

***Law, Society and Transition in Myanmar.* Edited by Melissa Crouch and Tim Lindsey. Oxford, United Kingdom: Hart Publishing, 2014. Hardcover: 442pp.**

***Metamorphosis: Studies in Social and Political Change in Myanmar.* Edited by Renaud Egretteau and Francois Robinne. Singapore: National University of Singapore Press, 2016. Softcover: 448pp.**

The fast-changing political dynamics in Myanmar defy any attempt to provide timely academic research that will aid laymen and scholars alike in understanding the transition of this former enigma in a cocoon. Two edited volumes now fill the oft-lamented vacuum of academic and policy analysis on Myanmar's trajectory of political change.

The twenty-chapter *Law, Society and Transition in Myanmar*, edited by Melissa Crouch and Tim Lindsey, is the first comprehensive collection to examine Myanmar's legal system and the broader political implications of legal reform. Readers should treat this as a one-stop resource to understanding how law, history and societal life in Myanmar collide with and influence the country's political development and transformation. The volume delivers on its promise to fill the information and understanding gap on the historical legacy and key issues that legal reform in contemporary Myanmar requires. The editors rightly acknowledge the neglect of legal scholarship on and in Myanmar up to the present. The compendium is a welcome effort by legal scholars to remedy this shortcoming, taking advantage of Myanmar's political and administrative reforms initiated in 2011–12 which have led to a "resurrection" of the study and interpretation of law.

The introductory chapters (1 to 3) lay out the legal landscape and the nascent law reform process that started in 2013, as well as analysing the intersect between social and legal life in Burma/Myanmar that have added extra layers of complexity to an already complex system. Even the term "common law" in Myanmar does not carry the same meaning as it does elsewhere. From Andrew Huxley's discussion of the influence of Buddhism on Burmese law in the past, and the lasting impact of not just colonial legacies but also the post-1962 coup attempts to remodel the legal system by the military; to Nicholas Cheesman's analysis of the treatment of "bodies" that offended or disrupted order in colonial Burma, readers are afforded a valuable insight into how present attitudes

have been shaped towards race, ethnicity and (legal) identity. This is the Gordian knot that Myanmar faces today. Contrasting with the Burma Law Reports of the past, Dominic Nardi and Lwin Moe's closer look at the Myanmar Law Reports of 2007–11 reveal the nature of what the present-day courts deal with, and highlight the judiciary's lack of independence.

The circumstances under which Myanmar's 2008 Constitution was ratified, and the clauses that a) provide a role for the military in the legislature and b) place stringent limitations on eligibility for presidential nomination, are widely known. Contextualizing the Constitution however, is a challenge rarely met. David William's insightful overview of the 2008 Constitution and its flaws, and the comparative analysis of similar transitory experiences by Anne Dziedic and Cheryl Saunders, achieve this task well. Melissa Crouch brings the examination of the Burma and Myanmar Law Reports further by assessing the reintroduction of constitutional writs that enable citizens to apply to the Supreme Court to review government decisions (a constitutional right that was non-existent in the post-1962 period up to 2011).

Chapters 10 to 13 on economic, political and business reforms are required reading for anyone seeking to understand the legal underpinnings of doing business in Myanmar. Sean Turnell analyses the laws pertinent to enabling Myanmar's economic reforms with a note of caution that while these laws lay an important foundation for continued reform, their implementation faces an inherent challenge when authority and personality are conflated. Tun Zaw Mra gives a high-resolution take on one such challenge in the area of Myanmar's stock exchange (launched in December 2015), and Melinda Tun makes the case for principle over politics in reforming the Myanmar Companies Act (originally called the Burma Companies Act, enacted in 1914) to attract listings on the stock exchange and further investment in the country. Michael Lidauer and Gilles Saphy posit a thoughtful perspective of personal will trumping legal procedure in their dissection of Myanmar's electoral history, from their unique viewpoint as members of the European Union observer mission to the 2010 elections and 2012 by-elections in Myanmar.

Exploring the boundaries of business and politics in Myanmar, Kyaw Soe Lwin assesses the future of industrial relations in Myanmar, where workers have gained greater voice and rights, but where accountability for industrial relations may continue to be affected by the existing ties between the military and business community. Nicholas Farrelly and Alistair Cook, in their respective chapters,

examine the repercussions of violence in Kachin State where the legal status of the Kachin Independence Army/Organization (KIA/O) is uncertain at ceasefire negotiations with the government, and the access to legal rights (or lack thereof) and humanitarian assistance by the civilian, displaced populations caught in the conflict between the KIA/O and the military. In the absence of legal mechanisms, social and religious networks are filling the delivery gap that existing institutional channels fail to meet.

Comparing Myanmar's experience to other countries in the region, Tim Lindsey looks at how the Indonesian model has influenced Myanmar's leaders past and present, and may likely provide a lens to examine Myanmar's democratization process. Catherine Renshaw examines ASEAN's normative influence on change in Myanmar, including the further development of human rights and democracy on the regional agenda. Andrew Harding then rounds off this volume by discussing the nexus between Myanmar's legal reforms and continuing democratization, highlighting their relevance in a "long process of mutual discovery" (p. 394).

Metamorphosis, edited by Renaud Egretteau and Francois Robinne, continues to fill the gap of scholarly analysis on the intersecting political, social, religious and ethnic issues that beset Myanmar's agenda for change, and provide clear insights into the complexities of the country's troubled trajectory. *Metamorphosis* should be read for the historical and societal context of the complex issues for which the quasi-civilianized Thein Sein administration failed to entrench effective responses. This collection will prove a good reference source for Myanmar's new lawmakers, and individuals or entities seeking to understand, participate or engage in Myanmar's transition towards democracy and the rule of law.

The editors have arranged the essays of *Metamorphosis* along four cross-cutting themes: political and institutional ecologies; identity; social change trajectories; and the Buddhist-Bamar dominance. Egretteau's essay on soldiers as lawmakers sets the tone for the first theme, where the renaissance of parliamentary politics is juxtaposed with the preponderance of military legislators. The importance of hierarchy in the military culture influences the evolving policy role of parliament. But there are also other cultures that shape politics in post-reform Myanmar. Alexandra de Mersan's narrative of the political evolution of an Arakanese Member of Parliament parallels with a focused snapshot of how historical and nationalist identities have shaped political culture in Arakan state (now Rakhine), especially after the 2012 Rakhine-Rohingya conflict. Elliott Prasse-

Freeman's detailed analysis of the political impact of grassroots social movements highlights the tensions of land acquisition for development projects, and the complex dynamics between local protestors and political activists. The conflict dynamics become more pronounced when identity is layered into politics, as illustrated by the essays examining the Shan, Rohingya and Kachin perspectives of, and responses to the mainstream-margin divide, as well as the contestation of what constitutes identity in Myanmar in the face of "centred Burmanness" (p. 105). The essays by Rosalie Metro, Susan Banki and Celine Coderey provide different dimensions of where nascent social change, with further space, will be most impactful, building on existing local, social movements in education and healthcare, and by homeland activists whose vulnerable status in exile add a greater sense of urgency to their advocacy. Any volume on Myanmar's socio-political transition would be incomplete without further delving into the Buddhist-dominant nature of societal life. Hiroko Kawanami gives a thoughtful assessment of the role and status of Buddhist nuns in a rapidly changing society that continues to be patriarchal. Benedict Brac de la Perriere's detailed account of the Buddhist clergy's role in times of transition clarifies the roots of ultra-nationalist attitudes towards race and religion. Robinne's concluding chapter on ethnic and religious identity of non-Buddhist nationals is a fitting round-off to the volume. The common and unchallenged use of the word "race" among English-speaking Burmese is a striking and sobering fact.

In this period of change and transition, with restrictions now fading into the past, a metamorphosis also needs to take place in research on Myanmar, by including more contributions from local scholars and experts. *Law, Society and Transition in Myanmar* has attempted this, albeit with a small number of Burmese research views. Still, the issues surrounding and affecting Myanmar's first metamorphosis towards normalization are clearly laid out in these two volumes, paving the way for assessing future transformations. As first attempts, they set a high bar.

MOE THUZAR is Fellow at the ISEAS–Yusof Ishak Institute. Postal address: 30 Heng Mui Keng Terrace, Singapore, 119614; email: moe@iseas.edu.sg.