

## Research Articles

### Prince Boun Oum and the March 24, 1945 Treaty: A Possibility of Independent Champassak Following WW II

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#### Abstract

*This article is part of the author's ongoing study of Champassak and the formation of the new Lao state, with the aim of understanding Champassak's dubious standing within Lao state, Siam, French Indochina, and even its self-image. In terms of historical methodology, the author discusses the treaty reached between Prince Boun Oum and Charles de Gaulle's provisional government on March 24, 1945, which promised independence and membership in the French Union after WWII. Although Prince Boun Oum's ambitious goal of independence for Champassak failed, this situation could be viewed as another form of the Lao state that was overlooked after Lao independence. Finally, the Champassak case is relevant to the debate about the current existence of a nation-state in this region and ethnic nationalism.*

**Keywords:** Champassak, Laos, French Indochina, the Second World War.

## I. Introduction

The reunification of Lao states after WWII was regarded as a successful reunion: Vientiane, Luang Prabang, and Champassak were brought together after the dissolution of the Lan Xang kingdom. The achievement of Lao nationalists in uniting these ancient kingdoms was a critical claim for Laotians in forming a Lao nation-state within its current borders (Stuart-

Fox, 2002). Soren Ivarsson argues that a territorial dispute between Siam and France contributed to forming the Lao geo-body during WW II. As Ivarsson points out, when the Thai (former Siam) claimed sovereignty over the Lao states under French Indochina, Lao nationalists sought to explain how they differed from Thais, despite their relatively similar cultures and languages. In addition, nationalists had seen the concept of Lao unity as a vital point in achieving Lao independence after the colonial period ended (Ivarsson, 2008, pp. 61-70, 167-177). This assertion, however, might be questioned further in terms of how the Lao state came to be, and most scholars argue the colonial administration must be taken into account when determining whether the new Lao state succeeded in unifying all ethnic groups into one nation or whether this is a challenge they disregarded.

Furthermore, John Sidel has discussed the formation of a new state in mainland Southeast Asia, the primordial roots of the old polity, which was a multi-tributary system prior to the arrival of colonialism. This critical aspect of its history shaped the fate of the nation in this region, as shown by ancient, powerful states such as Siam, Burma, Vietnam, and Cambodia, all of which claimed the right to form larger states (Sidel, 2012, pp. 116-120). On the other hand, several small states in this region paid tribute to these great powers, and subsequently, when the modern state was formed, some were forced to join a nation-state, while others vanished, leaving their destiny ambiguous (Winichakul, 2004). As a result, while the House of Luang Prabang was able to maintain and expand its influence during French rule and after World War II, the House came to represent the Lao monarch, and other principalities such as Champassak and Xieng Khouang were regarded as ranking

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lower within the Lao formation (Evans, 2009, p. Introduction). It could be argued that Champassak House had several possibilities for state formation at the time, including joining unified Laos, joining Siam, joining French Indochina, or declaring independence. This article, on the other hand, looks at the March 24, 1945 treaty that Prince Boun Oum of Champassak (1910-1980) signed with de Gaulle's government during WW II (High Commission for French Indochina, 1945a) as evidence of the prince's decision to create an independent Champassak within a Lao federated state, even though it would not have happened otherwise.

## II. Divergent paths between the father and son of Champassak House

Champassak was a significant Lao state in the Lower Mekong, a tributary of the Siamese kingdom since the late 18<sup>th</sup> century. In 1893, the agreement between Siam and France regarding the Mekong River divided Champassak into two parts: the Muangs or cities under Champassak circles on the left side of the Mekong such as Khong, Attapeu, and Pakse, were transferred to the French colonial rule, while the seat of power on the right side of the Mekong was designated a neutral zone, with Siam exercising more influence over Champassak's ruler.

Thus, the extraterritoriality dispute between Siam and France became intense; negotiations began and the section of Champassak on the right bank was ceded to French Indochina as a result of the 1904 convention or an additional agreement to the 1893 treaty (Briggs, 1946, pp. 447-448). The French appointed a successor of the previous king of Champassak, Prince Nhouy (or Ratchadanay, a Siamese title, who ruled 1905-1946), as a governor of the delegate district of Champassak. It could be argued that the prince

maintained his position as a traditional leader, but in fact, he appeared to have no real power outside of his town, and his status was lower than that of the French Commissioner in Pakse Province (Stuart-Fox, 1997, pp. 29-30; French Indochina Government, 1911, pp. 908-910).

Thus, as WW II intensified, Premier Phibunsongkram of Thailand saw an opportunity in 1940 to renounce all claims relating to the Mekong Treaty—the 1893 territorial agreement between the French and Siam—owing to Japanese occupation and French defeat in Europe (Flood, 1969, pp. 305-309). The Franco-Thai War began in late 1940, and a cease-fire was not concluded until the Tokyo negotiations on May 9, 1941, which ratified Thailand's return of territory according to the 1904 and 1907 treaties. Subsequently, the right bank of Champassak was handed over to Thai control and became one of Thailand's new four provinces, known as "Nakhon Champassak" (Thailand Ministry of Interior, 1941). Prince Nhouy, firstly, considered the Franco-Thai War an opportunity to restore his title of "governor," which he had been forced to renounce in 1934, while the Thai saw in the prince of Champassak the potential to unite a people by exploiting his traditional role, similar to the position in old Siam. As a result, the prince was appointed acting commissioner of Champassak province. However, Prince Nhouy was later asked to serve only in an advisory capacity, with all significant decisions being made by a Thai officer (Murashima, 2005, pp. 359-360).

On the other hand, Prince Boun Oum, the son of Prince Nhouy, sided with the French. The prince began serving the French colony as a clerk in Pakse in 1932, and he was recognized for his important role in the Franco-Thai War, for which the French awarded him a medal for bravery (Le Vaillant, 1998, pp. 111-119, 395-396). When Prince Boun Oum joined the French forces in Southern Laos, he gained more respect and power, and he was

appointed as assistant for the inspector for political and administrative affairs in Middle and Lower Laos in 1945 (Le Vaillant, 1998, pp. 140-151, 396). The role of Prince Boun Oum in Southern Laos made him realize how much people respected his grandfather and father, as well as how important his Kingdom of Champassak was to the local population (Le Vaillant, 1998, pp. 163-164). However, he was only in the post for a short time before the French dismissed him, leaving Boun Oum deeply disappointed. Later, in March 1945, the French provincial government promised the prince a state under the French Union, providing him with the hope that he might revive his kingdom.

The different routes followed by the father and son of the House of Champassak are a controversial aspect that affected state formation after the war. As a result, as Le Vaillant explained, at the start of the war, the relationship between Prince Nhouy and Prince Boun Oum did not appear to be going well, pitting a Thai ally against a French ally. However, as a result of his father's illness, Prince Boun Oum contacted his family again at the end of 1945 (Le Vaillant, 1998, pp. 175-176). It could also be argued that Prince Boun Oum was well placed at the time due to his service in the Free French army and the guarantee he received from a treaty with de Gaulle's government. Archaimbault recounted that in the final days of Prince Nhouy's life, he saw hope that only his son could restore Champassak's glory (Archaimbault, 2009, p. 232).

### III. The March 24, 1945 Treaty

During World War II, most French colonies were incorporated into the Vichy government, but a few others rallied alongside General de Gaulle's Free French forces. (Forsdick, 2007, pp. 42-43). In Laos, the French

resistance to the Japanese began in 1943, with locals like Prince Boun Oum in the south providing support (Gunn, 1988, pp. 163-166). Thus, the Japanese Coup de Force on March 9, 1945, marked a major transition in Indochina in which the Japanese took control of the administration and supported Lao independence (Gunn, 1988, pp. 107-114). Shortly after, on March 24, the French provincial government issued a declaration regarding the future status of Indochina, based on the French Union concept proposed at the 1944 conference in Brazzaville, Africa (Forsdick, 2007, pp. 42-43; Thomas, 1997, p. 156). The French then appointed Prince Kindavong, a half-brother of Prince Phetsarath, as Chief of the Free Laos government in Calcutta (Gunn, 1988, p. 166). As a result, in terms of Indochina's future status, the promise made by the French to local leaders to become a semi-autonomous dominion within the emerging Indochinese Union or commonwealth of nations after the war appeared at a strategic time.

As previously stated, the importance of Prince Boun Oum of the House of Champassak aided him in ensuring Champassak's future, and he signed a treaty with France on March 24, 1945. This agreement could be interpreted as the French government acknowledging Champassak's authority as ruler of Southern Laos, which at the time included four provinces: Pakse, Saravan, Savannakhet, and Cammoan. Later, the prince viewed the statement as a "promise" made by the French in exchange for his cooperation in the Southern Laos resistance base, as shown in the text below.

Article 1: The government of the French Republic solemnly recognizes the rights and prerogatives of H.H. Chao (Prince) Boun Oum over the territory that

formed the kingdom of his ancestors;

Article 2: The government of the French Republic solemnly undertakes to restore H.H. Chao (Prince) Boun Oum in all his rights and prerogatives;

Article 3: Without prejudice to subsequent decisions which may affect the territories of Laos as to their unity, H.H. Chao Boun Oum is raised to the rank of Viceroy of Champassack;

Article 4: H.H. Chao Boun Oum accepts, under the conditions which will be stipulated in a later convention, the Protectorate of France over the whole extent of its states. (High Commission for French Indochina, 1945a)

The situation in Laos grew more complicated after the Japanese surrendered in August 1945. Laos appeared to be divided into three factions: the King and Crown Prince of Luang Prabang, the Lao government led by Prince Phetsarath, a Lao Prime Minister and Viceroy of Luang Prabang, and Prince Boun Oum of Southern Laos. To begin with, the Luang Prabang clan was the most powerful Lao family at the time. In the context of WWII, King Sisavang Vong (who ruled Luang Prabang 1904-1945 and Laos 1945-1959) held the throne since 1904 and knew how to play a political role. Consequently, he sought restitution from the French and was granted the provinces of Vientiane, Xieng Khouang, and Haut Mekong when the French lost Sayaboury, one territory under Luang Prabang House, to the Thai (Evans, 2009, pp. 6-10, 59). Then, on April 8, 1945, with the support of the Japanese, the king declared Lao independence, claiming sovereignty over all of Laos.

However, there was a rivalry in this House between Crown Prince Savang Vatthana (who ruled Laos 1959-1975), an elder son of the king of Luang Prabang, and Prince

Phetsarath (1890-1959), a son of the viceroy of Luang Prabang. According to French sources, the crown prince was seen as a snob, while Prince Phetsarath had a reputation as intelligent and dynamic and was known at the time as “the King of Vientiane” (The Police Commission, 1948). Prince Phetsarath had served the French administration in Laos since 1914, allowing him to gather support from both old and young Lao elites and certain French officials. The conflict between the two princes grew worse after the crown prince attempted a “palace revolution” to seize power in his father’s name, relegating Prince Phetsarath to a secondary role (Gunn, 1988, p. 112 quoted in Ivarsson, 2007, p. 65).

As a result of the Japanese defeat, Prince Phetsarath was able to declare Lao independence, with many Lao elites supporting his ideas and acting under his influence, including Katay Don Sasorith, Nhouy Abhay, and Oun Sananikone. Even though Prince Phetsarath centered Lao unity on the concept of a constitutional monarchy, accepting unity under the king of Luang Prabang, the king felt Prince Phetsarath had not sought his permission first. On October 10, the king decided to dismiss Prince Phetsarath as viceroy and prime minister of Laos. Later, the prince collaborated with the Issara group and received recognition from the Thai government, after which the Issara government announced Lao unification and the first constitution on October 12 (Ivarsson, 2008, pp. 212-213; Ivarsson, 2007, pp. 65-68). According to Watson-Ford, the conflict with the king grew more intense when the Issara government dethroned the king and crown prince (Watson-Ford, 2020, p. 178).

On the other hand, the Issara government’s announcement requested the cooperation of all principalities to unite as one nation, challenging not only a schism in the Luang Prabang clan but also doubts about Prince Boun Oum’s status (Gunn, 1988, pp.

142-143). According to Ivarsson and Goscha, Prince Phetsarath and the Issara group raised the idea of forming a “Greater Laos” within the “Thai Federation” (Ivarsson, 2007, pp. 67-68). At the same time, Prince Boun Oum agreed to bring his House into a Lao federation with the House of Luang Prabang and other principalities such as Xieng Khouang (Le Vaillant, 1998, pp. 176-177). During the war, Prince Boun Oum attempted to persuade Oun Sananikone, a follower of Prince Phetsarath, that allying with the French would be beneficial to Lao independence because France could provide tools, resources, and money, particularly in the areas of education, medicine, and telecommunications, but Oun disagreed with at the time (Sananikone, 1975, pp. 17-18; Le Vaillant, 1998, pp. 159-160).

Moreover, it could be noted that at that time, some southerners were indeed opposed to Prince Phetsarath’s proclamation, as Archaimbault has stated, that the southern communities should vote for autonomy under Prince Boun Oum of Champassak House in October 1945 (Archaimbault, 2009, p. 232). Two letters from Savannakhet and Champassak—one from Leuam Insixiangmay, a governor (Chao Khoueng) of Savannakhet, and the other from provincial authorities from Pakse—indicated their refusal to follow Prince Phetsarath. Consequently, these southerners agreed to join the Lao Federation and the French Union as independent states, with three major proposals: first, to reestablish Lao unity under a “Royal Laos” government; second, to revive the principality of Champassak as an independent state; and third, to restore the power of Prince Boun Oum of Champassak House (High Commission for French Indochina, 1945b).

According to Gunn, Prince Boun Oum’s family background and character garnered favor from the French and the Lao. Gunn compared Prince Phetsarath’s image to that of the “Satou” (Lord) of Luang Prabang, who

dominated the northerners, and Prince Boun Oum’s image to that of a guardian of the south (Gunn, 1988, p. 168). As a result, the southerners’ statement above may be regarded as a potential for state formation in Laos, as Prince Boun Oum and some southerners believed at the time that the “Lao federation” with French support was preferable to the “Thai Federation” led by Prince Phetsarath and his supporters. The southerners felt that if the French won the war, Prince Boun Oum, as their representative, would be their leader, in charge of managing the southern region under the King of Laos’ suzerainty, and that the de Gaulle government would back their efforts to establish peace and genuine Lao unification (High Commission for French Indochina, 1945b).

In contrast to the king of Luang Prabang, Prince Boun Oum believed that the king’s proclamation in April only referred to his kingdom in the north, contradicting Prince Phetsarath. Prince Boun Oum was distrustful of Prince Phetsarath and his brothers, whom he believed were attempting to keep his House out of Lao politics and the line of King Luang Prabang.

Without informing the sovereign, Viceroy Phetsarath, who was acting as Prime Minister at the time, proclaimed the union of the kingdom of Luang Prabang and the territories of Champassak on September 15. I knew what it meant for us because Prince Phetsarath was my father’s mortal enemy; it was he who persuaded the Resident Superior to force my father, who had been appointed governor for life, to resign abruptly in 1934. Similarly, I believe it was he who had my position as inspector for political and administrative affairs in Southern Laos ended. Prince Phetsarath, along with his

brother Prince Souvanna Phouma and half-brother Prince Souphanouvong, sought to depose the king; it was merely a feudal conflict [...] Once the Crown Prince had been removed, the family of the Viceroy formed a block to seize power under the veil of independence (Le Vaillant, 1998, pp. 163-164).

Ultimately, it may be argued that Prince Phetsarath and his followers had no idea that Prince Boun Oum's power in the south would affect their plans. In April 1946, the prince and Issara government members were exiled to Thailand after the French victory in Indochina, and the king of Luang Prabang was re-enthroned. Prince Boun Oum hoped that the March 24, 1945 treaty, which included the French guarantee to restore his Champassak, would re-emerge.

#### IV. Conclusion

Prince Boun Oum regarded the treaty of March 24, 1945 as a commitment to have his kingdom recognized, as he had stated to the French authorities after his father died in May 1946 on his goal of achieving Champassak independence through a referendum of people in the south:

My idea is not to break with the principle of Laotian unity but, within the framework of a Laotian Federation and the French Union, to give to the provinces over which the kingdom of my ancestors extended the autonomy indispensable to their full political, cultural and economic development. Following the precedent of Cochinchina, a definitive consultation, if not a referendum, could take place in

this field with the populations that I have had the great joy of always sustaining in their loyalty to France, protector of their freedoms and aspirations. It is for this purpose and taking into account the consultations that I have carried out, that I have had Professor Pinto prepare the attached constitutional statute of the state of Champassak, a statute that I intend to submit shortly, under the direction and control of your services, for the approval of the populations of Southern Laos (Bas-Laos). In the meantime, I would like to ask you to let the principality of Champassak function as a de facto autonomous state under the French protectorate, which would allow me to oppose the decision that Siam would take to give my father, S.A. Chao Ratsadanay Nhouy, who died in Siamese territory, a national funeral (Na Champassak, 1946).

A French-Lao committee was formed in June 1946 to draft a provincial agreement based on the principles of de Gaulle's declaration, with the main goal of establishing a new Lao state based on a constitutional monarchy with the king of Luang Prabang as sovereign and Vientiane as the political and administrative capital. Furthermore, the French would only serve as advisers under the framework of the Indochinese Federation and the French Union, leaving Laotian leaders and representatives in charge of the Constituent Assembly and the promulgation of the Unity and Constitution, with the provincial administration coordinating federal services (Duparc, 1947, pp. 543-546) (De Raymond, 2020, pp. 111-113, 183-184).

The French authorities seriously discussed Champassak's position in a future constitutional structure in Laos. Roger Pinto, a French law professor at the universities of Lille and Saigon, stated that the problem of maintaining the Indochinese Union in this region was caused by August Pavie's decision on administration in French Laos, noting that the French governed this region in various forms during the French colonial empire: protectorate, semi-colony, and direct rule. Pinto suggested that the French must keep the promise made on March 24, 1945, by de Gaulle, particularly regarding Champassak, and the result of the referendum in which the southerners chose to be part of the Lao federation and allow Prince Boun Oum to rule the south. Giving Champassak the same status as other states, in his opinion, would enhance public faith in the French and help them achieve their goal of a "government by the Laotians for the Laotians," resulting in the establishment of a democratic system in the region (Pinto, 1946).

However, Jean Deuve argued that giving Champassak independence under the Lao federation was difficult due to the legal consequences of the king of Luang Prabang's proclamation, which impacted the agreement signed between the French and Prince Boun Oum because it referred to the entire Lao French territory, which included Southern Laos (Deuve, 1984, pp. 1-3). Moreover, while Jean-Francois de Raymond, a French commissaire in Laos at the time, admired and sympathized with Prince Boun Oum, who had been a major ally of France during World War II, he believed that allowing the prince to assert his claim to Champassak could lead to a future Lao formation conflict. It presented to de Raymond a process to ensure Prince Boun Oum's status as a Champassak prince and named him an "Inspector for political and administrative for Laos" in exchange for renouncing his claim to sovereignty (De Raymond, 2020, pp. 111-113).

In August 1946, France and Laos agreed on a provisional *modus vivendi*, followed by a protocol in which Prince Boun Oum renounced the throne. The prince was disappointed by the outcome; he was more concerned with Crown Prince Savang's rise to power in Southern Laos, as well as the issue of Champassak on the right bank, which was still under Thai control. Thus, at the time, the prince maintained his goal of restoring Champassak's autonomy within the union, with the support and advice of his French friend, Andre Coué, their project aimed to establish the "Southern Laos" or "Greater Laos," which would include certain Thai northeastern regions that were once part of the ancient Champassak kingdom. This idea was expressed to some French and U.S. authorities, who advised the prince to bring it to the attention of international organizations (Coué, 1947). It could be said that the March 24, 1945 agreement, which recognized Prince Boun Oum and his "Royal Kingdom of Champassak," caused the prince to consider establishing a new state under his House. Although this southern independence plan was never realized (Le Vaillant, 1998, pp. 244-245), international recognition became an important element for Prince Boun Oum to support his ambition during the early stages of Lao state formation. Also, given the breakdown of the federation and reassessment of ethnic conflict in this region, the Champassak case may help illuminate discussions regarding the current existence of a nation-state in this region.

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