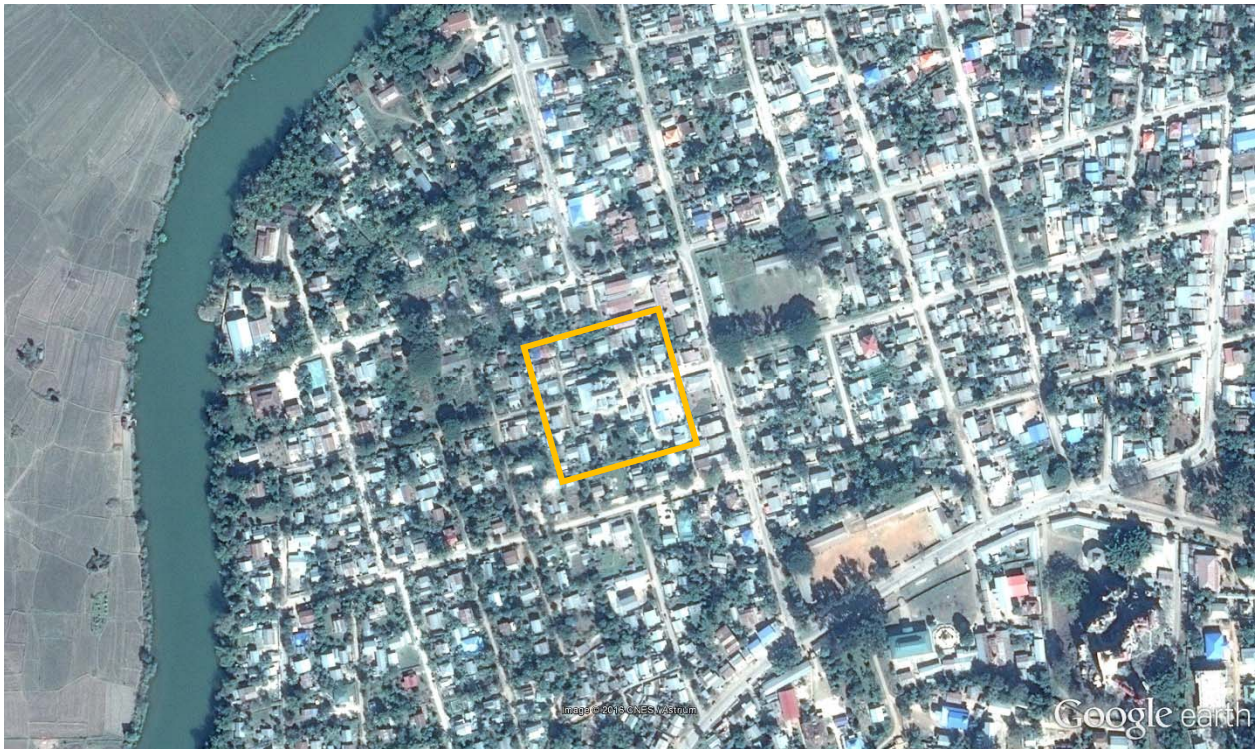


Figure 35 Map of Kantarawadi *Haw*¹⁹³

History

Sharing similar political structure with Shans, Karennis called the chief Sawhpyar, a variation of *Saopha*. Their palatial residences are also called *Haw*. Karenni had three separate states: Kantarawadi, Bawlake, and Kyebogyi. Kantarawadi *Haw* was the only *Haw* in Karenni State that survived the World War II. It was built in 1912-16 by *Saopha* Sao Hkun Li. The last *Saopha* of Kantarawadi was Sao Lawi.

¹⁹³ "Kantarawadi *Haw*," 19°40'9.86"N and 97°12'14.39"E, Google Earth, January 7, 2014, accessed April 11, 2016.

Architecture

Built during the colonial period, the architecture of the *Haw* is a mix of British, Indian and Burmese architecture. It is symmetrical in plan and in front elevation. On the ground floor, a large rectangular hall is flanked by octagonal rooms, one on each side. To the west of the hall, there are bedrooms for ministers. The second floor is reached by the center staircase which is the Mingalar stair. The stair foyer enclosed in a brick structure with the Indian-style arch. As soon as the stairs reach the second floor, one arrives at the audience hall. It is again flanked by octagonal bedrooms. Two corridors connect the audience hall to the back of the house which consist of the open balcony and bathrooms lined along the west façade. On each side of the corridor, there are two bedrooms. The windowless center of the building is a storeroom.



Figure 36 Kantarawadi Haw (East Facade)

State of Heritage Conservation

When Sao Lawi died in 1987, his son, Sao La Por, and daughter, Sao Kaymar Wadi, inherited the *Haw*. In 1994, the siblings decided to donate the *Haw* “with the intention of the development of Buddha Sasana and the revival of the antique building.”¹⁹⁴ The Mingalar staircase that collapsed was restored in December 1994. Since then, the *Haw* has served as a monastic school and was named Thiri Mingalarpon Kyaung led by the head monk Venerable Sayadaw Sandimar.

The restoration was done in a piecemeal fashion because there were no large funds to carry out the necessary repairs. Whenever Sayadaw Sandimar could collect enough funds to repair certain parts, he would do so.¹⁹⁵ Water leakage from the old roof was fixed over the five-year period with the new tin roof. He explained how he tried his best to keep original materials pointing out the wooden interior walls and ceilings which still have bullet holes from the Second World War.¹⁹⁶ The western or the rear part of the *Haw* could not be salvaged and was rebuilt. The wooden exterior walls of the ground floor were already deteriorated before restoration, and they were filled in with bricks, perhaps to withstand weather better and to reinforce structurally.¹⁹⁷ The two north and south exterior wooden stairs that directly enter the first floor balconies were rebuilt. These are not true to the historical images since half of the stairs were rebuilt with brick, and the tiered roof was added to the stairs. Although they were significant changes, the restoration was done under difficult circumstances with limited resources that it is a commendable achievement.

¹⁹⁴ *Thiri Mingalarpon Kyaung: Brief History*, 4.

¹⁹⁵ Sayadaw Sandimar, interview by Zaw Lin Myat, December 28, 2015.

¹⁹⁶ *Ibid.*

¹⁹⁷ Comparison of old photo before restoration and new photo after restoration as observed at the photos at the *haw*.

When the *Haw* was given to the authorities at the Ministry of Culture before it was donated as a monastery, it was rejected because it did not meet the 100-year-old requirement¹⁹⁸ to be protected and cared by the Ministry.¹⁹⁹ No other support was given by the Ministry of Culture in its restoration.²⁰⁰ Further deterioration has prompted the family to plan the donation, Sayadaw recalled. Since it became a monastic school, the Minister of Forestry supported Sayadaw Sandimar with supply for wood for restoration.²⁰¹ A photo gallery and some royal artifacts were displayed along its hallway. The monastery celebrates the *Haw* as “an ancient cultural heritage of the Kayar (Karenni) race” in 2012.²⁰² The *Haw* is also surrounded by residential buildings very closely that it might have had the large compound which was divided and sold just like other *haws* in Shan State.

¹⁹⁸ See Chapter 3.

¹⁹⁹ Sayadaw Sandimar, interview by Zaw Lin Myat, December 28, 2015.

²⁰⁰ *Ibid.*

²⁰¹ *Ibid.*

²⁰² Brochure of Kandarawadi Horgyi Commemoration of One Hundredth Anniversary, April 6, 2012.

D) Other known Haws that are not visited by the author

12. Keng Tung Haw (demolished)



Figure 37 Keng Tung Haw (Front Facade)²⁰³

Keng Tung Haw, the “grandest” of all haws, was demolished in 1991 by SLORC. The public’s plea to reconsider demolition was disregarded.²⁰⁴ In 1994, Ministry of Hotels and Tourism built a hotel on the demolished site. Shan people were also displeased that the stone rubbles from demolition were used to pave roads around the town. The locals viewed the action insensitive and disrespectful because materials used by haws are sacred, and they should not be placed under feet.

²⁰³ Image was scanned from a poster at Pin Laung Haw.

²⁰⁴ Shan Women’s Action Network, *Forbidden Glimpses of Shan State*, 6.

13. Hsenwi *Haw*

A large grand *Haw* of Hsenwi State was destroyed in Second World War and was never rebuilt. The palace compound is a ruin with overgrown plants and vines. Burma Army stationed at the compound and used as a garrison.

14. Kehsi Mansam *Haw*

Kehsi Mansam *Haw* is a single-story brick building with three-tiered pitch roof. The plan is a very basic rectangle with a Hall in the middle. The *Haw* had been donated to become a monastery, just like Lai Hka *Haw* and Kandarawadi *Haw*.

4.3 Summary of the State of *Haws*

Due to the limited time and travel constraints²⁰⁵, only ten sites in Shan State and one site in Kayah (Karenni) State were visited to verify and visually survey the *Haws* for this thesis. The author understands the current state of conservation. None of the *Haws* are listed under 1998 Heritage Regions law nor 2015 Ancient Buildings Law.²⁰⁶ All have varying conditions of ownership. Many of them are in varying state of deterioration that ranges from near collapse to fair condition. Some have been demolished. Some were destroyed in wars as they were never rebuilt and were left as ruins. Some were neglected. Many are for different uses. Only three *haws* have some kind of informational brochures or signage that indicate these site as historic *haws*. Communities are eager to see their heritage preserved, but many do not know how to engage due to the lack of political power, lack of funding and lack of organizations devoted to heritage conservation, specifically built heritage conservation, in Shan State.

²⁰⁵ Travelling the whole state is not possible within the give timeframe for this thesis but the author hopes research can expand in the future.

²⁰⁶ See Chapter 3.

4.4 SWOC Analysis (Strengths, Weaknesses, Opportunities and Challenges) for Heritage

Conservation of Shan *Haws*

The following analysis is limited to the data collected from the research, survey, and interviews conducted. This analysis seeks to examine the shared strengths, weakness, opportunities, and challenges that are represented in the surviving haws of Shan State, in the hope that it will in turn inform a clearer understanding of how heritage conservation currently function, or might function in the future. The SWOC analysis is undertaken with a particularly focus on how community participation can further be developed, so as to identify ways and means to prioritize and improve policies that can engage and benefit the community.

In general, volunteer spirit and community pride are strong among Shan communities. This is found through the interaction with communities during the author's travel and interviews. Further community engagement with heritage can be nurtured, and their volunteer spirit has the potential to be tapped for the conservation and management of heritage sites. Compelling histories and Shan's contribution to the Union are strengths that can be enhanced to promote national understanding among ethnic groups. Heritage resources can play a crucial role in telling these stories.

However, limited human resources and public infrastructure can be unfavorable towards the cultural promotion and exchange within the Union. It remains an obstacle for broader understanding of many heritage sites in ethnic states. For example, many of these haws are not protected, and they are relatively unknown outside of their immediate towns. Moreover, the communities are not able to advocate for legal protection or promotion of their heritage. Since they have been removed the political process for so long, there is also a need to nurture capacities for knowledge sharing and participation in a democratic system.

The review of these *haws* reflects the state of heritage conservation in Shan State. The general survey of sites confirms a wide range of issues currently present: lack of legal protection, lack of conservation knowledge, understanding of the sites, interpretations, management, weak or no support from State and Union-level government. Addressing these issues will open up the means and ways in which community might begin to participate in owning and caring for their heritage. This will inform the heritage conservation framework in which public participation can be meaningfully developed.

The following are more specific challenges and opportunities:

4.4.1 Varied Ownership

All of the *Haws* are currently under different ownership, which vary from private to public. The current ownership of the extant *haws* from the survey is as follows:

<i>HAW</i>	Owned/Entitled/Under the custody of
1. Hsipaw <i>Haw</i>	Hsipaw family
2. Sakhantha <i>Haw</i>	Entitled to Hsipaw family but under the custody of no one
3. Lai Kha <i>Haw</i>	Lai Kha monastic school
4. Pin Laung <i>Haw</i>	Sao Mye, last living wife of the late <i>Saopha</i>
5. Mong Nai <i>Haw</i>	Township Ministry/Department of Cooperatives
6. Mong Pawn <i>Haw</i>	Mong Pawn family
7. Yawnghwe <i>Haw</i>	Shan State Ministry of Culture
8. Kandarawadi <i>Haw</i>	Mingalar <i>Haw</i> monastic school
9. Kehsi Mansam <i>Haw</i>	Local monastery

Varied ownership of *haws* pose challenges to heritage conservation especially when currently there is no cohesive conservation framework to address a unique typology. Potential variables that will be difficult to control under a consistent policy with varied ownership may include but not be limited to

disagreement on the management system, lack of public support at one site, non-cooperation of an owner. However, the shared cultural and political history of these states is immense. They are interdependent in terms of their societal evolution. Only an inclusive presentation may paint a fuller, if not a complete, picture of a unique civilization that has a potential to bring unity and reconciliation to the communities across the state. Developing an overarching framework could open the dialogues between these sites, and might compel an organized movement to reconcile differences. That is not to suggest that all the *haws* should come under a single ownership or a management system, which is not entirely impossible but improbable with the current composition of ownerships. However, varied ownership is not necessarily a weakness nor can it be seen as a threat because opportunities for critical engagement in the conservation of these states' heritage lay in the diverse voices. Each and every state has something to contribute, not just within their communities and Shan State but to the Union as a whole. Coordination and cooperation in the form of community organization, in which diverse stakeholders can work together for the common cause of *haw* conservation, will be a challenge for these sites.

4.4.2 Interpretation

All but three *haws* lack any kind of interpretations on site. Without sufficient information for interpreting these historic sites, they become a lost opportunity for the community to understand and reflect upon their shared past. The three *haws* that have interpretative elements also have room for improvement.

First, Yawnghwe *Haw* is a cultural museum today, and its exhibitions display not only information about the other *haws* in Shan State but also local handicrafts that have little relations to the *Haw*. In the past, the government exhibited exclusively Buddha images and used the *haw* as a "Buddha Museum,"

covering up the history resulting in much public discontent. Even though it is now a cultural museum and acknowledging its past, there is still little interpretation within the *haw*. Signage on the wall or doors of major spaces (e.g. audience hall), photography with no particular chronology or order, and artifacts that are displayed in similar fashion, give a visitor little clue about how the *Haw* was used, what historic events happened here, and how this heritage relates to the history of Shan State or the Union. Second, Hsipaw *Haw* is still being used as a private residence, but Sao Sarm Hpong, a relative of Hsipaw family, is personally there to answer questions visitors might have. It is almost like a house museum, and the family should be encouraged and be given support to continue this. Kandarawadi *Haw*-turned Mingalar *Haw* Gyi Monastery maintains the word “*haw*” within its name to indicate the pride of preservation of Karenni heritage. When Sayadaw Sandimar is present, he tells the story of how it is preserved and gives the visitor a brochure of the brief history of the *haw*. As the *haw* is being used as a monastery, the exhibition of some of the remaining artifacts and photos were confined to the two short corridors on the second floor.

At other *haws*, visitors are unaware that they were once the abodes of *Saophas* and the seat of the administration. In fact, since there is no interpretation or presentation, only a few people who know the history and are interested in seeing them pay a rare visit. However, all of these sites have interesting and important stories to tell. It is a challenge for the community who experienced or had relationships with these places to tell their stories because they were never asked nor valued. There is no known oral history conducted on any of the sites. The soul of these places is slipping away slowly, but the community has much to contribute in terms of their cultural history, so that these sites may have significant future and potential for further interpretation.

4.4.3 Historical Setting

Many *haws* have lost their historical setting. *Haws* were the seat of power and the *Saophas* would locate their *haws* within a large compound. This makes sense not only from the architectural standpoint, to make the *haw* look impressive in their state, but also from the security standpoint to keep the *haw* a certain distance from the public. The account of Mong Nai *Haw* by Sir James George Scott in late 19th century described it as the center of the town with a large spacious compound that contained tamarind trees and coconut palms.²⁰⁷ *Haw* grounds could also be used during a public ceremony for large gathering space. For example, Yawnghwe *Haw* hosted cultural festivals on its ground. Almost all the *haws* are now closely surrounded by buildings with varying degrees of use and density.

In most cases, loss of historical settings came about after the deaths of *Saophas*. In a monarchy, the *haw* and the land would continue to be passed down to whomever became the next head of state and would remain within the realm of the state. However, in 1959 when all Shan *Saophas* transferred their feudal power to the Shan State government through an agreement, they were “entitled to the full ownership, use, and enjoyment of all his private properties” including *Haws* that belonged to him at the time of the agreement.²⁰⁸ It means that *haws* as private properties of the *Saophas* who became privileged private citizens of the Union can be inherited by their legal spouses and children. Therefore, after the deaths of the *Saophas*, the families divided the properties for individual members. The division of land can be seen in Lai Hka *Haw*, Pin Laung *Haw*, Mong Nai *Haw*, Mong Pawn *Haw* and Kadarawadi *Haw*. Because there is no planning control to limit the subdivision of lands in Myanmar, they easily fell to market forces.

²⁰⁷ Scott, *Gazetteer of Upper Burma and the Shan States*, Vol. 2. Part. 2, 431.

²⁰⁸ Agreement between Shan State Government and the Saophas, April 24, 1959.

Others such as Yawnghwe *Haw*, which was confiscated by the government and turned into a museum, also suffered from the division of its land. The original *haw* land of Yawnghwe is now divided and controlled by three other ministries apart from the Ministry of Culture; Ministry of Sports manages the football field; Ministry of Education runs a public school; Ministry of Posts and Telecommunications manages its township office.²⁰⁹ Sakantha *Haw* Ruin in Hsipaw State is encroached by farmlands today.²¹⁰

Because conservation of *haws* is not part of national heritage practice in Myanmar, preserving their historic settings will be a significant challenge. However, a holistic approach to conservation should take the larger context into account. Reclaiming those lands can be possible. For example, land buy-back programs in the United States for tribal nations allows the government to put the decision-making power back to hands of the tribal nations.²¹¹ It could be much simpler for the *haw* sites because the community who are living on these lands are those who can claim it as their own heritage. However, the task to establish community organizations and the necessary governmental mechanisms will be a challenging task for Myanmar. Through community surveys, public opinions and views regarding the *haws* would be needed to gather support for any major undertakings like land reclamation. It is also important to ask what benefits might be brought to the community, not just in terms of conservation benefits but in terms of tangible public use. Including the public in the decision-making processes to help restore the historical setting for the *haws* and to help bring public benefits to the town is an opportunity for those communities to use heritage reclamation as a practice of democratic processes.

²⁰⁹ Sao Hay Mar Htaike, interview by Zaw Lin Myat, January 4, 2016.

²¹⁰ See Google Earth images in Chapter 4, Section 4.2 (A) 2. Sakantha Haw.

²¹¹ Land Buy-back Program for Tribal Nations, accessed April 15, 2016. <https://www.doi.gov/buybackprogram>

4.4.4 Community Participation

There is a strong desire among local residents to preserve the *Haws*, but no political, or financial support is available in many cases. In all the previous challenges discussed, the community can contribute and participate in one way or another assuming that there is a framework for addressing these challenges. Establishing a participatory framework may be a challenge in and of itself since people are not used to participatory decision-making processes due to decades of political oppression. Strong political support and guidance will be needed for democratic processes to take root.

Conservation of *haws* means understanding the history that has been oppressed for so long under various authoritarian regimes. Local people are proud to share their stories, and their contributions to the Union must be acknowledged widely. Conservation of these sites can complement the discourse of national reconciliation and the idea of federalism for the Union.

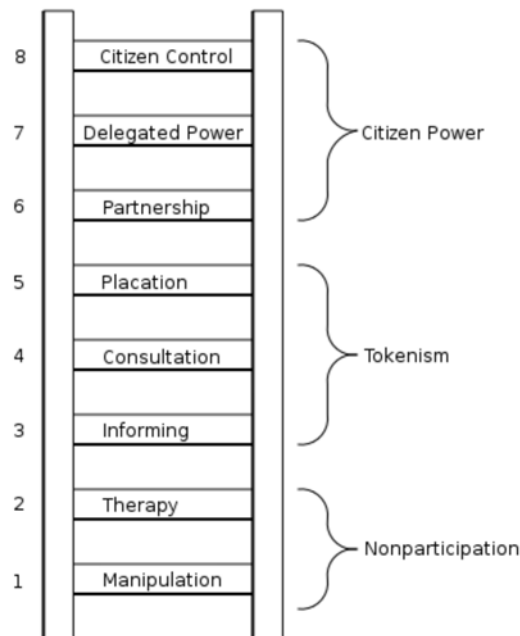


Diagram 4 Ladder of Citizen Participation²¹²

²¹² Sherry R. Arnstein, "A Ladder of Citizen Participation," *Journal of the American Institute of Planners*, Vol. 35, No. 4, July 1969, 216-224.

In terms of Arnstein's ladder of citizen participation²¹³, heritage conservation in Shan State has a long way to move up the ladder. There had been complete neglect of civic input in terms of protecting heritage, as exemplified by the destruction of Keng Tung *haw* and obscuring of Panglong monument in Panglong. It can take time to nurture the democratic process in Shan State. Even the mid-levels of the ladder, which are informing, consultation, and placation, will need efforts by the government. Informing the public and consulting may be the first steps to encourage public participation and to establish level playing field for further decision-making.

True civic participation requires building an organized power base in the community and currently, this is lacking in Shan State. Mobilizing volunteer groups seem to be an opportunity for the communities to create political blocs for sharing information and demanding stronger participation in governance.

Depending on the aspiration and knowledge of the communities, the suitability of the level of participation may vary. Participation may take different forms, from information sharing to resource sharing to joint-decision making. At each step, communities need to be seen as stakeholders in the heritage conservation effort. Empowering the public whether through providing information that affects the livelihoods of local population or through organizing of community meetings where decision-making process is shared, allow them to preserve, interpret, and understand their heritage. Such processes can not only increase public participation in the democratic processes but also allow the local communities to take ownership of their heritage and care for them. Strengthening the role of public participation in preserving these sites can bring direct benefits to the community, express the identity of their respective culture, help define their own vision for socio-economic development, and allow democracy to take roots in their daily lives.

²¹³ Sherry R. Arnstein, "A Ladder of Citizen Participation," 216-224.

Chapter 5 CASE STUDY OF YAWNGHWE HAW

Yawnghwe *Haw* was selected as a representative case study not only because its socio-political and cultural histories are shared with other *haws* but also because it is a part of the large complex history of Shan civilizations and their political configurations between late 19th century and early 20th century. The *haw* is within a vibrant community in which is favorable to examine how people understand the site and to witness the ties people may have with their heritage. The detailed study of this case aims to expand upon the general survey undertaken in the previous chapter in order to further the understanding of challenges at a localized scale and to investigate the community in-depth with qualitative interviews. By using the interview results, a framework for participatory management process suitable for a localized condition is developed. Through this case, nuances that might be anticipated in the participatory framework were identified to explore methods or other engagement that might be applied to other types of heritage.

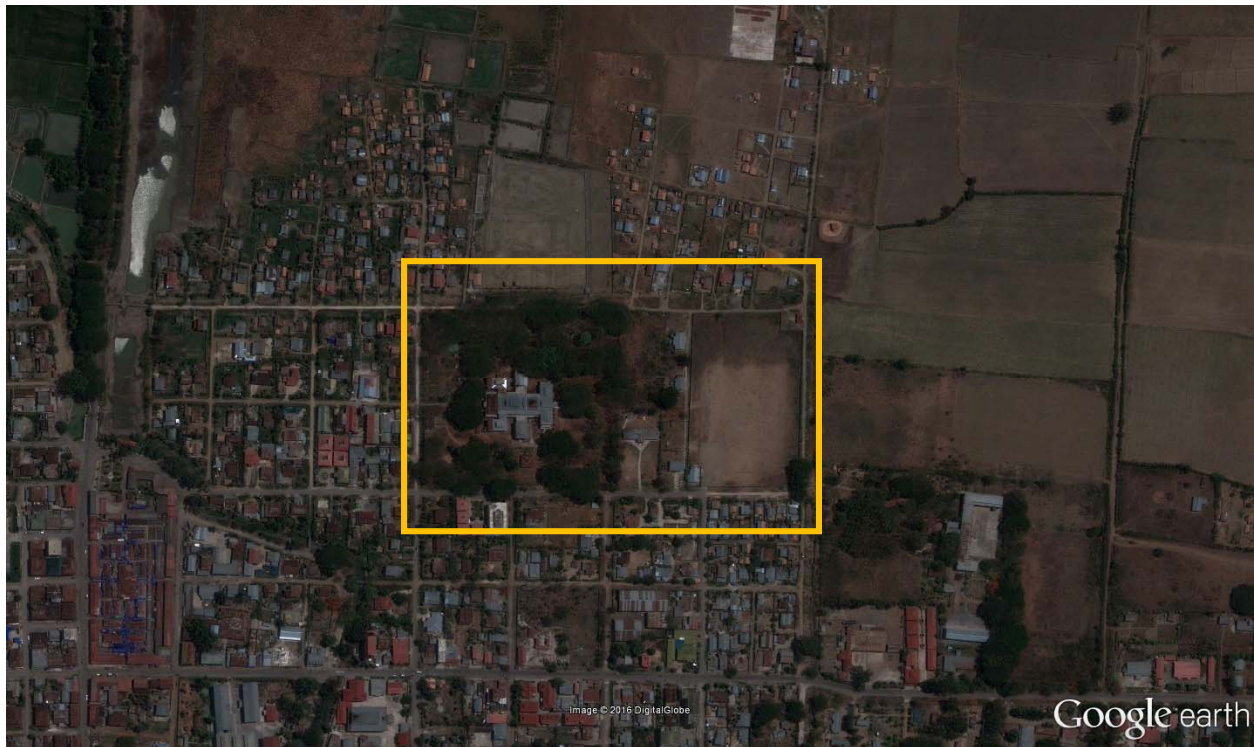


Figure 38 Map of Yawnghwe Haw²¹⁴

²¹⁴ "Yawnghwe Haw," 20°39'48.30"N and 96°56'6.59"E, Google Earth, May 16, 2010, accessed April 11, 2016.

5.1 History of Yawnghwe *Haw*

Yawnghwe *Haw* is a two-storied palace of Shan Yawnghwe State built between 1913 and 1926 by *Saopha* Sir Sao Mawng. The building was not only used as a residence of the ruling *Saopha* but also used as an administrative and an executive office of the State. Traditionally, *Saophas* also handled judicial matters of the state with the counsels of ministers that the royal throne hall in the *haw* was used as a court. The *haw* was a blend of Shan, Burmese and Western architectural styles, constructed with brick and teak.



Figure 39 Painting of the old *haw* at the Yawnghwe *Haw* (Cultural Museum) with caption: "Image of Nyaung Shwe Saopha Sir Sao Mawng's *Haw* Palace which was burned down in 1269 <Myanmar era>"

The current town of Yawnghwe dates back to 1359, but a more detailed history is available only during the reign of Sir Sao Mawng in 1864. In 1908, Yawnghwe fire destroyed the old *haw* located in the western quarter of the town. The ground of the old *haw* is now a public open space with an independence monument called Old *Haw* field or Independence Monument field. The construction of the new *haw* began at the northwestern corner of the town in 1913, but Sir Sao Mawng died in 1926 before it was fully completed. Without an heir to the throne, Sao Shwe Thaike, the nephew of Sir Sao Mawng was nominated by the Federated Shan States' Council of Ministers. The nomination was swiftly

approved by the British government since Sao Shwe Thaiké served in the British Military during the First World War in Mesopotamia.

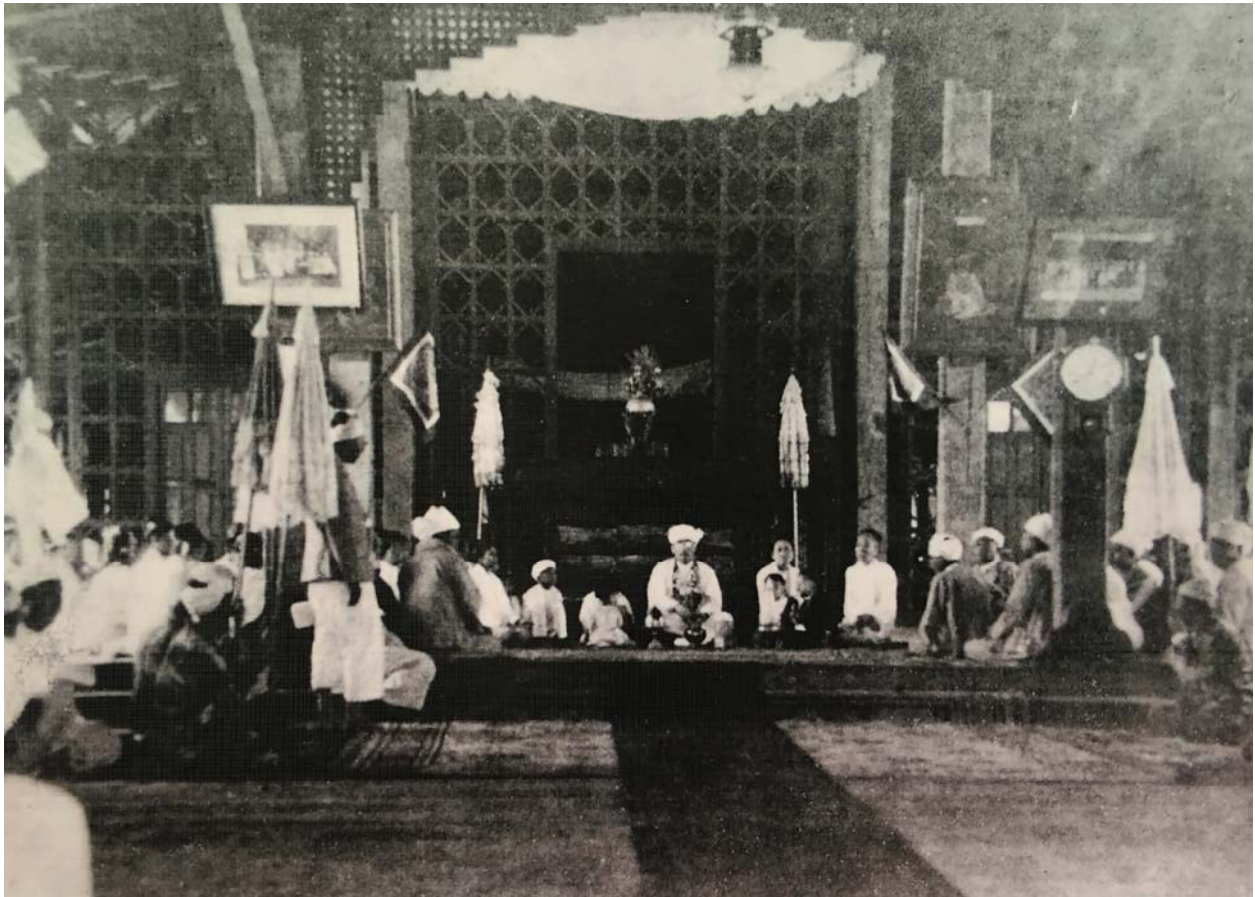


Figure 40 Sao Shwe Thaiké with His Court of Yawnghwe in the Throne Hall²¹⁵

Under the reign of Sao Shwe Thaiké, the haw was inaugurated, and it became the administrative center of the town. Another well-known resident who joined him in 1936 was Sao Hearn Hkam, the princess of North Hsenwi, whom he married to with the blessing of the Saopha of North Hsenwi. When Sao Hearn Hkam arrived at Yawnghwe, Sao Shwe Thaiké gave the tour of the haw which she found surprisingly bright as light brought in by “rows of arching lead glass windows” that “scattered beautifully across the

²¹⁵ Image courtesy of Sao Htao from his personal collections.

hardwood floor.”²¹⁶ At the audience hall, she said to him “I will sit on that throne beside you. I did not come here to be your concubine.”²¹⁷ She became the Mahadevi or the Queen consort of Yawnghwe.

Both Sao Shwe Thaike and Sao Hearn Kham were influential figures in Burma’s history as Sao Shwe Thaike became the first President of the Union of Burma in 1948 while Sao Hearn Hkam herself became the first lady. In 1946, when Sao Shwe Thaike recalled his eldest son, Prince Sao Sai Hpa, from England to “learn how to govern,” Sao Hearn Kham “extended the argument: ‘It is the same with people, they must learn how to make big decisions, too. We must bring them together to decide on the future of our country.’”²¹⁸ They organized the Panglong conferences in 1946 and 1947. After serving as the head of state of the new Union, Sao Shwe Thaike became the Speaker of the Chamber of Nationalities in the Union Parliament in 1952, representing the people of Yawnghwe. Sao Hearn Hkam also served as a Member of Parliament from the constituency of Hsenwi in 1956. Because of their new positions within the Union, they spent most of their time in Rangoon, and the *haw* was left under the care of Prince Sao Sai Hpa.

The Yawnghwe family suffered the loss of family members as a result of 1962 military coup by General Ne Win, amid constitutional talks for federalism. On the early morning of 2 March 1962, Mie Mie Thaike, the 17-year-old son of Sao Shwe Thaike and Sao Hearn Kham, was shot dead at their Rangoon residence at 74 Kokine Road. He was the only casualty of the coup when the military came to take Sao Shwe Thaike into custody. Sao Hearn Hkam was in London for medical treatment at the time. While she was in London, Sao Shwe Thaike tragically died in Insein prison on 21 November in Rangoon, eight months after the coup. The official reason was that he died of heart complications, but people in Yawnghwe could

²¹⁶ Patricia Elliot, *The White Umbrella* (Bangkok: Friends Books, 2006), 85.

²¹⁷ Elliot, *The White Umbrella*, 86.

²¹⁸ *Ibid.*, 156.

hardly believe the story even today. Sao Hearn Hkam, however, did not want to second guess her husband's death, but she was certain that her son was murdered although the official account was "unfortunate mistake."²¹⁹ The *Saopha's* funeral was held at the Yawnghwe *Haw*, and people paid their last respect to the *Saopha*, who was laid in state in the Royal Throne Hall while Sao Hearn Hkam sat beside him for the last time.

Sao Hearn Hkam was followed by the military intelligence wherever she went in Burma until she narrowly escaped with her children to Thailand.²²⁰ She became the chairwoman of the War Council of Shan State Army based out of Thailand but later retired in Canada. The remaining members of the royal household, Sao Shwe Thaike's other wives and children, back in Yawnghwe were forced to vacate the haw in 1964. It was made into a museum but both the stories of Sao Shwe Thaike and Sao Hearn Hkam are absent, even today.

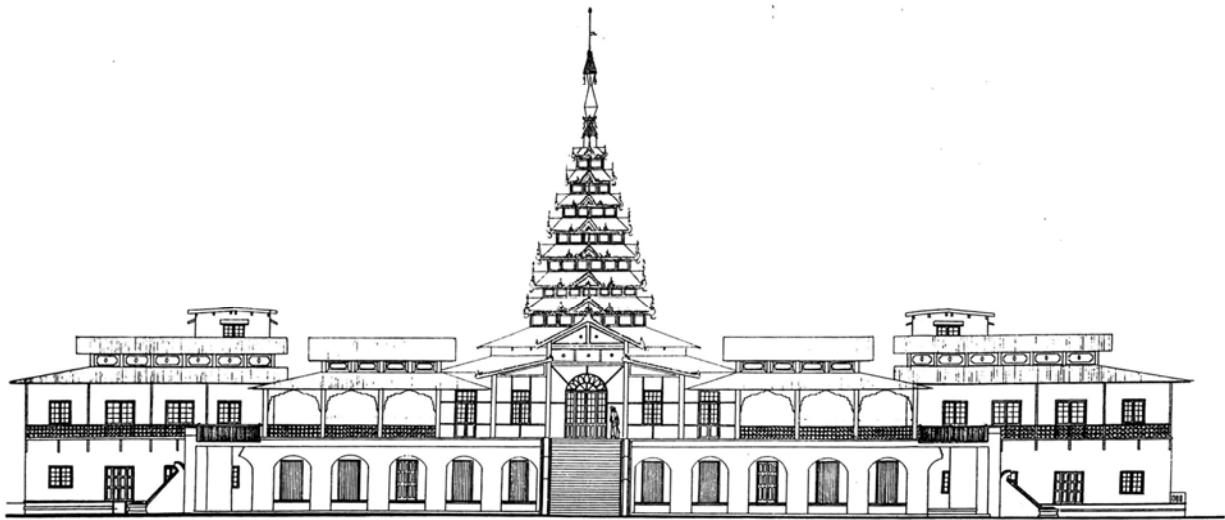


Figure 41 East Elevation of Yawnghwe Haw²²¹

²¹⁹ Elliot, *The White Umbrella*, 318.

²²⁰ *Ibid.*, 332.

²²¹ U Myo Myint Sein, "Shay Myanmar Eine Myar (Ancient Myanmar Houses)" in *Tatkatho Pinya Padaytar Sar Saung*, Vol 5, Part 4 (1970): drawing 10 (b).

5.2 Architecture of Yawnghwe Haw and its Cultural Ties with the Community

Designed by *Mauk Mai Saopha* Sao Kham Leng, the architectural language of the *Haw* is evidence of the exchange of culture between Shans and Bamars, as well as of the influences of new construction methods available during the colonial period. It was built by Shan-Inntha craftsmen led by master craftsman U Ngo. Because his name meant “Mr. Cry,” he was asked to change the name to U Tun Aung or “Mr. Success” in order to be more auspicious during the period of construction.²²² The building plan spans from east to west with a staircase at the eastern end. The eastern staircase known as the *Mingalar* Stair or the stair of auspiciousness was used mainly for important ceremonial occasions reserved for the *Saophas*. This is a unique feature of traditional Shan *haws*. For regular operations of the *Haw*, the northern and southern staircases are used.



Figure 42 Royal Throne Hall with Gilded Throne in front of the hexagonal screen. Five Phaung Daw Oo Buddha Images were placed on the throne today.

²²² U Myo Myint Sein, “*Shay Myanmar Eine Myar (Ancient Myanmar Houses)*,” 514.

On the ground floor are the treasury office, office of the court, tax collectors' offices, secretary office, chief minister's office, and the *Saopha's* office. On the second floor, there are the royal throne hall, the inner audience chamber, and the outer audience chamber. The outer and inner audience chambers are connected to the residential wings of the *Saopha*, his Mahadevi or the chief wife, the royal mother, and the crowned prince. The dining room and kitchen are in the westernmost part of the *Haw* attaching the inner audience chamber.



Figure 43 Yawnghwe Haw (View of the Audience Hall with Seven-tiered Roof from the South)

The most notable feature of the *Haw* is the seven-tiered roof. Because *Saopha* Sir Sao Mawng grew up in the Konbaung Kingdom under King Mindon in Mandalay Palace as an adopted son, he was bestowed the seven-tiered roof by the King, a symbol of royalty and privilege, when he became the *Saopha* of *Yawnghwe* State. Although *Yawnghwe* state, like many other Shan States at the time, was under the dominion of the Burmese King, it was administered by the *Saopha* with relative autonomy.

Burmese influence can be seen in the layout of the *Haw*. Various audience chambers inside were a tradition of the Burmese palaces. The Royal Throne Hall was used for public affairs, state ceremonies, and judicial matters. The outer audience chamber was used for meetings with ministers while the inner audience chamber was used for internal affairs of the Royal family and was more private. Bestowed by King Mindon, the seven-tiered roof above the Royal Throne Hall is a Burmese and Buddhist feature, showing the political influence on the Yawnghwe State by the Konbaung Dynasty. The seven-tiered roof is architecturally prominent in that it defines the silhouette of the *Haw* and calls out the importance of the Royal Throne Hall underneath.



Figure 44 Yawnghwe Haw (Eastern Facade with Mingalar Stairs)

Built during the colonial period, the *haw* used glass windows with wooden frames on the second floor and iron bars as guards for windows on the ground floor. The use of such materials introduced Western design elements to the *Haw*. Classical Burmese palace architecture would not have glass windows if one refers to the past Konbaung Palaces. The offices on the ground floor can be seen as an introduction to

the British administrative structure as the British officers would come and go on a daily basis. The audience chambers on the second floor are more traditional in the sense that ministers or the townspeople would be sitting on the floors when conversing with the *Saopha*, who would be on the *Thalun*, an ornately carved and gold plated divan. The *Saopha* would use both the audience chambers and the office depending on the subject matter and the person with whom he was meeting.

Yawnghwe *Haw* was both traditional and modern because it not only followed the royal ceremonial customs but it also began to adapt to a different form of governance under the British. The architectural layout of the *Haw* expresses the adaptation of three different cultures and merges them beautifully and functionally into a single structure that looks predominantly Burmese in style but very much adapted to the locality and political reality of Yawnghwe at the time.

The *Haw* and the eastern grounds were used for the town's important cultural events. One cultural event, among others, which continues to this day is Phaung Daw U Festival during the month of September or October, whenever the Buddhist lunar month of Thadingyut falls. Famous and revered Buddha images from Phaung Daw U Monastery in Inle Lake are carried around the towns and villages for the people to pay respect. When the Buddha images, which are carried in a ceremonial barge called Karaweik Phaung, arrive at the Phaung Daw jetty at Yawnghwe town, they are welcomed by State officials, back then, the *Saopha* himself. The procession of the images through the town is witnessed by locals and visitors along the route to the Phaung Daw Pavilion where they are kept for three days. During the reign of *Saopha*, the images would be carried to the *Haw*, up the *Mingalar* Stair to the Royal Throne Hall.

“I used to go to the Mount Meru that was built once a year in front of the haw with my sister. We would go up all the way to the top and pray Buddha with flowers and release swirling fireworks from the top. I believe tangible things are not the only heritage, customs, traditions, and memories are also heritage.”²²³

In conjunction with this festival was construction of a structure symbolic of Mount Meru, a sacred mountain of the Buddhist world.²²⁴ It was built with only bamboos by the skilled builder U Ba Phyu and was a temporary structure. It was about 100 feet high. The base was rectangular and on top of this bamboo frame sat a cylindrical-shaped structure that housed a spiral staircase. On the top of the structure was placed an ancient standing Buddha statue that was temporarily brought from Shwe Zarli Pagoda in the town.²²⁵ A small platform in front of the Buddha allowed people to pay their respect. It was built for the Thadingyut festival in the seventh month of the lunar calendar, at the end of Buddhist Lent. It was a representation of Buddha who ascended the stairs to heaven to preach to his mother who was reborn there after life on earth. On the full moon day, the Buddha descends back to earth, and the people welcome him back. The Buddha statue was then paraded back to the pagoda and people paid respect to it along the road. The eastern *Haw* ground was filled with people annually when this event was held. With such events, the *Haw*, though a palace of the ruling royal family, shared its ground with the people.

²²³ From community interview by Zaw Lin Myat in January 2016.

²²⁴ This event was recalled by several townspeople as a unique festival during the interviews. It was discontinued for a long period of time.

²²⁵ Interview with a resident of Yawnghwe, January 2016.

5.3 Stakeholders in Yawnghwe

Shan State government, the descendants of the last *Saopha*, and the community are identified as stakeholders of Yawnghwe *Haw*. All three stakeholders are crucial in ensuring that the conservation of Yawnghwe *Haw* impacts the community positively. Their role in nurturing participatory processes through heritage conservation could engender positive outcomes.

The Union-level Ministry of Culture transferred the *haw* to the Shan State government in 2014. Thus, the State Department of Culture can be identified as a major stakeholder. As a caretaker, the Shan State Government has the responsibility not only for its protection but also for its upkeep. It also currently wields the power to determine its use and conservation.

The family of Yawnghwe *Saopha* is also a major stakeholder. Since the *haw* was confiscated from the family by the military government in 1962, the family prefers that the *Haw* be returned to them. Sao Hay Mar Htaike, a daughter of the last *Saopha*, who was the first President of the Union, has requested that the Shan State government, which now manages the *Haw*, to re-transfer the ownership to the family.²²⁶ The case is still pending, and she had been facing roadblocks to meet with the Chief Minister of the Shan State to discuss the matter.²²⁷ This is expected to change with the new democratically elected government. In Article 4 of the 1959 Agreement between Shan State Government and the *Saophas*, the *Saophas* are entitled to the full ownership, usage, and enjoyment of all private properties including *Haws*.²²⁸ If the government were to re-honor the agreement, the *haw* should be returned to the Yawnghwe family. However, since the people of Yawnghwe have come to see the *Haw* as their heritage,

²²⁶ Sao Hay Mar Htaike, interview by Zaw Lin Myat, December 30, 2015.

²²⁷ Ibid.

²²⁸ Agreement between Shan State Government and the *Saophas*. 24 April 1959.

the Yawnghwe family, with the decision-making power, should consult the public on its future use if they successfully petition for the return. The family has a role to be active in supporting the community.

While the citizens of Yawnghwe have been disenfranchised from any decision-making power, they are by default stakeholders in this conservation process because of their ties to the history of Haw and history of their community and culture. Their ancestors helped built the *Haw*, and they are proud of the contributions their ancestors made.²²⁹ Therefore, they should be offered a voice to contribute to the future management and operations of the *Haw*. As a stakeholder in the participatory process, the community will be able to influence in decision-making that may affect their lives and communities within Yawnghwe.

5.4 Qualitative Community Interviews

5.4.1 Methods

This case study investigates, through qualitative research, what this building means to the people of Yawnghwe today architecturally, politically, economically and socially within the city and how they might participate in the preservation of the site through interviews with stakeholders, grouped as follows:

1. Those who lived through the times before independence (Age 70+)
2. Those who grew up under Revolutionary Council and Burma Socialist Programme Party after the last royal family was forced to abandon the palace (Age 44-70)
3. Those who grew up under SLORC and SPDC (Age 18-44)²³⁰

All community interviews were conducted in confidentiality, and the names of interviewees are withheld for the protection of the research subjects. The questionnaires underwent review and approval by the Institutional Review Board (IRB) at Columbia University. The questions were

²²⁹ From community interview by Zaw Lin Myat in January 2016.

²³⁰ The way that people are put under three different categories is that one has to be at the age of 16 which is the roughly the age of high school graduation in Myanmar. It is assumed that they would generally understand the socio-political situations of the times they were in. For example, although the SLORC era begins in 1988, a person at the age of 16 at the time is categorized into the group who grew up under SLORC and SPDC. Thus, a person at today's age of up to 44 years are put in this category.

asked to the subjects after explaining to them the purpose and processes of this research. Verbal consent of the subject was obtained before the questions were conducted. The related documents, including interview questionnaires and verbal consent forms, are attached at the end of the chapter as appendices. Interviews were carried out in January 2016 over a period of three days.

5.4.2 Area of Coverage in Yawnghwe

Six quarters in Yawnghwe were covered for the interviews: Kan Tha, Nan Pan, Myo Le, Thar Si, Nandawun, Win, Theelaw²³¹. Out of 32 residents of Yawnghwe, ten are from Kan Tha Qtr, six from Nan Pan Qtr, four from Myo Le Qtr, eight from Nandawun Qtr, one from Win Qtr, one from Thar Si Qtr, two from Theelaw.

5.4.3 Interview results

Demographics

Interviewees were randomly selected. However, the visual selection was consciously made with the above age categories in mind. Although equal representation was not achieved, the samples were sufficient to decipher and understand the current social construct relating to the topic in Yawnghwe. Out of 32 residents of Yawnghwe, five interviewees belong to 70+ age group, eleven of them belong to 40-70 age range and sixteen belong to 18-44 age range. Occupations of the respondents vary; public school teachers, goldsmiths, tour guides, bank tellers, lawyer, restaurateur, retired public servants, fortune teller, merchant, and housewife. A diverse ethnic background among the interviewees can be observed as well. They are Shan, Inntha, Bamar and other mixed races (Shan+Inntha, Shan+Danu, Shan+Bamar, Inntha+Danu, Shan+Bamar+Inntha, Chinese+Bamar).

Heritage Identification

One of the indicator questions to gauge what the people would see as heritage was to identify an example of the heritage of Yawnghwe. Among the age group 18-44, 15 out of 16 interviewees point to Yawnghwe *Haw* among their first three sites. 10 out of 11 interviewees in

²³¹ Theelaw is no longer in Yawnghwe municipality today but is part of the old Yawnghwe State.

the age group of 44-70 also identified Yawnghwe *Haw* among their first three sites. Only 1 out of 5 interviewees in the age 70+ group point to the *Haw* as their first site. It seems that older generation sees heritage differently than the younger generation. Overall, 27 out of 32 interviewees identify Yawnghwe *Haw* in their first three choices as their town's heritage.

Among all the sites the interviewees identified as heritage, Yawnghwe *Haw* was the most cited. Other sites that interviewees identified more than once are Yadanar Man Aung Pagoda, San Kyaung Daw, Phaung Daw Oo Pagoda, Inle Lake and the mausoleum of the *Saopha*. Other interesting identifications are intangible heritage such as Buddhist and Cultural traditions such as the Dhamma Recitation ceremony inaugurated by Sao Shwe Thaik.

Seeing Yawnghwe *Haw* as heritage indicates that the people of Yawnghwe regard it as a valuable asset for their identity and their town. A further assessment question was asked to the interviewees regarding the scale of significance of the *Haw* to the Yawnghwe Town. 18 out of 32 ranked it as very significant to Yawnghwe and 10 out of 32 ranked it as significant. Only 3 ranked it as somewhat significant, and 1 ranked it as not significant. The interviewee who ranked it as not significant reasoned that it was made to look unimportant and had become irrelevant to the people. The answer points to the importance of keeping the *Haw* relevant to the people so that it may be cherished and preserved. Nonetheless, it is encouraging to find that overwhelming majority of the interviewees agree the *Haw* is a significant site to Yawnghwe.

Visit to Yawnghwe *Haw*

Regarding visitation, all interviewees have visited the *Haw* at least one time. Breaking down the number of visits and the last time they have visited, it reveals some interesting and relevant information. All five interviewees in the age 70+ group answered that they have not visited the *Haw* since the revolutionary council took over. During the period of military intervention and authoritarian rule, association with the *Saophas* or the *Haw* can cause inconvenience to one's life or family. It is quite possible that older generations would want to distance themselves from the *Haw* at the time because of oppressive political climate.

The outlook is rather different with two other groups. 7 out of 11 interviewees in the age 44-70 group and 8 out of 16 interviewees in the age 18-44 group visited the *haws* often or more than

once a year. The reasons they visit often were mostly to accompany out-of-town visitors to show the town's important places, and *Haw* is one of them. An interesting answer from one interviewee is that field trips to the *Haw* were planned four times a year because they want their children to know the history of Yawnghwe. That is perhaps an exception, but it shows that there is a will among people to continue to see this important heritage site. Sharing this heritage with other people who might or might not be familiar with the site is an indicator that the people of Yawnghwe care about their heritage and cherish the building.

The number of visits to the *Haw* is an indicator of how engaged the public is and how potentially engaged they can be in the future preservation effort. Participatory decision-making needs engaging public interest, and the interview results show an encouraging potential for public participation.

However, a strong desire of the people to see the *Haw* preserved as a *Haw* is not at all reflected in the presentation of the *Haw* as the so-called "cultural museum." Follow-up questions about their views on the past visits reveal staggering cases of dissatisfaction. Many of these cases stem from what the interviewees see lacking in the presentation of the *Haw* and their dissatisfaction about the "cultural museum." One interviewee answered "It does not need to be this museum or that museum. It should just be the *Haw*."²³² The majority of the interviewees commented the number of royal regalia and *Haw* items that were no longer presented at the *Haw*. They showed strong disapproval of the disappearance of furniture and items that the royal family used such as swords, cabinets, clothing, shoes, etc.

Regardless of their opinions, their voices were certainly not heeded by the government nor did the people of Yawnghwe have the means to express their wishes regarding the preservation of their common heritage in the past. Empowerment of the public is needed so that they have the means to participate in the decision-making process in the preservation of their heritage and presentation of their identity and history. The current democratization process through the first free and fair election is ushering a new government in led by the National League for Democracy in April. There is a wider opening for the people to participate in the political processes.

²³² From community interview by Zaw Lin Myat in January 2016.

However, the issue of participatory decision-making can work if only the public has trust in the processes and the government reforms its heritage conservation policies.

5.5 Significance of the Site

There are two ways to derive the statement of significance of the site. One method is from historical research and facts that ascribe professional or expert values to the site, and the other is from the stories of the people and their understanding and attachment to the place. Because most heritage conservation frameworks stem from a statement of significance, it is important to integrate community values, stories, and their understanding of history so that they can be a part of this conservation effort.

Although the community knowledge of history was limited due to the past oppression of Shan history, their answers from the interviews conducted were analyzed in conjunction with the historical facts.

However, it is not a one-way street, as other community values that are not part of the historical narratives were incorporated. The following statement of significance is developed through merging the historical research and the interviews conducted in Yawnghwe. *(All quotations below are verbatim from the interviews translated into English as close as possible by the author.)*

Architectural

“I see the haw as a unique and magnificent palace of the Shan State.”

“Whether you like the way how Saopha ruled or not, it does not matter. By looking at the haw, you can learn how they govern and gain knowledge.”

The *Yawnghwe Haw* tells a unique story of one of the Shan States in the Union of Myanmar through its architecture and its use. Its architectural layout is an evidence of the cultural exchange that had an important impact on the history of the *Yawnghwe* state and the life of the people during the period of transition from a subject of Konbaung monarchy to the subject of the British crown. To a certain extent, it represents the relative autonomy of the Shan people and the uniqueness of Shan culture.

Social/Cultural

“It is a valuable and unique building. The Saopha was allowed to have his throne gilded. He was also authorized to be honored with ceremonial drums.”

“They should display Shan and Inntha musical instruments. The haw used to have four tall drums on the pillars left to the Mingalar stair.”

The *Haw* also embodies the cultural belief system of Shan people. The Mingalar Stair or the stairway of auspiciousness, a unique element of Shan *Haws*, was treated with respect because it is believed that a special *Nat* or god was present to protect the stairway. The main royal throne plated with gold in the Royal Throne Hall also has its own *Nat* or goddess protecting it. Such display of respect within the *Haw* is a testimony to the belief systems of the Shan people. The community history of their cultural and religious events at the *haw* that had been stopped due to the political turmoil provided a glimpse into the past.

Political

“I am proud to say the first president of the Union of Burma is from Yawnghwe.”

“Because it shows that our people are capable of governing and develop their own culture, such knowledge gives moral support to the young generations to work hard and strive for better.”

Political significance is also of great importance. Sao Shwe Thaike was the last *Saopha* of the Yawnghwe State, and he became the first President of the Union of Burma after independence from the British Empire. Because of his contribution to building the modern Union with General Aung San, in forging the Panglong agreement that gave birth to a new nation, his legacy is very much respected. After the Panglong agreement had been signed, General Aung San visited the *haw* to discuss the agreement with the Saopha at the visitor's apartment under the Saopha's wing.²³³ Because of these meetings, the *haw* serves as an important historical backdrop for the history of the Union of Burma. As a political

²³³ Sao Sanda, *The Moon Princess: Memories of the Shan States* (Thailand: River Books), 163.

powerhouse, both Sao Shwe Thaike and Sao Hearn Hkam during their last reign made the haw more relevant to the history of the Union of Burma.

Yawnghwe *Haw* has great value not only to the Yawnghwe town but also to the Union because of its political, cultural and architectural significance. Its value lies not only in the layout and fabric of the building as a unique typology of Shan *Haws* but also in the stories that the residents and the people share with the *Haw*. The *haw* is regarded as a highly significant site of the city of Yawnghwe and often described as the pride of the Yawnghwe people.

5.6 State of Heritage Conservation

“I am sad to see the haw deteriorating. It needs to be conserved as our cultural heritage. I have a personal attachment to the haw since I had gratitude towards them (royal family).”

“I do not see it being preserved. It looks like it just exists there.”

Yawnghwe *Haw* is an important political and cultural site in Myanmar, yet its significance has been ignored and marginalized. After the 1962 revolutionary council government had evicted the last family members from the *haw*, it presented the building as Nyaung Shwe *Haw* Museum. Under the SPDC government, the name of the museum was expanded to include other Shan *Saophas*: “Museum of Shan Chiefs (*Saophas*)”. Between 2005 and 2007, it became “Nyaung Shwe Cultural Museum” that the erasure of the word “*Saopha*” and “*haw*” was reflected in the name changes. In 2007, the artifacts relating to the *Haw* were abruptly taken away, and Buddha statues were brought in to transform the building into a “Buddha Museum.” It was seen as a deliberate attempt by the SPDC government to erase the history of the site. In 2013, the *haw* was again “Cultural Museum.”

“It is a haw, and it is best to be presented as a haw.”

“There are so many pagodas and temples where we can see Buddha statues and Buddha Museum is not necessary for this town.”

Architectural

“We need skilled professionals for preservation to meet international standards.”

“They do some conservation but not enough. It is almost as if they left it to rot.”

The *Haw* is in good condition compared to many other *haws* in the previous survey, but the structure has some major and minor complications conservation wise. In the eastern part of the *Haw*, the brick arches are falling apart. The western end of the *Haw* needs structural repairs to the wood flooring support systems as the second floor is beginning to sink and slanted towards the west. In order to access the full condition, historic structure report should be conducted. With consultation of structural engineers, non-intrusive retaining or supporting structures can be considered as temporary measures to prevent the abovementioned parts from further deterioration.

Adequate monitoring of the changes of the wooden floor movement in the second story is particularly important because the building is almost a hundred years old. The state of wood conditions is a good indicator of potential to collapse due to wooden connections failing, as has been the case with many other *Haws* around Shan State. Since this is particularly tied to the significance of the site, having the *Saopha's* audience chambers and thrown hall on the second floor, monitoring the movement will ensure the attention needed to strategize what remedial solutions can be made swiftly before irreversible damages occur.

“They painted the brick. It is not historic, and it does not look good.”

Documentation

Architecture students from the Yangon Technological University have carried out architectural documentation/measuring in the past. These basic plans, sections, and elevations can be used to verify changes visually to the overall state of the building. In 1998, “major renovation” was done by the Ministry of Culture which should have a set of documents detailing what changes had been made, but

there is no documentation available for the public. They can be used to access conditions of the *Haw* over time and might provide valuable information for future conservation work.

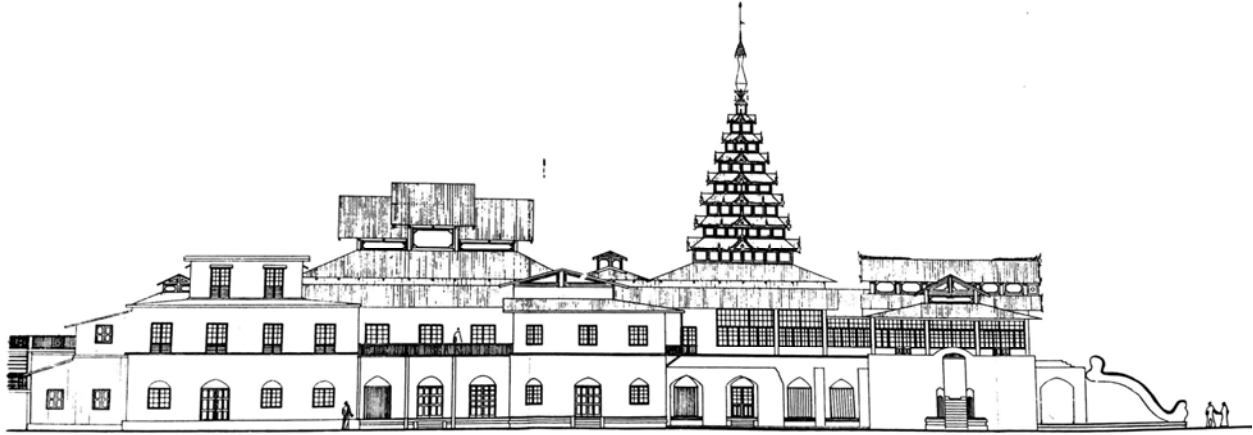


Figure 45 South Elevation of Yawnghwe Haw²³⁴

Maintenance

The interior of the *Haw* also needs periodic cleaning because of the pigeons' excretion. Due to the gaps between the roof and the wooden purlins, birds, and other insects are inhabiting inside the place that fecal and organic matters can be spotted throughout the wooden floors and wooden columns. A quick but appropriate fix is needed to prevent these birds and insects from entering the building in order to preserve the original fabric inside and for the appearances of the *Haw*.

Display and Conservation of Artifacts

"There is nothing inside the haw, and I do not feel anything. When I visit Gandhi's house in India, they have so many things displayed."

"I want to see the artifacts just like they were kept during those times. The family photos, books, and cases should be where they were kept before. Also, the government closes the door to many rooms and unrelated items are displayed."

²³⁴ U Myo Myint Sein, *"Shay Myanmar Eine Myar (Ancient Myanmar Houses)"*: drawing 10 (c).

The royal regalia and items used in each room were removed by the government. The people of Yawnghwe had expressed outrage not only because these historic and valuable items tell the unique stories of each room in the *Haw* but also because they felt that their heritage had been moved away from them. Only a number of items have been returned together with other items from other *Haws* in different parts of Shan State.



Figure 47 A Gilded Divan Displayed in Inner Audience Chamber



Figure 46 Exhibit of Court Clothing

"I do not want to go anymore since it became Buddha museum. I'll go again when the artifacts are returned."

"Now that some of the artifacts are back, it is getting better. I hope they (government) will do better in the future."

The items displayed currently need basic cleaning work. Assessment of these items should be done to know whether these items need cosmetic repairs or structural repairs since some of the wooden arm chairs seem to be broken. Clothing and other soft items are in need of serious conservation effort. Since they are not displayed in a temperature-controlled room, deterioration can be faster and risk of loss completely.

Landscape

“They should keep the grounds clean for the public.”

Landscaping is needed for the whole compound of the *Haw*, not just the adjacent plants around the building itself. Parts of the grounds of the *Haw* are overgrown with grasses and maintenance is needed for the appearance and presentation of the site.

Intangible heritage

“When Thakin ma gyi Daw Mya Win (one of the wives of Sao Shwe Thaik) visits us at the Haw Quarter, our conversations never end without talking about the haw since we have a special attachment to the haw.”

Cultural events at the *Haw* ended after the military coup in 1962, but they lived in the memories of the people who had been to those festivals. Bonds between the people and the *Haw* was strong among older generations. Although historical accounts are available from the perspectives of the rulers and their chronicles, there are little from the perspectives of the Yawnghwe people. These stories contain important information about the cultural significance of the site and are quickly disappearing if not properly recorded. Oral history of the people is an important segment to understand the site wholly because the stories people may tell potentially present different perspective than those of the members of the Yawnghwe royal family. As a pride of Yawnghwe, many people refer to the building as Yawnghwe *Haw* instead of calling it a museum.

5.7 Findings

The identification of Yawnghwe Haw by the community as “their” heritage transcends ethnic boundaries evidenced by the diverse demographics of the interviews. Such positive responses only point to the fact that the respect for each other within the community and their shared heritage in Yawnghwe is strong. However, there is much work to be done to develop the understanding of the Haw further. For example, many young generation interviewees could not identify the last Saopha when asked. Some were surprised that he was the first president of the Union. This reflects the erasure of both Sao Shwe Thaike and Mahadevi Sao Hearn Hkam from the haw exhibition in the last five decades. They do know Sir Sao Mawng though since he was the one who built the haw and the haw has his statue and his Mahadevi displayed. A historical site like Yawnghwe Haw includes multiple layers of stories that it deserves critical research and multifaceted presentation to the public in order for them to understand and to grasp the complexity. This case study lays down the foundational work to explore the interest of the community and their understanding. Using this, further development of how participatory decision-making processes is suggested. Its benefits to the communities and the country as a whole are explored. Their role to participate in the conservation of the *Haw* is an important one to influence the way heritage conservation is handled in Shan State. Ultimately, the process may assist in the reconciliation of ethnic histories through increased mutual understandings of these contested sites.

Chapter 6 **EXPLORATION OF PARTICIPATORY FRAMEWORK FOR YAWNGHWE USING
YAWNGHWE HAW AS A CASE STUDY**

The people in Yawnghwe are, to some extent, equating “participation” with “volunteering.”²³⁵ When asked how one sees participating in heritage conservation of the *haw*, the answers were along the line of providing some kind of services.²³⁶ For them, guarding the *haw*, sweeping the floor, tending the gardens serves as means of participation.²³⁷ While a volunteering spirit is a great strength, developing the means and ways in which participation can empower the community to have input in decision-making, could be explored in the framework of heritage conservation in Yawnghwe.

Introducing a relatively new democratic process for the people of Yawnghwe in which they can be involved meaningfully can be challenging. However, it could bring benefits to the community in building a democratic society Myanmar desires. The act of preserving one’s own heritage can empower the people by allowing them to take ownership and responsibility of their decisions. A direct stake in determining their heritage and their social capital can bring positive impacts in the community development. Conservation of Yawnghwe *Haw* with a public participation component should be explored as part of its heritage management plan. It should be iterated from public input and public aspirations.

The following framework is an exercise to find the ways in which participatory process can positively impact the preservation of the *Haw* and the people of Yawnghwe. It is also an exploration of how public input can be utilized in policy-making. Broadly based on the observations and interviews conducted for Yawnghwe *Haw*, the framework takes into consideration the experiences sought by the community and the challenges they saw in the conservation of the Yawnghwe *Haw*.

²³⁵ From community interviews by Zaw Lin Myat in January 2016.

²³⁶ *Ibid.*

²³⁷ *Ibid.*

6.1 Vision

An overall vision for the heritage conservation of the haw based on the previous findings could be used to guide the participatory process. In any management plan, a vision is a guiding star towards the goal. The goal is to ensure the long-term preservation of Yawnghwe haw and meaningful public engagement to nurture democratic processes. It can assist in evaluating whether each step and each decision the community make in the future are compatible with the broad vision set out.

The *Haw* may be used as a tool to nurture democratic processes and encourage public participation in the management of heritage resources that the people's desire to have a stake in cultural and educational life of Yawnghwe can be realized. The pride Yawnghwe people have for the haw and the wish to see it well-maintained indicates that the conservation of the *haw* is important to serving as a heritage site to promote its historical, social and cultural significance as an element of the pride of Yawnghwe people, and as a contribution to the Union. Through public engagement programs, the *haw* can be used for building consensus among the community and for contributing to the discourse of national reconciliation. Nascent democratic processes can be nurtured through public engagement in heritage management.

6.2 General Policies

As part of the framework, general policies should support the vision. The aim is to uphold the values of significance and incorporate public aspirations in managing heritage. Again, the following policies are developed using the qualitative interviews and specific quotes from the interviewees are embedded within. They are also supplemented with components of public participation to advocate for such a process.

For Yawnghwe Haw, three policy categories are explored through three different lenses to support citizen participatory management framework: accessibility, use, and conservation. Generally, the answers given consisted of what the interviewees wish to see or experience at the haw, and this is encompassed under the broad umbrella of accessibility. It not only includes physical accessibility but also accessibility to information and personal development using their heritage. Use is another important issue that sprung from the past misrepresentation and the passion of the people to see it as it is, a *haw*. It helps to address sustainable and appropriate usage for the benefits of the community. Conservation is a given, but considerations are given to capacity building and community well-being.

“I want to be able to go freely inside the haw like they (government) allow people to move freely at the Mandalay Palace and the Kanzawzathadi Palace.”

“The interconnected history of Shan Saophas and Burmese kings should be told either through tours or displays. Mahadevi’s room should be open to the public as well.”

1. **Accessibility** to the *Haw* physically, its content and its history with may help the people of Yawnghwe in keeping in touch with their heritage. This includes the following but not limited to visitation, interpretation, education, engagement with the conservation of the *Haw*. While building up knowledge through this accessibility, people may have inquiries and ideas to improve their heritage, and they may become active participants in conservation processes.

“It is very wrong to make it building for a religious museum because it is a unique building used by the former rulers.”

“Dictating the haw to be ‘cultural museum’ or ‘Buddha museum’ means that they want to bully, and they want to discriminate.”

2. **Use**, appropriate to the history, culture and the town, was a concern that many expressed. As a revered place of Yawnghwe, extra care should be taken in developing public programs inside the *haw*.

“Having the haw allows a younger generation of Yawnghwe near and far to understand their responsibility for preservation and increase the knowledge of their state.”

“Tourism development does not benefit the local community currently. We provide service, but the investments are from far away that we do not get a fair share in the region. It is also expensive for tourists too.”

3. **Conservation of the *Haw*** should bring opportunities for the people of Yawnghwe. Incentives for conservation should be considered for the local communities. For example, capacity-building programs, conservation workshops, and development of teaching tools are options to explore that may not only benefit the maintenance of the significance of the site but also contribute to the well-being of the citizens of Yawnghwe.

6.3 Overarching Objectives and Specific Objectives

The next level of engagement in achieving the policy goals is to set objectives. Specifics of the following proposals are derived from analysis of the answers and impressions interviewees gave during the community interview process. They generally touch on the issues the people encounter during their visits. Some very detailed objectives are expanded upon to consider but not necessarily what the community asks for but what they might need to articulate their vision.

6.3.1 ACCESSIBILITY

“The entrance fees prevent me from visiting.”

“It should be opened the whole year, even on Saturday and Sunday with rotating staff so that both local and foreign tourists will have a chance to visit. 9-4pm is not convenient for those who work like me to visit.”

1. Some expressed the admission fees as a deterrent for their visit. Although it is only a very small fee²³⁸ and collected for adults only²³⁹, as a policy objective, free admission for the residents of Yawnghwe will only encourage more to visit. Affordability should continue to be ensured so that this does not put the burden on the people of lesser income to visit to appreciate their heritage. By allowing the citizens of Yawnghwe to visit the *Haw* for free or by asking voluntary donations, it may encourage visitation. Foreign visitors may be asked for an admission fee for generating income, and the proceeding can benefit the local community through the operations and conservation of the *Haw*.

“I want to see the admission to haw freely. There are stray dogs, you know, I am afraid of them since I am old. I want to visit together with my townspeople, but it is hard. Also, I do not know politics and I am afraid to express my views about the government or the country. So, I am afraid to visit. I am even afraid to vote.”

2. Providing care to elderly and disadvantaged persons is a tradition embedded in the culture.

Upholding this tradition, accommodations and equal access to heritage for them can provide

²³⁸ 200 Kyat or approximately 20 US cents for Myanmar and 2000 kyats or approximately 2 USD in 2016.

²³⁹ Students, monks, nuns, children are admitted free of charge.

wider access and enjoyment of the heritage property. Accessibility for physically handicapped persons may be considered so that they can be assisted in appreciating their heritage.

- Accessibility aims for inclusive community can be considered and expanded upon the following progressive policies:
 - a. Special accommodation could be made available to the elderly like the above interviewee for a visit, for example, with the help of a volunteer.
 - b. Handicapped accessible ramps and other methods could be installed in an appropriate way without disrupting the significance of the *Haw*.
 - c. Braille could be included in all signage for blind persons. Hearing-aid could be provided for any audio materials.
 - d. All video and visual presentation should include closed-captioning.
4. Language accessibility is one that can provide wider outreach to diverse community that people of different background can understand, and appreciate the *Haw*. Currently, Shan language is nowhere to be found. Addition of Shan language will not only respect the past residents of the *haw* but also give wider Shan audiences access to their heritage in their language. Although Burmese language is also widely used in Yawnghwe, providing different ethnic languages will be a gesture of inclusive planning.

The Burmese language, a sole office language of Myanmar, may reach a wider audiences but as a Shan palace, disregarding Shan language that is part of the cultural heritage of Yawnghwe haw displeases the Shans. Therefore, accommodation of different languages may improve good will among citizens and understanding each other's culture. Other languages may be supported depending on the demand. It is to ensure a wider participation in heritage and will improve understanding of the site among many people.

“I want to learn more about the haw myself first. I know there are books, but it is difficult to find them that I did not have a chance to read. I have to find and read on Facebook.”

4. Access to educational resources can further the interest of the people to continue engagement with the *Haw*. For example, access to educational materials, books, visual materials will support the vision to integrate *Haw* in the cultural and educational life of Yawnghwe.
 - Access to the historical records, if they can be curated at one place, will benefit the curious minds in town. Audio and visual presentation exhibitions at the *Haw*, for example, will allow visitors to interpret the site freely. Information in the form of brochures or books can further be disseminated within the community and beyond.

“Younger generation of Yawnghwe near and far can understand the responsibility of preservation and increase the knowledge of their state.”

5. Education through public lectures, field trips for students, book talks, etc., may be developed to provide further access to general knowledge. With the knowledge they gain from being able to access, engage and interpret, the communities may be able to participate and engage in the democratic processes in heritage conservation of the *haw*. To build up the knowledge is to build up the foundation of a participatory process that it will empower the community to engage actively in conservation and management endeavors at the *Haw*.
 - Developing operational guidelines specific to the Yawnghwe *Haw* that include soliciting public input for its management and presentation could ensure that the community is consulted and invited to public meetings. Nurturing this process slowly could bring different people together in making decisions about their cultural resources.

6.3.2 USE

“The presentation is bland. There should be more exhibitions on historical facts to understand fully and meaningfully.”

1. Yawnghwe *Haw* is a highly valuable asset for the people to engage, participate in, and enjoy their history. Reiterating the desire of the community to continue seeing this as a *haw*, and the desire to see their heritage displayed appropriately, their input may be translated into policy goals through developing public programs at the *haw*.

Multiple layers of historical facts and stories that are important to the community exist, but there is no opportunity to interpret them at the moment. Therefore, it is important to provide these opportunities to tell different narratives, whether through a different type of tours at the *haw* or different exhibitions. Opportunities for a dynamic process for the museum exhibits could keep the public interested and engaged with the *Haw* while they learn and reflect upon their heritage.

“During the Phaung Daw Oo festival, we used to visit the haw where the Buddha images were offered flowers before they are paraded back to the Kyaung.”

2. Accommodation of local festivals on the ground may be considered with rules and regulations in place. Guidelines for use may be developed to protect the values and significance of the *Haw*.

Since festivals are community-led, they can restore ties with the physical fabric of the *Haw* if and when appropriate uses are allowed. Managing festivals that are historically part of the *Haw* may provide opportunities for the larger community to participate in the cultural events.

However, rules, regulations and guidelines for public use should be considered to ensure that

the significance of the site is not compromised by activities proposed, and to address the concerns of the local people and their culture traditions.

3. In order to support the accessibility objectives and reinforce community engagement with the haw, temporal community use of the grounds for a minor fee could be considered to generate income that goes to the operation and conservation of the *haw*. The people will take pride being able to associate with and support the *haw*.

While overseeing appropriate use of the *Haw* grounds can raise income for conservation and public programs, sensitivities to culture and local belief should be part of the rules and policies.

The interior of the haw, especially the second floor, is off-limit for private events due to its sacred nature. Even today, people are asked take off their shoes when they enter the *haw*.

Acknowledging and practicing such customs should be encouraged.

“I bring my children with their relatives to the haw four times a year so they may have fun and also learn their history.”

4. Since some of the local visitors utilize the haw as an educational tool to keep the younger generations in touch with their history, exploring to establish a small educational institutional facility can reinforce the values and vision of the *haw* while supporting the haw with facilities for visitors. This can take in the form of a library or an archive or a historical research center which may all be appropriate uses to further the mission of the Yawnghwe *Haw*. Further input from the community would be helpful in this endeavor. Any potential expansion of programs at the haw that needs additional space on its open ground may access impact on the heritage.
 - By having a facility of some sort, the public will have space to learn about history and their heritage. Integrating the *haw* in the local curriculum is one way

to reconnect young generations with its history, either through field trips or specific vocational training programs. Researchers and students of higher education may also be able to visit the *Haw* to see the archives, books, etc. if such facility exists.

- Similar to other uses, guidelines that are developed with the community will improve decisions made for changes and improvement at the *haw* or within the ground.

6.3.3 HERITAGE CONSERVATION

“I see the haw as an example that shows how our people ruled and how they lived with their own traditions and culture.”

1. The views of Yawnghwe people may be used to align with the conservation policies to support the conservation of the *Haw*'s unique features.
 - While Conservation Management Plan may be drafted to identify and prioritize areas of the *Haw* that needs the most conservation work, people should be able to participate in the process to ensure that their viewpoints and ideas are carried for further decision-making.

“As a tour guide, when I visit the haw with guests, it is tough for me to explain history without much artifacts or photos at the haw.”

“All the artifacts should be kept at where they were originally placed.”

2. Many interviewees expressed disappointment in seeing too little artifacts. Many want to see how they were historically placed and used. Current museum arrangement does not allow for interpretation that it seems to be a reason that let down some of the interviewees. Curation of *Haw*-related collections could be expanded to tell fuller stories of the *Haw*. It also indicates that a research department might help in this process.
 - This may take the form of curating items that are related the Yawnghwe *Haw* but not limited to royal regalia, books, photographs, historical records, and oral

history of the people, and other significant materials. These artifacts contribute to the values of the *Haw* and may increase public understanding of the site.

- Some have indicated they may volunteer to collect old photographs people might have to reinforce the memory of the *haw*. Such information gathering and sharing can help the community in taking ownership of their heritage.

3. In articulating their wants or the perceived benefits of heritage conservation, one of the tangible outcomes of conservation could be that local builders and craftsmen are trained through capacity building programs, so that they may retain the knowledge to continue the conservation work on their own, and they may study and understand the *haw* better.

- Training and capacity building can enhance the local capability of heritage conservation with the possibility of disseminating conservation values to other heritage sites as well. It can also raise awareness about the importance of heritage and support the public to articulate the benefits of preservation for the community.

“The ancient Buddha statue that top the Mount Meru for the festival was cut off from his feet and stolen from the pagoda compound. Now, we have to install iron gates to house the other ancient statues.”

“There are so many dark places. There is few description. We should have tour guides/docents. CCTV cameras should be installed for security.”

*“I watch out for the *haw*. One time when I saw someone playing and dangling with the doors of the *haw*, I yell at them to scare them off.”*

4. One of the unsettling issues brought up during the interviews several times is the issue of security. They feel insecure about the safety of their heritage as they have seen many of their town’s cultural heritage looted without detention of a culprit. Security in and around the building should be implemented in order to protect the conservation work done on the building and other artifacts. Precaution is always good for important heritage sites like *Yawnghwe Haw*.

- Public may be involved in the periodical review of inventory and inspection so that they may have the opportunity to become familiarize with the heritage items the town possesses and feel secure about their heritage.
- Securing the perimeter of the Haw can also benefit the community in an indirect way since it can enhance the work of community watchdogs.

6.4 Governance Framework

A sound governance framework can provide tools and guidelines to the community and should be part of the process for managing the site. For the heritage sites to be protected and preserved for many years, clear laws and regulations are needed to inform the participants of dos and don'ts. They can protect the haw from impulsive government actions to an extent, given the precedents of previous political regimes which show little respect for the community. This section revisits Chapter 3 using this case study to amplify the need for reform in heritage laws in Myanmar.

As explained in Chapter 3, both Heritage Regions Law 1998 and Ancient Buildings Law 2015 lack serious public participation process. Moreover, having two laws is unnecessary, redundant, and confusing because ancient buildings are also included as part of the heritage regions. Both laws may be considered for consolidation into a single heritage law.

At the Union level, the Ministry of Culture or a relevant authority should oversee the protection and preservation of heritage significant to the national level while assisting the State, Regional, and local government to identify and protect their heritage locally. The Union government should mandate State and Regional governments to form heritage authority or commission to oversee the listing and protecting the heritage resources. A country as diverse as Myanmar can ensure equality through instituting the public participatory process in heritage identification, conservation, and management.

Equal access to government, the rule of law, and enforcement of regulations can assist tremendously in future development and understanding of heritage sites. Although there is no immediate risk to Yawnghwe haw, listing the site whether at a national or state level will not only elevate its status with legal protection but also demonstrates a clear commitment by the government, recognizing it as a valuable heritage asset of the Union.

The arbitrary requirement of 100-year age should be reconsidered or reduced to 40 years in order to include a wider representation of the history of the modern Union. The argument for elimination or reduction of age limit, as explained in section 3.3, is to cast the net wider to suit the need of the Union. Because the Union was formed in 1948, the historical sites that exist within the 68 years of the founding of the Union until today can only be included if the limit is less than 68 years old. For any buildings to be eligible, the building has to “exist 100 years before the day of investigation”²⁴⁰ or it has to be “above 100-year-old.”²⁴¹ The change is necessary for the case of Yawnghwe Haw because it was built between 1913 and 1926; it is not eligible although evidence through historical research and community interviews clearly demonstrates its worthiness for listing.

Although the law is a crucial component for protection, amending heritage law will be a significant challenge for Myanmar. While efforts could be made to reform the legal infrastructure, other management tools, policies, and framework should be pursued, for example, public engagement, public education and participation, private fundraising, etc., to build up public support for the conservation of Yawnghwe Haw.

²⁴⁰ 2009 Amendment to 1998 Heritage Regions law, Section 2b.

²⁴¹ 2015 Ancient Buildings Law, Section 2a.

Proposed governance framework with participatory decision-making process:

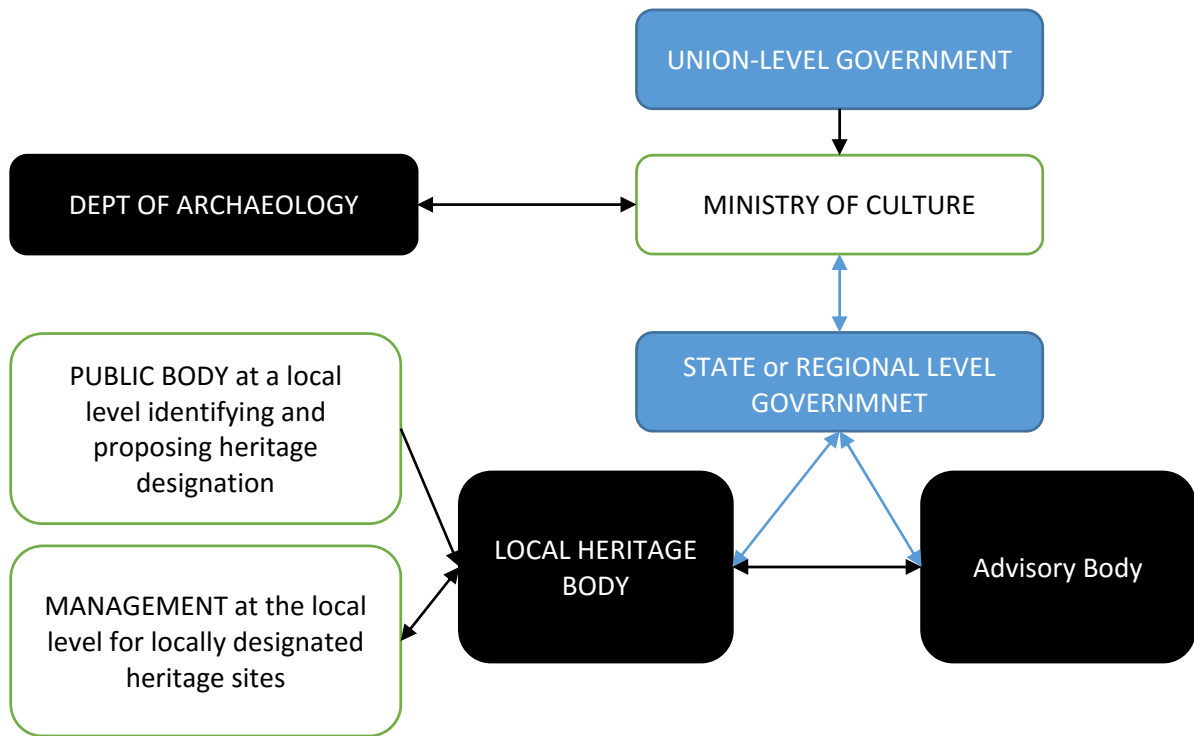


Diagram 5

6.5 Stakeholder Structure

A clearly laid out stakeholder structure can assist and guide the decision-making process involving multiple interests including the community. It will also help to avoid unnecessary disputes during the process. Ensuring just representation within the decision-making process and building consensus among stakeholders are crucial. The following are possible scenarios based on the assumption of the current situation for Yawnghwe Haw. By no means that this is a solution but a proposal to further the conversation of important stakeholders.

Stakeholders are identified in section 5.3. Current ownership and operation were also explained. In the future, two scenarios can be anticipated for Yawnghwe Haw: 1. The *Haw* is returned to the Yawnghwe family or 2. The *Haw* remains the property of Shan State Government.

If the Yawnghwe family secures the return of the Haw to the family ownership, the living family members have an important role to play in the process of public participation, assuming that the family will aspire to preserve the haw. Since the haw can be considered a shared heritage, a board of trustees may be established, consisting of the children of the last *Saopha*, an equal number of officials from the state department of culture, and residents of Yawnghwe elected by the community to the board. The details of the structure in how decisions will be made should be discussed earlier in advance to secure a diverse representation of stakeholders. A technical advisory group with professionals may be formed to advise the board in the management of the *Haw*. The board and the advisory group should oversee the public participation process and make sure the voice of the public is included in the management, interpretation, and presentation of the *Haw*. Before the transfer, written agreement should be made between the government and the family to prevent disputes in the future.

“If we lose the ground of the haw, the haw itself will begin to disappear. The ground is also important to preserve.”

Since there were precedents of other *Haws* in other states where the lands around the *Haws* are subdivided to be sold, and given that the community is also concerned about its open space, an agreement regarding the integrity of land is considered so that the historic setting remains with Yawnghwe *Haw*. Some have even suggested that all the lands that belong to the *Haw*, but currently operated by the Ministry of Communications, Ministry of Education and Ministry of Sports may be reclaimed and returned to the *Haw*. Relevant provisions to consider are that 1. *Haw* shall remain as a *Haw* and 2. *Haw* shall remain open to the public.

If the status-quo is maintained, the State should consider a heritage management plan that is inclusive of the stakeholders mentioned above to increase public participation in the execution of heritage management in the future.

6.6 Management Structure

Finding and funding necessary human resources can be a challenging task. However, a sound management structure for heritage sites may be considered to support the vision and objectives of this participatory framework at the haw. A lean and efficient structure of management body may be established to allow the financial and human resources to be used sparingly and effectively. This is not to prescribe what the Yawnghwe Haw with a structure but rather to discuss how haw can be managed in a way to support the previously explored policy improvements.

The management structure for the *Haw* may be constituted with a Board of Trustees or a managing board, a director, three co-managers to oversee the three categories of objectives, and other support staff. The Board of Trustees or a managing board would oversee the implementation of the proposed policies by the director. In order to guide the heritage conservation process, a technical advisory board consisting of heritage professionals, cultural experts, architecture and planning professional, may be recruited to advise the Board on the implementation of the policies. The interview with Nang Lao Hom who was in charge of the Yawnghwe Haw until 2014 revealed that there was a shortage of staff to carry out the work of a museum that they barely manage the upkeep of the large haw.²⁴² It was also because she was the sole responsible person on site. Proper management structure can help in improving work delegation. While all this may be a great challenge for Yawnghwe haw due to limited trained human resources in the field of heritage conservation, providing capacity building programs for those who are interested in heritage conservation within the community may be helpful. This also increases the prospect of residents of Yawnghwe caring for their heritage.

To tap into the volunteering spirit of Yawnghwe people, a community organization to support the *Haw* in areas of need can be considered. Because the volunteering spirit among the younger generation is strong at Yawnghwe, it cannot only aid the conservation of the Yawnghwe *Haw* but also add another layer of public participation in heritage conservation efforts.

²⁴² Nang Lao Hom, interview by Zaw Lin Myat, January 11, 2016.

Operational Management Structure that may be roughly developed for Yawngnwe Haw:

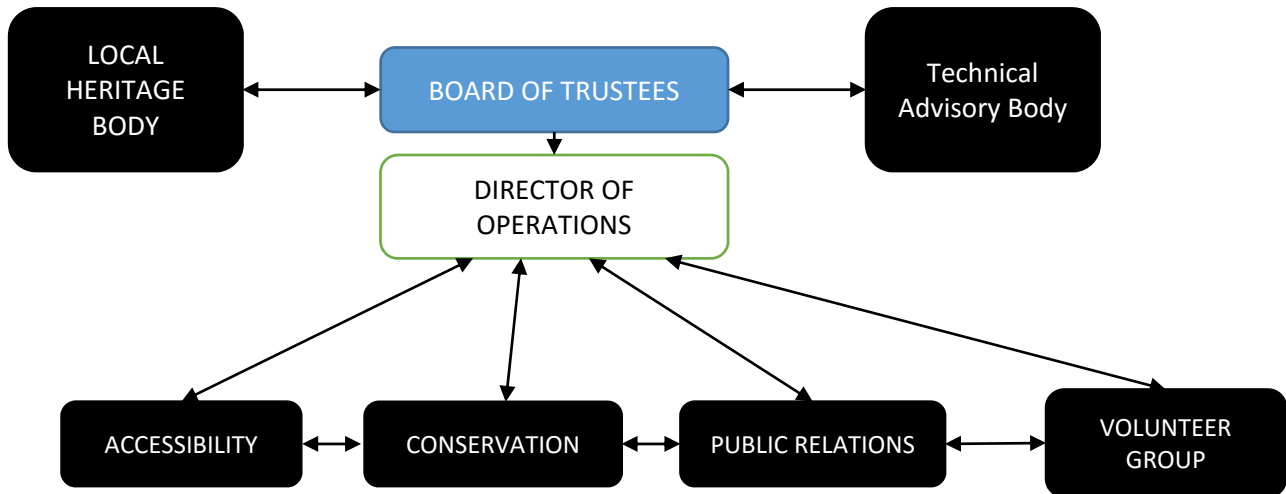


Diagram 6

6.7 Monitoring and Evaluation Mechanisms

Annual monitoring and evaluation of the haw is an additional step that could be undertaken with the help of the community in order to ensure the objectives and guidelines laid down by the management plan are fulfilled. Monitoring report and evaluation can be helpful in guiding the course of actions to make in the short-term and long-term plans. It is also an opportunity to understand if the participatory process is functioning for the benefit of the community. Evaluation mechanisms are complementary to the objectives in a sense that they keep the objectives in check. These are only examples to suggest the kind of activities relating to the policies explored in this chapter.

Area of concern: Accessibility and Use

Subject Focus: Social Justice

Summary Objective: Ensuring access to the haw by the community to enjoy their heritage.

Indicators: Monitoring the number of visitors, and occasional evaluation surveys are valid methods to understand the state of the accessibility by the people. Public feedback may be solicited to measure their likes and dislikes qualitatively to improve the policy objectives.

Area of Concern: **Participation and Inclusion**

Subject Focus: Participatory Management

Summary Objective: Keep the *Haw* relevant to the community and nurture the democratic processes.

Indicators: The public interest and engagement could be gauged with surveys as indicators of success. Also, using this data and feedback from the public, opportunities to make room for improvement might emerge.

Increase or decrease in the number visitors to the *Haw* each month or year could be one indicator of the success of these programs. The number of students visiting the *haw* should be tallied to understand the level of engagement. A number of volunteers participating in the day-to-day operations of the *Haw* can also be an indicator.

At any community event, whether during the management meetings or public events at the *Haw* or festivals, the number of visitors/participants may be indicators for future engagement.

Area of Concern: Conservation

Subject Focus: Conservation Management

Objective: Capacity building and conservation training

Indicators: Improvement in the quality of life of the people who participated in the workshops, training, etc., indicates the level of engagement. While this is a broad impact that can be difficult to survey, a general feedback of the public on their effectiveness can be sought.

6.8 Findings

Through the interview process and research, the community understanding of participatory decision-making is limited. Democratic processes did not take a firm root when Burma gained independence and five decades of authoritarian rule deprived the community of active participation in the matter of heritage conservation. There is still some residual fear found in some of the answers that they do not want to anger the government. However, there is also hope and enthusiasm among the community to contribute if an opportunity is given. The above framework discussed is a test case of how community input might be incorporated in the process that their participation translates to decisions made in the heritage conservation. They should be taken with a grain of salt because this is developed from the results of the general interviews conducted. Wider community participation is suggested to understand the aspirations further. The following quotes are answers to the question of how might the interviewees participate in the heritage conservation of Yawnghwe Haw. They are the evidences of enthusiasm. They want to be consulted. They want to contribute positively in maintain their heritage. The passion is there in Yawnghwe and a mechanism for participatory process will help them a long way.

"I am ready to serve if I am given a specific duty."

"If I am given a specific task for conservation of haw, I will do so."

"I can critique and offer suggestions. I want to suggest whichever government comes to power; it has to be preserved as long as the world lives."

"I might not participate due to old age. I am afraid I might not be able to fulfill the responsibility but I can be on the welcoming committee."

"I can advise together with others as part of a community organization."

"I can help collect old photos for conservation."

"If no opportunity is given, no matter how much we desire, we will not be able to do it."

"I can volunteer as much as I can."

"I can help with research."

"I want to volunteer for security around the haw. The ground is so bushy that sometimes there are drug users and sex workers."

"I stand ready to participate in an educational campaign to conserve the haw."

"It'll be good Shan language can be taught at the haw."

"I can volunteer as a docent for the haw."

"I can recruit friends to do the cleaning of the Haw together."

"I can help with gardening."

"As a lawyer, I can help with drafting laws if I am consulted."

"If I am asked to volunteer, I will. I can be part of a regular volunteer group."

"I can help sweeping the floors."

Chapter 7 CONCLUSION**How?**

How ethnic minority heritage can be better preserved in Myanmar is a complex question, and this research has identified certain areas where improvement can be made using people-centered policies and public participation frameworks. Top-down and centralized approaches used by previous governments under various political circumstances has not been effective for a diverse Union and has resulted in the marginalization of the heritage of the ethnic minorities and deterioration of heritage resources. Although years of political oppression restricted the potential for public participation in governance, the moment of change afoot in Myanmar today is palpably compelling citizens to contribute in rebuilding the Union. The issues of heritage conservation in Shan State addressed in this thesis are only a small fraction of the problems Myanmar face, but the research process helps to frame them and contributes to the understanding of shortcomings in heritage conservation in the minority states. Through the interview process and research, it is found that there is a limited understanding of what public participation encompasses. It is not surprising given that the people were removed from decision-making processes for decades.

Speaking of Shan State from the case study, the public does have the passion for taking on the responsibility of conserving their heritage. They have ideas. They have expressed what they want to see. Answering questions as part of this thesis research would have been unimaginable for community members under the previous SPDC government. When the author asked for consent to participate in the interviews, some of the respondents exclaimed that they could now freely express their views in “the age of democracy.” Neither the author nor the respondents would have been able to ask or answer

these questions just six years ago.²⁴³ There is certainly an optimism and hope in freedom of expression. Expressing one's identity and heritage freely is crucial in spurring the conversation surrounding these contested issues. In a way, the community is already participating in heritage conservation when conversation about heritage continues openly and frankly. The interview process also provided them with a voice. Thus, this research may help to amplify the concerns they had, and the vision and respect they demonstrated for protecting and preserving their heritage. The participatory process will succeed when they speak out more for the conservation of their heritage.

Why?

Heritage is shared by many through history and personal stories. Finding a common ground and consensus through the shared heritages can help in building amicable relationships between communities. However, there are insurmountable challenges, carried over through the history of the Union with many added layers of political complications. They present tough barriers to the participatory process. Establishing basic government infrastructure and support for participation is necessary to kick start the community-based heritage conservation efforts. While top-down approaches currently in place may be questioned, it has a role in supporting efforts to nurture grass-root level activities that support heritage conservation in ethnic states.

Nurturing democratic processes through heritage conservation is a possibility in Myanmar today. There is a potential for the new democratic government to engage the community in the decision-making processes, especially the decisions that directly affect peoples' built environment. Today, people face tremendous changes in their environment; heritage presents a critical opportunity as a tool to enhance public participation. In 1997, Daw Aung San Suu Kyi wrote that "we are a poor country not because

²⁴³ Out of abundant caution and to allow respondents to feel safe, the names of the respondents are protected.

there is an insufficiency of resources and investment, but because we are deprived of the basic institutions and practices that make for good government.”²⁴⁴ It is still true today, after almost two decades that strong institutions for public participation are absent in Myanmar. Creating a condition for the community to participate in managing their built environment means building institutions that can accommodate a platform through which the people are empowered to make decisions about their lives. History only points to the fact that ignoring public input could only leave scars in the community and exacerbate misunderstanding and distrust between ethnic nationalities. Healing can be sought through community understanding and participation in caring for their heritage and their pride.

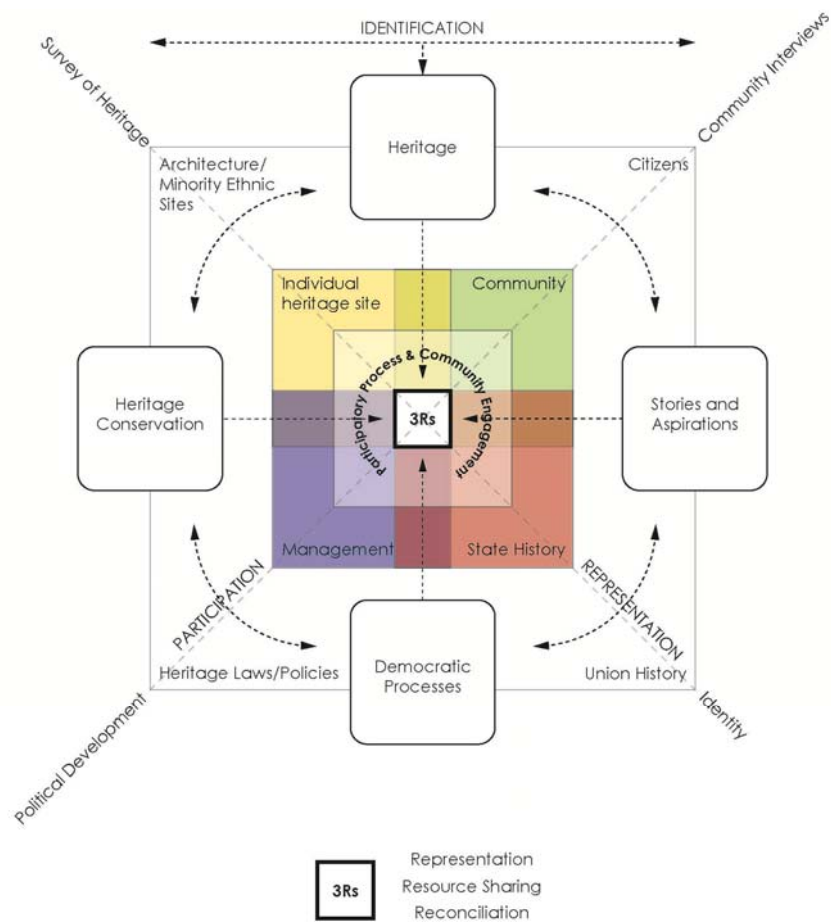


Diagram 7

²⁴⁴ Aung San Suu Kyi, “Please Use Your Liberty to Promote Ours,” New York Times, Feb 4, 1997, accessed May 1, 2016. <http://www.nytimes.com/1997/02/04/opinion/04iht-edaung.t.html>

The diagram 7 was developed from this research process, and it expresses the complex relationships and modes of operations that are necessary for public participation in conservation of heritage resources. Increased participation will be able to ensure better representation, resource sharing, and reconciliation. Self-determination and expression of ethnic nationalities in Burma may see the benefits of sharing social, economic, spiritual development within the Union. Instead of one central arbitrary voice of state with an agenda for authority and control, diverse voices can only enrich the history of the Union.

The people of Myanmar pledge to preserve the heritage of the Union together when they sing the national anthem; it is with the spirit of Panglong, equality and freedom, that all citizens who belong to the Union are afforded the opportunity to conserve their heritage they want. The new Union government faces enormous challenges but delegating responsibility through empowerment of local communities can help in the development of the institutions needed for inclusiveness in heritage conservation. This thesis will hopefully spur conversation about the need to conserve built heritage of the ethnic minority states and to advocate for inclusive processes in the heritage management practice in Myanmar.

Next Steps

The vast extent of this research focused on Shan State and Yawnghwe, but more research needs to be undertaken to understand other historic sites and communities. Public participation can also widely differ from place to place to depending on the demographics, but this thesis did not address specificities to local conditions, except in the case of Yawnghwe. This is an area that needs further expansion to understand the level of public interest in participation.

Built heritages of the ethnic minorities deserve attention from the government. General survey of *haws* in Shan State has shown many of the heritage sites left unprotected and ignored. Undertaking an inventory of sites in ethnic states should be encouraged whether at the State level or the Union level. Regarding the participation process, more research work needs to be done to assist in developing institutions, both public and private, that are necessary to accommodate this endeavor. The author did not have the chance to contact civil society organizations in Shan State other than studying the formation and constitution of the Shan Literary and Cultural Association. If there are more organizations, they should be further engaged to understand their role in the community. It will also help to raise awareness on the issue of heritage conservation in Shan State. Similarly, awareness of participatory process in heritage conservation should be promoted in other States as well as in seven other regions of Myanmar because preserving local heritage needs local action when Union-level government lacks interest and the resources to oversee them.

Lastly, the Union-level government should be urged to open the heritage nomination process to the public with transparency and to amend the laws to increase representation and participation in conserving heritage throughout the Union. The role of the Union government may be to guide the state and regional level governments in conserving their heritage, and to delegate authority to protect them.

ABBREVIATIONS

BIA	Burma Independence Army
BSPP	Burma Socialist Programme Party
KDRG	Karreni Development Research Group
NLD	National League for Democracy
SCOUHP	Supreme Council of the United Hill Peoples
SLCA	Shan Literature and Culture Association
SLORC	State Law and Order Restoration Council
SPDC	State Peace and Development Council
SWAN	Shan Women's Action Network
USDP	Union Solidarity and Development Party
YCDC	Yangon City Development Committee

LIST OF FIGURES

All images, otherwise cited in the footnotes in the body of the thesis, are taken by Zaw Lin Myat.

<i>Figure 1 Panglong Monument, Panglong, Shan State, Myanmar.</i>	26
<i>Figure 2 Map of Myanmar, June 2012</i>	30
<i>Figure 3 Map of Shan State and Location of Haws</i>	51
<i>Figure 4 A Poster of Shan Haws Distributed within Shan Community</i>	52
<i>Figure 5 Map of Hsipaw Haw</i>	54
<i>Figure 6 Hsipaw Haw (East Façade)</i>	56
<i>Figure 7 South Portico</i>	59
<i>Figure 8 Tractor in front of the haw</i>	59
<i>Figure 9 Emptied Swimming Pool</i>	59
<i>Figure 10 View from Southwest</i>	59
<i>Figure 11 Map of Sakantha Haw</i>	60
<i>Figure 12 Map of Sakantha Haw</i>	60
<i>Figure 13 Map of Sakantha Haw</i>	60
<i>Figure 14 Sakantha Haw (East Facade)</i>	61
<i>Figure 15 Sakantha Haw and its northern colonnades</i>	62
<i>Figure 16 Throne Room</i>	64
<i>Figure 17 Pediment with Peacock Emblem</i>	64
<i>Figure 18 Map of Lai Hka Haw</i>	65
<i>Figure 19 Lai Hka Haw (East Facade)</i>	66
<i>Figure 20 Artifacts and Photographs Display</i>	66
<i>Figure 21 Map of Pin Laung Haw</i>	68
<i>Figure 22 Pin Laung Haw (East Facade)</i>	69
<i>Figure 23 East Mingalar Stair</i>	70
<i>Figure 24 Tilting West Part of Haw</i>	70

<i>Figure 25 Map of Mauk Mai Haw</i>	71
<i>Figure 26 Mauk Mai Haw (Demolished)</i>	72
<i>Figure 27 Mauk Mai General Hospital</i>	73
<i>Figure 28 Map of Mong Nai Haw</i>	74
<i>Figure 29 Mong Nai Haw (East Façade)</i>	76
<i>Figure 30 West Portico of Mong Nai Haw</i>	77
<i>Figure 31 Map of Mong Pawn Haw</i>	80
<i>Figure 32 Mong Pawn Haw (View from Northeast)</i>	81
<i>Figure 33 Throne of Mong Pawn Saopha</i>	83
<i>Figure 34 Map of Sam Hka Haw</i>	84
<i>Figure 35 Map of Kantarawadi Haw</i>	85
<i>Figure 36 Kantarawadi Haw (East Facade)</i>	86
<i>Figure 37 Keng Tung Haw (Front Facade)</i>	89
<i>Figure 38 Map of Yawngghwe Haw</i>	99
<i>Figure 39 Painting of the old haw at the Yawngghwe Haw (Cultural Museum) with caption: "Image of Nyaung Shwe Saopha Sir Sao Mawng's Haw Palace which was burned down in 1269 <Myanmar era>"</i>	100
<i>Figure 40 Sao Shwe Thaike with His Court of Yawngghwe in the Throne Hall</i>	101
<i>Figure 41 East Elevation of Yawngghwe Haw</i>	103
<i>Figure 42 Royal Throne Hall with Gilded Throne in front of the hexagonal screen. Five Phaung Daw Oo Buddha Images were placed on the throne today.</i>	104
<i>Figure 43 Yawngghwe Haw (View of the Audience Hall with Seven-tiered Roof from the South)</i>	105
<i>Figure 44 Yawngghwe Haw (Eastern Facade with Mingalar Stairs)</i>	106
<i>Figure 45 South Elevation of Yawngghwe Haw</i>	118
<i>Figure 46 A Gilded Divan Displayed in Inner Audience Chamber</i>	119
<i>Figure 47 Exhibit of Court Clothing</i>	119

APPENDICES**A. Consent Form**

IRB Protocol IRB-AAAQ6654

COLUMBIA UNIVERSITY**INFORMED CONSENT DOCUMENT****Heritage Conservation in Myanmar: Nyaung Shwe Haw in Shan State**

Investigator: Erica Avrami and Zaw Lin Myat, Department: Historic Preservation

Investigators' statement

We are asking you to be in a research study for a master's degree thesis stated in the following. The purpose of this consent form is to give you the information you will need to help you decide whether or not to be in the study. Please read the form carefully. You may ask questions about the purpose of the research, what we would ask you to do, the possible risks and benefits, your rights as a volunteer, and anything else about the research or this form that is not clear. When all your questions have been answered, you can decide if you want to be in the study or not. This process is called 'informed consent.'

PURPOSE

Zaw Lin Myat is a graduate student at Columbia University's Graduate School of Architecture, Planning and Preservation (GSAPP). He is doing thesis research on Shan heritage and community participation processes in Myanmar. The final thesis will be presented to the thesis jury at GSAPP in April 2016.

The purpose of the thesis is to understand the state of preservation in Shan State and to develop policy recommendations for community participation in the preservation of Shan heritage. In particular, he will be researching about the Shan Haw in Nyaung Shwe Township and how community engagement and participation in the management process can bring benefits and opportunities to the local communities.

BENEFITS

While there are no direct personal benefits to those who participate in this study, we believe that this thesis will help in wider recognition of the need to include public input in the preservation of heritage in Shan State and in Myanmar that might bring benefits to the community at large.

PROCEDURES

We hope to interview you and we hope that you will participate in this brief survey to learn more about the issue of heritage preservation in Myanmar. You are being asked to take part in this study because you may have insight or opinion on the topic described above or you can be considered a stakeholder as a community member in Nyaung Shwe. We are interviewing about 30 people. We appreciate you for taking the time to speak with us. Your participation is entirely voluntary. We will talk with you for as long as you would like to but I expect the interview will take about 20-30 minutes. You can skip any questions you do not wish to answer.

RISKS, STRESS, OR DISCOMFORT

We do not foresee any risks, stress, or discomfort involved speaking with us but if you feel stressed or discomfort in answering any questions, you may stop answering at any time.

OTHER INFORMATION

I will not keep a record of your name and I will not publish anything you have told me in my final research without your written consent. I will carefully protect the information you share with me and information stored on my computer will be carefully protected with passwords. All data will be anonymous. You may refuse to participate or may withdraw from the study at any time without penalty or loss of benefits to which they are otherwise entitled.

PARTICIPATION

Participation in research is entirely voluntary. You may refuse to participate or withdraw from participation at any time without jeopardizing your employment, student status or any other entitlements. The investigator may withdraw you at his/her professional discretion.

ALTERNATIVES TO PARTICIPATION

There are no alternatives to participation other than non-participation.

PRIVATE INFORMATION

Any information derived from this research project that personally identifies you will not be voluntarily released or disclosed without your separate consent, except as specifically required by law.

CONTACT INFORMATION

If at any time you have questions regarding the research or your participation, you should contact the investigator, Erica Avrami or Zaw Lin Myat, who will answer all questions. The telephone number to contact is given. You should also contact the investigator or a member of the research staff if you have any concerns or complaints about the research.

If at any time you have comments regarding the conduct of this research or questions about your rights as a research participant, you should contact the Institutional Review Board (IRB) Administrator at (212) 851-7040.

PARTICIPANT'S STATEMENT

I have read the above purpose of the study, and understand my role in participating in the research. I volunteer to take part in this research. I have had a chance to ask questions. If I have questions later, about the research, I can ask the investigator listed above. I understand that I may refuse to participate or withdraw from participation at any time without jeopardizing my employment, student status or other rights to which I am entitled. The investigator may withdraw me at his/her professional discretion. If I have questions about my rights as a research participant, I can call the Institutional Review Board office at (212) 851-7040. I certify that I am 18 years of age or older and freely give my consent to participate in this study. I will receive a copy of this document for my records.

INVESTIGATOR'S STATEMENT

I have discussed the proposed research with this participant, and in my opinion, the participant understands the benefits, risks and alternatives (including non-participation) and is capable of freely consenting to participate in the research.

B. Interview Questionnaires

The following questionnaires were translated into Burmese by the author. Burmese language was used to conduct interviews.

1. Are you a resident of Nyaung Shwe?
 2. What is your ethnicity?
 3. What is your age?
 4. What is your occupation?
 5. What does heritage mean to you?
 6. Can you give me one example of heritage in Nyaung Shwe?
-
1. What is your relationship to the Nyaung Shwe Haw?
 2. Where have you learned about the Haw?
 3. What have you learned about it and how do you know about it?
 4. Have you visited the Haw?
 5. How often do you visit and why?
-
1. What is your personal view towards the Haw?
 2. Do you know the last resident of the Haw? Do you know anything about him?
 3. Do you learn about the Haw in school?
 4. Do your parents or children talk about the Haw?
 5. Do you talk about this building with the community?
-
1. What do you want to see in the Haw if you can participate in the decision-making process?
 2. What do you want to tell the government about the preservation and presentation of the Haw?
 3. What benefits do you think you can get from this Haw?
 4. What role do you think you can play in the preservation of the Haw?
 5. What would prevent or help you to participate in the conservation of this Haw?
 6. Do you want to see it preserved and what should it be preserved as?
 7. How important is this Haw in Nyaung Shwe?
 - a. Not Important
 - b. Somewhat Important
 - c. Important
 - d. Extremely important

BIBLIOGRAPHY

- Arnstein, Sherry R. "A Ladder of Citizen Participation," *Journal of the American Institute of Planners*, Vol. 35, No. 4. (July 1969): 216-224.
- Aung San Suu Kyi. "Please Use Your Liberty to Promote Ours," *New York Times*, Feb 4, 1997. Accessed May 1, 2016. <http://www.nytimes.com/1997/02/04/opinion/04iht-edaung.t.html>
- BBC. *Aung San Suu Kyi Registers for Burma Election Run*. January 18, 2012. Accessed April 4, 2016. <http://www.bbc.com/news/world-asia-16606608>.
- Brady, Brenden. "The Ancient Burmese City of Bagan Struggles for International Recognition." *www.TIME.com*, May 13, 2013. Accessed April 7, 2016. <http://world.time.com/2013/05/15/bagan/>
- The Burma Fund UN Office. *Burma's 2010 Elections: A Comprehensive Report*. New York: The Burma Fund UN Office. 2011.
- Callahan, Mary P. *Making Enemies: War and State Building in Burma*. Ithaca, NY: Cornell UP, 2003.
- Chao Tzang Yawngwe. *The Shan of Burma: Memoirs of a Shan Exile*. Singapore: Institute of Southeast Asian Studies, 2010.
- Colquhoun, Archibald R., Holt S. Hallett, and Terrien De Lacouperie. *Amongst the Shans*. London: Field & Tuer, 1885.
- Democratic Voice of Burma. *President Sworn in, Junta Dissolved*. March 30, 2011. Accessed April 4, 2016. <http://www.dvb.no/news/president-sworn-in-spdc-dissolved/15033>
- Department of Population, Ministry of Immigration and Population, the 2014 Myanmar Population and Housing Census.
- Elliott, Patricia. *The White Umbrella*. Bangkok, Thailand: Post, 1999.
- European Union Election Observatory Mission. 2015. *Preliminary Statement*. General Elections Report, Yangon: European Union Election Observatory Mission.
- Hodder, Ian. "Cultural Heritage Rights: From Ownership and Descent to Justice and Well-being." *Anthropological Quarterly* 83.4 (2010): 861-82.
- Holmes, Oliver. *Myanmar Swears in Htin Kyaw as First Civilian President in Decades*. March 30, 2016. Accessed April 4, 2016. <http://www.theguardian.com/world/2016/mar/30/myanmar-swears-in-htin-kyaw-as-first-civilian-president-in-decades>.
- Karenni Development Research Group. *Dammed by Burma's General's - the Karenni Experience with Hydropower*. 2006.

Khin Htay. "Myanmar Bayin Myar Ga Shan Sawbwa Myar Arr Chee Myint Taw Asaung Ayaung Myar (Royal Regalia Offered by to the Shan Sawbwas by Myanmar Kings)." *University of Taunggyi*, 2004.

Khin Ohmar. "Burma's Draft Association Law: a Smokescreen for Further Repression?", *Democratic Voice of Burma*, September 6, 2013. Accessed April 10, 2016.

<http://www.dvb.no/analysis/burmas-draft-association-law-a-smokescreen-for-further-repression/32276>

Khun Kyaw Sein. "Sawbwa Gyi Myar Pya Tike," Post-graduate diploma research. Yangon: University of Culture, 2003.

Langfield, Michele, William Logan, and Máiréad Nic Craith. *Cultural Diversity, Heritage and Human Rights: Intersections in Theory and Practice*. London: Routledge, 2010.

Logan, William. "Heritage in Times of Rapid Transformation: A Tale of Two Cities – Yangon and Hanoi," in G. Bracken (ed.) *Asian Cities: Colonial to Global*, 279-300.

Logan, William. "Closing Pandora's Box: Human Rights Conundrums in Cultural Heritage Protection." *Cultural Heritage and Human Rights*. Ed. Helaine Silverman. New York, NY: Springer, 2007. 33-52.

Logan, William. "Cultural Diversity, Cultural Heritage and Human Rights: Towards Heritage Management as Human Rights-based Cultural Practice." *International Journal of Heritage Studies* 18.3 (2012): 231-244.

Logan, W. "Whose Heritage? Conflicting Narratives and Top-down and Bottom-up Approaches to Heritage Management in Yangon, Myanmar," in *Urban Heritage, Development and Sustainability: International Frameworks, National and Local Governance*, London, Routledge, 2016; pp. 256-73.

Maung Shwe. *Linear Composition of the Kongbaung Monasteries*. Yangon: Taung Daw Publications, 2009.

Meskill, Lynn. "Human Rights and Heritage Ethics." *Anthropological Quarterly* 83.4 (2010): 839-59.

Meskill, Lynn. *The Nature of Heritage: The New South Africa*. Chichester, West Sussex, UK: Wiley-Blackwell, 2012.

Myo Myint Sein. "Shay Myanmar Eine Myar (Ancient Myanmar Houses)" in *Tatkatho Pinya Padaytar Sar Saung*, Vol 5, Part 4 (1970): 495-520.

U Nyein (Amat Htauk). *Mong Yawngwe: The Royal Chronical of Nyaung Shwe (1847-1926)*.

Ohmar, Khin. *Burma's Draft Association Law: A Smokescreen for Further Repression?* September 6, 2013. Accessed April 10, 2016. <http://www.dvb.no/analysis/burmas-draft-association-law-a-smokescreen-for-further-repression/32276>.

- Philp, Janette. "The Political appropriation of Burma's cultural heritage and its implications for human rights." *Cultural Diversity, Heritage and Human Rights: Intersections in Theory and Practice*. (London: Routledge, 2010), 83-100.
- Sai Aung Tun. *History of the Shan State: From Its Origins to 1962*. Chiang Mai, Thailand: Silkworm, 2009.
- Sanda, Sao. *The Moon Princess: Memories of the Shan States*. Bangkok: River, 2008.
- Sargent, Inge. *Twilight over Burma: My Life as a Shan Princess*. Honolulu: U of Hawaii, 1994.
- Schearf, Daniel "Burma Seeks World Heritage Status for Ancient Royal Capital," *Voice of America*, March 8, 2013. Accessed April 7, 2016.
<http://www.voanews.com/articleprintview/1617827.html?displayOptions=0>
- Silverman, Helaine, and D. Fairchild Ruggles. *Cultural Heritage and Human Rights*. New York, NY: Springer, 2007.
- Scott, James George, Sir. *Gazetteer of Upper Burma and the Shan States*. Vol. 2. 5 vols. New York: AMS Press, 1983.
- Shan Women's Action Network. *Forbidden Glimpses of Shan State*. November, 2009.
- Smith, Martin. *Burma - Insurgency and the Politics of Ethnicity*. London and New Jersey: Zed Books, 1991.
- Springer, Jon. *Reflecting On Myanmar's (Burma's) Future*. May 5, 2014. Accessed April 4, 2016.
<http://www.forbes.com/sites/jonspringer/2014/05/05/reflecting-on-myanmars-burmas-future/#5bc98cf83f29>.
- Thaung Tin Yee. *About Sam Hka: Sam Hka History*.
- Taylor, Robert H. *Foreign and Domestic Consequences of the KMT Intervention in Burma*. Ithaca, NY: Southeast Asia Program, Dept. of Asian Studies, Cornell University, 1973.
- United Nations Development Programme. "Human Development Indicators." 2015. Accessed February 7, 2016. <http://hdr.undp.org/en/countries/profiles/MMR>.
- World Bank. *Country Data Report for Myanmar*. Worldwide Governance Indicators. 1996-2014. Accessed February 7, 2016.
<http://info.worldbank.org/governance/wgi/index.aspx#countryReports>.
- Xinhua. *Myanmar Election Commission Announces NLD Wins Overwhelmingly in By-elections*. April 2, 2012. Accessed April 4, 2016. http://news.xinhuanet.com/english/world/2012-04/02/c_131504585.htm.