

SEAS Special Seminar on Constitution in Myanmar

THE ROLE OF CONSTITUTIONS IN AUTHORITARIAN REGIMES: The Case of Myanmar

October 27th, 2023. 3 p.m.-4:30 p.m.

Tonantei (Room 201), 2F

Inamori Foundation Memorial Building, CSEAS, Kyoto University

Constitutions are an important feature of many authoritarian regimes. But what role do they in fact perform in processes of authoritarian regime stabilization and legitimation? Much of the contemporary literature focuses on authoritarian constitutionalism in transitions away from constitutional democracy. My talk considers the opposite scenario: pre-emptive constitution-making as a mechanism of authoritarian constitutionalism to contain a potential transition toward constitutional democracy. This is illustrated through the case of Myanmar. Since the 1960s, Myanmar has experienced successive periods of direct military rule without a constitution, followed since 2011 by a new constitution. Adding to the comparative literature on constitutions in authoritarian regimes, my talk explains how pre-emptive constitution-making limits a transition to liberal democracy and contributes to authoritarian-regime resilience. The case of Myanmar offers comparative insights into the ways constitutions are used to contain transitions to constitutional democracy and illustrates the varieties inherent in authoritarian constitutionalism.



PRESENTER



Melissa Crouch

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Melissa Crouch is professor in the Faculty of Law & Justice, the University of New South Wales, Sydney, Australia. Melissa's research contributes to the fields of law and society; comparative constitutional law; and law and religion. In 2022, she won the Podgorecki Prize for outstanding scholarship of an early career socio-legal scholar, awarded by the Research Committee on the Sociology of Law, the International Sociological Association. In 2023-24, Melissa is president of the Asian Studies Association of Australia, the peak interdisciplinary academic association for the study of Asia in Australia. Her current research focuses on the role of law in authoritarian regimes.



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