

BOOK REVIEW

***Rule of Law Intermediaries: Brokering Influence in Myanmar.* By Kristina Simion. Cambridge, UK: Cambridge University Press, 2021.**

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Kristina Simion’s book, *Rule of Law Intermediaries*, is a wonderful and pathbreaking book, a unique ethnography based on qualitative and participant observer research in Myanmar. It is fascinating to read as well as insightful about the rule of law industry and the mostly local brokers – “intermediaries” – who speak Burmese and serve in multiple ways to translate the international donor community into the local context. The importance of these often-neglected brokers is demonstrated powerfully by the rich narratives and analyses. Dr. Simion also addresses the practical world of reformers, “If the question is how to build a rule of law abroad, then the answers in no small part lie in who these intermediaries are, what they do, and how and why they do it” (2). Dr. Simion shows how these roles may change over time in response to local circumstances and global fashions. Indeed, the book examines the period of great optimism with a rule of law explosion in Myanmar in 2014, to the period of 2020, when that optimism has largely dissipated. Now, there is conflict in Myanmar again after the 2021 coup.

In one sense, Dr. Simion provides a specific answer to the question of, “how foreign-led interventions can be conducted more effectively and without risking the further strengthening of authoritarian systems of law and order” (4). Following especially Sally Merry, the book laments the failure of the rule of law recipes to be effectively translated locally, or “vernacularized” in Merry’s terminology (195). Also, again citing Merry, those who push the local understandings and ideas are more likely to produce hybrids that are effective, while those who insist too much on the global lead to “failed replicas” (195). Maybe, Dr. Simion suggests, an emphasis on the role of human rights and justice, suggested by some intermediaries, might have been a path to an effective hybrid.

The challenges are many, however. One is that the government is still authoritarian in many ways, and therefore especially wary of foreign ideas and influences that might undermine governing power. It seems also that many of the intermediaries in the past had been opponents of the government. The government also distrusts foreigners

because of the long period of sanctions and Myanmar's colonial history. Intermediaries thus try to hide or play down their foreign connections and influences. Language is also a major problem because the foreign rule of law contingent working in Myanmar had almost no ability to speak Burmese. They desperately needed intermediaries, but their selection criteria led them to people who could speak English, were likeable and had large networks; but they were not necessarily influential, nor passionate about or conversant about the ideals of rule of law assistance. And one other problem was partly linguistic, the rule of law in Burmese was often translated into and confused with rule by law or law and order, which is what the state and many individuals particularly valued in any event. Some parts of the book are almost comic in explaining the mistranslations and misunderstandings.

The foreign experts were constantly lamenting the inability of the Burmese, including some intermediaries, to recognize and embrace what the experts were promoting. And the intermediaries themselves could not persuade the foreign experts and the donors supporting them to stray from their versions of global orthodoxy. The potential solution, as suggested earlier, could be for donors to listen not only to "international 'expertise' and knowledge" but also "to take into account intermediaries' accounts" (4) of local perspectives and the historical context.

One of the virtues of Dr. Simion's work is that, while, this potential solution is recognized, and there are some hints of what might help start that process, she is quite realistic about the difficulty of finding the right global-local mix that would indeed contribute to building the rule of law rather than "inadvertently" but predictably strengthening the government. There are a number of passages in the book that evince considerable skepticism about the possibilities for rule of law reform in Myanmar. For example, "In hindsight, it is ever so obvious that any attempts at 'democratisation' in Myanmar have always been part of a calculated transition crafted by the military to guarantee its continued grip on power" (84). The book thus has a "critical perspective" on the "attempts to translate Western principles to new settings" (204). And in the conclusion the author reiterates that the ideals were doomed from the beginning: "one outcome of foreign intervention in Myanmar must be 'rule of law' with an authoritarian cast" (210; 18).

From the point of view of one much farther from the idealism of rule of law movements and the model of liberal democracy that has inspired so much promotional literature, the skeptical passages ring true. An authoritarian government forced by strong economic sanctions and economic hardship – and confronted also with the pervasive orthodoxy of the Washington Consensus represented by the World Bank and IMF among many others – apparently had little choice but to open up the economy to foreign trade and investment; and then also to seek to gain credibility as an investment destination through some pretense of openness to democratization and rule of law reform: thus, the apparent invitation to the rule of law industry to make major investments in Myanmar. But the quasi-military government in power had no interest at all in ceding political power, which did not leave much room for steps toward liberal democracy and rule of law reform. It seems that intermediaries and the government were not ignorant of this limitation. At the same time, to speculate further, a good portion of the political opposition may have been co-opted within the rule of law and other global reform movements.

This book should be mandatory reading for individuals seeking to understand the role of local intermediaries in globally influenced or sponsored political, social and economic change, including foreign rule of law initiatives and law and development programs. More generally, this work is a rich source on the dynamics of successful and unsuccessful quasi-colonial processes accompanying the Washington Consensus. So far Myanmar is no success.

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