

***The Business of Transition: Law Reform, Development and Economics in Myanmar.* Edited by Melissa Crouch. Cambridge, UK: Cambridge University Press, 2017. Hardcover: 288pp.**

Although Myanmar scholarship languished for many years due to lack of either interest or opportunity, since the opening of Myanmar in 2011 both have burgeoned as scholars from many disciplines have become keen to uncover the transformations taking place and assess the prospects for further change. In this edited volume, the contributors draw on their considerable experience of Myanmar, often stretching back to the period of absolutist military rule.

This collection is in fact the third in a series of books on Myanmar edited by Melissa Crouch, a Myanmar legal scholar at the University of New South Wales.<sup>1</sup> It brings together scholars from several disciplines: Southeast Asian area studies; politics and public policy; development studies; law; business studies; geography; economics; sociology; and international relations. A feature of the new Myanmar scholarship has indeed been its pleasing interdisciplinarity, highly appropriate in a situation where too narrow a disciplinary perspective may well miss much of what is worthy of study and explanatory of context. The word “business” in the title is presumably deliberately ambiguous, as the book deals both with the instrumentality of bringing about transition (aid, sanctions, civil society) and with the role of business itself in this transition: indeed all of the chapters are concerned directly with business in one form or another (social enterprise, labour standards, microfinance, special economic zones, extractive industries, local businesses). Although the focus is on “the way in which law creates new markets, law embodies hopes of social engineering and law reform is motivated by the goal of economic gain” (p. 1), the law itself is only part of the concern of most of the chapters. That is probably as it should be, because of the need to look at law reform/rule of law issues from the vantage point of particular issues or sectors. Essentially, therefore, this book is more about business than it is about law. It will be of interest not just to those who are concerned with Myanmar’s progress, but also those who are concerned with development elsewhere in the world. For better or for worse, Myanmar is the clear current example of global partnership for development. The editor invites us to “think carefully and critically about the intersection between law, development and economics in times of political transition” (p. 1).

One might of course question here the use of the word “transition”. Transition implies a starting point and an end point at which one can say that some specific change has been accomplished — here presumably “transition” would indicate a transition from military to democratic rule. It is, however, clear from all of the contributions that no such analysis may be applied to Myanmar’s situation, and that despite the changes that have taken place and continue to take place, the country’s problems are ongoing and overshadowed by the *continuance* of a form of military rule rather than transition to stable conditions of civilian/democratic rule. As Martin Krygier says in his excellent Foreword, this “is no foreordained linear passage from a rejected dysfunctional past to a wished-for and promised future” (p. xvi). Yet perhaps the complexity and ambiguity of such passage may ultimately result in a recognizable form of transition — whether or not to a “promised future” — we read enough here, at least, to learn that it will certainly not be “linear”. Much of what is presented in these chapters, despite the caution and nuance in addressing “transition” and “development”, gives the assurance that certain things are improving and that they can improve further if good decisions are made by Myanmar’s rulers and the international community. One example (an example that surprises many new visitors to Myanmar) is the growing power and long experience of civil society, which in the past often resisted military rule and supplied its deficiencies, and now acts as a powerful voice for communities directly affected by development. This is evidenced, for example, in Chapter Three on extractive industries, Chapter Five on access to microfinance, Chapter Eight on land-grabbing for SEZs and Chapter Ten on international aid. In similar vein, in Chapter Four on social enterprise, John Dale and David Kyle offer hope that future regulation would protect workers and provide much-needed employment for former political prisoners. Two chapters on SEZs — Chapter Seven by Josh Wood and Chapter Eight by Lauren Nishimura — present a less positive picture. Not only have SEZs been misconceived as engines of economic development, they have also had a devastating impact on local communities. Two final chapters (Chapter Nine by Catherine Renshaw on international sanctions, and Chapter Ten by Tim Frewer on international aid) analyse the impact of the international community on Myanmar’s development.

The book is introduced and framed by an excellent chapter by the editor placing the discussion within the history and trajectory of law and development and offering helpful pointers to those who wish to learn about Myanmar and about development processes.

Overall this book presents acute and critical analysis by experts in some quite technical fields, placing the law firmly in context, but also offering solid reasons for hope of improvement in law, regulation and governance as it impacts on both business and society.

Finally, it should be noted that only one of the contributors (one of the three in Chapter Two) appears to be a Myanmar national. The perspectives offered are thus essentially those of international scholars. It is to be hoped that scholarship from Myanmar itself will develop along with other aspects of life in Myanmar so that future scholarly work would evidence a greater partnership between Myanmar and international scholars. Such a development would not just in itself be evidence of change but would hopefully facilitate further change by enhancing Myanmar's capacity to examine itself and the development processes through local perspectives.

#### NOTE

- <sup>1</sup> The others are Tim Lindsey and Melissa Crouch, eds., *Law, Society and Transition in Myanmar* (Oxford, UK: Hart Publishing, 2014); Melissa Crouch, ed., *Islam and the State in Myanmar: Muslim-Buddhist Relations and the Politics of Belonging* (Oxford, UK: Oxford University Press, 2016).

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ANDREW HARDING is Professor of Law, National University of Singapore. Postal address: Faculty of Law, NUS, 469G Bukit Timah Road, Singapore 255769; email: lawajh@nus.edu.sg.