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# Evaluating Legal Education Reform in Myanmar: Implications for Peace and Justice (2010-2020)

Nan Kham Mai

*Freelance Researcher, Myanmar*

*Corresponding Author: nkmai07@gmail.com*

Pyone Mon Aye

*Freelance Researcher, Myanmar*

Nyein Wai Wai

*Freelance Researcher, Myanmar*

Vachararutai Boontinand

*Institute of Human Rights and Peace Studies, Mahidol University, Thailand.*

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### ABSTRACT

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*This study examines the reform of legal education through Critical Legal Studies, with a particular focus on how practice-oriented reforms contribute to Sustainable Development Goal (SDG) 16.3 by promoting the rule of law and ensuring equal access to justice. It assesses whether the new legal education system can produce legal professionals who possess not only legal skills but also the motivation to serve society by disseminating knowledge to raise awareness of people's rights, duties, and privileges. The research uses online surveys and interviews to collect information and explore the opinions of lecturers and students on five issues: curriculum, capacity-building, teaching methodology, teaching materials, and research. Drawing on surveys of 33 teaching staff and interviews with 19 faculty members and 18 students from 10 universities, the study found that there has been inequality in implementing all five aspects (curriculum, teaching methodology, capacity-building, research, and academic freedom) of the reforms among universities, teachers, and students to achieve SDG 16.3. The report suggests that the accessibility and equitable distribution of resources should be included in the state's reform framework and are as important as curriculum reform.*

## Introduction

'Promote the rule of law at the national and international level and ensure equal access to justice for all' is one of the targets of Sustainable Development Goal 16 (SDG 16). The Central Statistical Organization, which operates under the Ministry of Planning and Finance, affirms that, as Myanmar is a member of the United Nations, it fully recognizes the SDGs, as they align with national objectives and priorities (Central Statistical Organization, n.d.). Legal education is a vital tool for achieving this goal by nurturing qualified law graduates who possess the capacity and ethics essential to building strong institutions for peace and justice in society. It can also enhance the role of personnel in the justice system in assisting peacebuilding and supporting human rights, human development, and democracy (Iwuàla, 2022). Meanwhile, global trends in legal education prompt countries to reform their curricula and update pedagogy to align with new developments (Sung & Lee, 2006; Lien, 2005). Some countries have reformed their legal education in response to the adoption of a new political system and societal changes (Blomquist, 2004).

Legal education is increasingly seen as an essential tool to promote peace and justice in society. In the Myanmar context, in 2010, a military regime gave way to a partial civilian government (Bünte & Dosch, 2015). A series of rule-of-law reforms followed this political change (International Bar Association's Human Rights Institute, 2012). The reform of university legal education became part of the process, as legal education in Myanmar had suffered from poor quality during the period of dictatorship. The reform aimed to upgrade legal education to nurture skillful legal professionals, who, to build peace and justice in a democratic society, should have not only the legal skills to practice before the court but also an attitude to serve by sharing their legal knowledge regarding the fundamental human rights of citizens (Iwuàla, 2022). It is anticipated that the greater the legal awareness and culture, the easier and faster it will be to build a democratic state governed by the rule of law and a free and peaceful civil society. To fill the knowledge gap on this relationship, Myanmar's transition is a case study of the strategic importance of legal education in building the rule of law and democratic culture in a country.

Myanmar's legal education reform followed the adoption of the National Education Law enacted by the Hluttaw in 2014. One of its purposes was to strengthen the rule of law and uphold human rights standards through education (National Education Law, Section 3). It also provided that universities have the right to be independent and self-administered (National Education Law, Section 4), with priority for research and development (National Education Law, Section 28), and the authority to decide on entrance criteria (National Education Law, Section 26). Significantly, it stated that a teacher's obligations include contributing to national and community development and loving, valuing, protecting, and developing democratic practices (National Education Law,

Section 50). Although the Higher Education Law has not yet been passed, the National Education Strategic Plan (NESP) 2016-2021 was adopted and implemented.

Although there is no separate provision in the strategic plan for legal education, it is included as part of higher education reform. In Myanmar, 18 universities offer law courses<sup>1</sup>. Two of these also offer a Ph.D degree. With the support of various international institutions, the programs for human resources capacity building, curriculum reform, and the quantity of cooperation and collaboration between Myanmar universities were increasing (Lall, 2020), especially among the University of Yangon, the University of Mandalay, and foreign universities. Within a decade, some law teachers received training relating to language skills, IT skills, teaching methodology, and research methodology. However, it has been pointed out that these opportunities were not equally available or accessible to all universities and lecturers (Lall, 2020).

Although there have been previous studies on legal education in particular (Zan, 2008) and Myanmar education reform in general (Liljeblad, 2019), no study has evaluated legal education reform between 2010 and 2020. Thus, this study of legal education reform during Myanmar's transition from military rule to partial civilian governance tries to fill a knowledge gap in transitional justice literature by demonstrating how educational inequality can undermine broader democratic consolidation efforts. The study's findings can inform donors, international institutions, and states in developing strategies to build democracy after a period of dictatorship or military rule.

### **Research questions**

1. How has the legal education reform affected the functions, capacity and opportunities of teaching staff?
2. Can reformed legal education provide competent legal education to students?
3. Do teaching staff and students from different universities get equal opportunities in the reform setting?

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<sup>1</sup> University of Yangon, Dagon University, East Yangon University, Yangon University of Distance Education, Taunggyi University, Pha An University, Mawlamyine University, Pathein University, Dawei University, Sittwe University, University of Mandalay, Yadanabon University, Mandalay University of Distance Education, Monywa University, Magway University, Taunggyi University, Panglong University, and Myitkyina University.

## **Objectives**

The research objective is to assess the impact of legal education reform on the functions, capacity, professional opportunities, and equity among teaching staff, and to evaluate the effectiveness and equity of the reformed system in providing necessary legal knowledge and skills to students across different universities for promoting the rule of law and equal access to justice (SDG 16.3).

This study employed Critical Legal Studies (CLS) as a theoretical foundation, which fundamentally argues that traditional legal education and doctrine primarily serve as ideological tools that legitimize and reproduce existing social inequalities (Unger, 1986). This framework guides the analysis to a critical evaluation of whether the current legal education reform genuinely counters this hegemonic function—a necessary institutional precondition for achieving the objectives of SDG 16.3. The research will therefore assess five key areas—curriculum, teaching methodology, capacity building, research, and academic freedom—to determine if the institutional changes empower staff and equip students with the competence and critical consciousness required for social justice advocacy, while simultaneously evaluating the distributive equity of resources across universities to prevent the reform itself from simply reinforcing the existing two-tiered institutional hierarchy (Kennedy, 1997). This study extends transitional justice literature by demonstrating how educational inequality can undermine broader democratic consolidation efforts.

This study seeks to fill gaps in the literature on the role of legal education in building peace and justice, legal education reform in transitional democracies, and the Myanmar legal education context and challenges. It then explains the research methods. The findings and analysis present five aspects of legal education reform, including the challenges and progress made. The study discusses the analysis results through the lens of CLS. It concludes by addressing inequality in the implementation of legal education reform across universities, as part of the goal of achieving peace and justice in Myanmar. It provides suggestions for both state and international institutions.

## Literature Review

### Legal Education in Building Peace and Justice

To build a democratic society, it is essential to empower people with legal knowledge to access justice. This concept is affirmed in SDG 16, which highlights the crucial role of legal education in achieving peaceful and inclusive societies. Legal education provides access to justice for all and builds effective, accountable, and inclusive institutions. By equipping individuals with the knowledge and skills to understand and uphold the rule of law, a better and more just society can be built. In this regard, Edwards (1992, p. 34) argued that "... the schools should be training ethical practitioners and producing scholarship that judges, legislators, and practitioners can use." According to the UN Basic Principles on the Role of Lawyers, "governments, professional associations of lawyers and educational institutions shall ensure that lawyers have appropriate education and training and are made aware of the ideals and ethical duties of the lawyer and human rights and fundamental freedoms recognized by national and international law" (United Nations, 1990, Principle 9). For society, legal education should nurture future legal professionals, not only lawyers or judges, but also those who should have a much broader role to serve society in disseminating knowledge for making people aware of their rights, duties, and privileges. According to Wizner (2002, p. 1929), there are crucial connections among legal education, public interest, and law students, and "the law school clinic is the primary place in the law school where students can learn to be competent, ethical, socially responsible lawyers". In addition, Hutchins (1937) maintained that the practical aspect of legal education is the training of students in the operations of legal thinking. In other words, "legal education must consist of the study of law as it practically operates, the study of how the law came to be what it is, and the study of the principles which must be employed to solve the problem of what the law ought to be" (Hutchins, 1937, p. 368).

### Legal Education Reform in Transitional Democracies

Legal education reform in countries transitioning from dictatorship to democracy poses unique challenges. The literature on transitional justice and rule of law initiatives underscores that these reforms are typically driven by the need to establish a system within the former institutions grounded in human rights and constitutionalism (Carothers, 2007).

International donor agencies often focus on curricular liberalization—introducing new courses such as human rights, constitutional law, administrative law, or international law—as indicators of success. However, scholars like Popoff (2018) highlight that such reforms often fail to address the deeper pedagogical and institutional issues rooted in decades of state control. In

these contexts, legal systems were often designed to prioritize state stability and obedience rather than adversarial accountability. Genuine change in this transitional domain requires a shift from a regulatory mindset to a rights-based one. Key indicators of success include structural reforms to promote academic autonomy, overcoming faculty resistance to critical teaching methods, and decentralizing curriculum development without central government control.

### **Myanmar Education Context and Challenges**

Concerning Myanmar, a country that needs to build peace and strengthen justice in society, legal education can play a crucial role in producing future legal professionals who can serve Myanmar society by educating people about the law and their fundamental rights. Following political changes in Myanmar after 2010, legal education reform became part of the Ministry of Education's transformation process. The National Education Strategic Plan 2016-2021 included higher education reform that aimed "to produce graduate human resources who possess the required qualifications for the construction of a new, modern, developed, disciplined, democratic nation" (Ministry of Education, 2020, p. 188).

According to the ASEAN SDG Indicator Baseline Report 2020, Myanmar is well-positioned to benefit from the experiences of other ASEAN countries and to share its own experiences as it mainstreams SDG work into its reform and decentralization processes (ASEAN Secretariat, 2020). Meanwhile, during the transition to democracy in Myanmar, the government accepted international institutions' involvement and collaborated with them across various sectors to promote human rights, democracy, and the rule of law. As such, various programs and support have been provided by international agencies for Myanmar's legal education reform. They include the introduction of a Clinical Legal Education Program by the international organization BABSEACLE to 18 law departments (BABSEACLE, 2013), and a program to integrate international human rights law as a core subject into the curriculum and provide Human Rights Education training for teaching staff and students in universities by the Denmark-Myanmar Program on Rule of Law and Human Rights of the Danish Institute of Human Rights (DIHR) (Aung & Aaen, 2020). In addition, reform relating to university governance, teaching, and research capacity-building is supported by the CHINLONE project (CHINLONE, 2018). In this regard, legal education reform has been implemented through curriculum reform and various capacity-building programs with the support of international institutions. For legal education, Liljeblad (2019, p. 474) suggested

that if Myanmar is to continue on a path of democratization, then there is a clear need for it to follow Kenneth Rosen's admonition for a legal system with lawyers who recognize and fulfill a conception of professional responsibility that supports democracy

and the rule of law. To the extent that legal ethics concerns the professional responsibility of lawyers, this need calls for legal ethics education in Myanmar that provides lawyers with knowledge and understanding of the relationship between their profession and the country's transition, and of the commitment and capacities required to exercise that relationship in ways that direct the transformation towards democratization.

Critically, Cemmell revealed the restrictions on the freedom to pursue research and limitations on teaching content, such as materials that are not allowed to be taught (2009). Dr. Myint Zan (2008) pointed out that it is necessary to improve the quality of teaching staff, the entrance system, assessment system, and curriculum of Myanmar legal education. Though the reform initiated by MOE in education policy and law, the question of "can the implementation of post-2010 reforms achieve the SDG 16.3?" remains unexplored. To rigorously assess the comprehensive impact of this reform, the study employs a mixed-method approach guided by the CLS framework, focusing on five interconnected pillars as sensitizing concepts to analyze the systemic inequalities in implementation. This approach allows us to measure change against the standard of distributive equity necessary to strengthen the rule of law and achieve equal access to justice (SDG 16.3).

## **Research Methods**

This study employed a mixed-methods approach. This design began with a quantitative survey, followed by in-depth qualitative interviews. The mixed-methods philosophy is essential to this research because it enables a nuanced understanding of a complex, politically sensitive social change (Creswell & Plano Clark, 2017). The survey used Google Forms to reach those with internet access. The survey questions were designed to gather basic information from lecturers regarding teaching materials and facilities, opportunities for research and academic freedom, opportunities for training and access to libraries provided by the Ministry of Education, and Ministry activities relating to community legal teaching conducted by teaching staff from law departments.

## **Political Context and Research Positionality**

The research was conducted during a period of extreme political instability following the February 2021 coup, which led to nationwide university closures and the widespread Civil Disobedience Movement (CDM). This volatile context deeply influenced data collection and interpretation, necessitating unique security measures and likely introducing a self-selection bias

among participants toward those most available, engaged, or critically affected by the environment.

The research team comprised four members: the Principal Investigator (PI) and two researchers from Myanmar and one from Thailand. The Principal Investigator and Myanmar researchers handled the survey, interviews, secure communications, data analysis, and research writing. The research design was developed collaboratively by the PI and Myanmar researchers, and the review of the research design and research tools, as well as editing the writing, were conducted by a researcher from Thailand. This team composition was a strategic choice to balance participants' security with analytical rigor.

### **Sampling Strategy**

Given the post-coup political situation and university closures, we employed purposive sampling to target teaching staff with at least three years of experience who were accessible via secure channels. The interviewees include teaching staff in the positions of lecturer or assistant lecturer, and those with work experience at one or more universities or Centers of Excellence (COEs) with at least three years of service. This requirement ensures practical involvement in the implementation of the legal reform process. Since Myanmar has an annual transfer system for university teaching staff, work experience across different universities can provide insights into educational performance, available opportunities, and differences in development between universities in big cities and those in remote areas.

**Table 1: Number of Participants and Universities**

Data Type	Target Group	Sample Size	University
Survey	Teaching Staff (Google Form)	33	11 Universities
Interviews	Teaching Staff (Phone/Virtual/Email)	19	10 Universities
Interviews	Undergraduate Students (email)	18	4 Universities

The 33 teaching staff respondents represented different ranks, including Professors (3), Associate Professors (3), Lecturers (17), and Assistant Lecturers (4), reflecting the hierarchical nature of the system.

The selection of universities was crucial for addressing equity concerns and consisted of:

1. Two COE: Pioneers of the reform process.
2. Five high-enrollment universities: Located in major state/regional cities.
3. Three remote universities: Characterized by low enrollments and resource scarcity.

This stratified university selection enabled us to compare the opportunities and challenges faced by lecturers and students across different types of universities and to examine the implementation of legal education reform across universities.

### **Data Collection and Analysis**

The research team used semi-structured interview questions to interview three categories of interviewees: Category 1 comprised three professors and three associate professors; Category 2 comprised 11 lecturers and two assistant lecturers; and Category 3 comprised 18 undergraduate students. The interviewees were from 10 selected universities with law departments that differ in terms of academic performance, the number of enrolled students, and location.

Interview questions focused on the opinions of the lecturers about their roles and functions in their departments, their teaching methods, assessment methods, freedom of education and research, and their duties and rights as university teaching staff.

The interviews with students on their satisfaction with the current legal education included questions about university facilities, such as library access, including e-resources, freedom of education, and extracurricular activities related to legal education in which students have participated.

COVID-19 rules and security concerns restricted data collection due to the political situation. Interviews were therefore conducted by phone, via virtual meetings, and by email, as convenient and available, rather than in person. The small sample size limits generalizability but provides rich, contextual insights into reform implementation.

Interview transcripts were analyzed using thematic coding. The initial coding structure was deductive, based explicitly on the five operational pillars of the theoretical framework. A triangulation strategy was used to integrate the data:

- Survey Data established the patterns and scale of resource gaps.
- Interview data provided the context explaining why these gaps occurred and how they impacted staff functions and student learning.
- Document analysis (of reform policies, law and curricula) provided the normative

baseline against which implementation failure or success was measured.

### **Ethical Compliance**

This study followed the research ethics guidelines of the Grant Institution and conducted the field data upon its approval. Participants provided informed consent, and anonymity was rigorously maintained, with names and potentially identifying details omitted from all records and reporting.

## **Findings and Analysis**

### **Quantitative Findings**

The initial survey findings were collected from 33 teaching staff. This data provided quantitative data regarding the extent of training, resource availability, and challenges faced during the reform period.

Table 2: Teaching Staff Survey Results (N=33)

<b>Activities</b>	<b>Categories</b>	<b>Yes N (%)</b>	<b>No N (%)</b>	<b>Maybe N (%)</b>
Curriculum	Opinion on contribution to the rule of law, democracy and human rights	2 (6.1)	10 (30.3)	21 (63.6)
Capacity Building	Curriculum development	14 (42.4)	18 (54.5)	1 (3.1)
	Any capacity building	18 (54.5)	14 (42.4)	1 (3.1)
	Democracy and human rights	21 (63.6)	7 (21.2)	5 (15.2)
	E-resources	18 (54.5)	13 (39.4)	2 (6.1)
Teaching	Applying a student-centered approach	23 (69.7)	5 (15.2)	5 (15.2)
	Designing lesson plans	22 (66.7)	4 (12.1)	7(21.2)
Teaching Materials	Teaching materials/e resources	4 (12.1)	23 (69.7)	6(18.2)

Activities	Categories	Yes N (%)	No N (%)	Maybe N (%)
	Internet access	8 (24.2)	16 (48.5)	9 (27.3)
Obstacle to doing Research	Time management	10(30.3)	11(33.3)	12(36.4)
	Publication	12 (36.4)	10(30.3)	11(33.3)

**The survey results are summarized below:**

### **Curriculum**

The data indicate teachers' views on the effectiveness of curriculum reform in promoting the norms of the rule of law, democracy, and human rights. The survey data reveal that 30.3 percent of respondents did not believe the curriculum can implement effective legal education. In contrast, the majority (63.6 percent) indicated they were unsure whether the curriculum could contribute to effective legal education. A small minority (6.1 percent) of participants believed that the current law curriculum can effectively deliver legal education.

### **Capacity Building**

The survey data suggest uneven participation in key professional development areas. While a majority of respondents indicated they had received training related to democracy and human rights (63.6 percent said Yes) and any form of capacity building (54.5 percent said Yes), participation in core reform areas was lower. Notably, curriculum development training was inaccessible to a majority of respondents, with 54.5 percent reporting they had not received it. Similarly, 42.4 percent had not received any general capacity-building training, indicating a significant segment of the teaching workforce remains excluded from these foundational reform inputs. Training related to e-resources also showed a near-split, with 54.5 percent confirming access and 39.4 percent reporting none.

### **Teaching Methodology**

Responses regarding pedagogical training were relatively positive, suggesting some success in formal training provision. Nearly 70 percent of staff (69.7 percent) reported applying a student-centered approach, and 66.7 percent reported having been trained in designing lesson plans. These figures suggest that the reform efforts have made headway in introducing contemporary teaching concepts, at least formally.

## **Teaching Materials**

The data reveal a critical gap in resource provision, directly affecting staff's ability to implement learner-centered methods. An overwhelming 69.7 percent of teaching staff reported a lack of sufficient teaching materials or e-resources for reference. Furthermore, nearly half of all staff (48.5 percent) reported inadequate internet access. Only a small fraction (12.1 percent) reported sufficient availability of materials and e-resources. These resource deficits are a substantial constraint on teaching effectiveness, regardless of the training received.

## **Research**

Responses were highly varied regarding obstacles to conducting research, such as the time available for administrative work and research, and the availability of platforms for publishing papers, suggesting inconsistent institutional support and prioritization. For both indicators, the "Yes" (obstacle exists), "No" (obstacle does not exist), and "Maybe" responses were nearly evenly distributed, demonstrating widespread uncertainty or highly individualized experiences regarding the research environment.

## **Qualitative Findings**

To understand how reform was implemented, the study analyzed laws and other relevant materials, combined with qualitative data, in assessing curriculum reform, capacity-building training, teaching methodology, teaching materials, and academic freedom.

### **Curriculum Reform**

Myanmar's legal curriculum design has been highly centralized. The curricula for a university discipline are determined by a Board of Legal Studies (BOLS), composed of all heads of law departments under the MOE, a Judicial Officer from the Supreme Court (the Director), and officials from the Attorney General's Office and the Judge Advocate General's Office. As the Law Department of Yangon University is responsible for organizing BOLS meetings, it exerts significant influence on decision-making. The BOLS establishes curricula and syllabi, as well as references and teaching methods, for all law departments (Participant 1, personal communication, December 12, 2021).

Remarkably, there has been a significant reform in curriculum content that is reflected in the integration of the topic of Human Rights Law into the third-year law curriculum and the Rule of Law and Legal Ethics as a chapter and a section in a chapter, respectively, and the Introduction to the Study of Law subject in the first-year law curriculum. Nonetheless, an associate professor

pointed out, "although the lessons relating to the Rule of Law and Legal Ethics are included in the curriculum, if the teaching and assessment methods lead the students to learn by heart, it will not have the effective result that we expect" (Participant 2, personal communication, December 13, 2021).

International organizations and academic institutions, including the Denmark-Myanmar Program, the BABSEACLE program, the Institute for Studies of Human Rights program at Columbia Law School, and the CHINLONE project by the Erasmus+ Program of the European Union, have provided support for training in curriculum design. However, surveys and interviews with teaching staff indicated that university lecturers do not receive this training equally. The COE universities and those in urban areas have more opportunities to receive support than universities in remote areas.

### **Capacity Building**

Capacity-building training provided by universities, the MOE, and foreign organizations includes English-language and IT training. Follow-up interviews also indicated that some teaching staff from universities in remote areas had not attended any training. A professor from a university located in a remote area reflected that "all universities have unequal opportunity to join capacity building training because only the COE universities can easily find the chance to get capacity training in their universities as well as in foreign countries" (Participant 3, personal communication, December 15, 2021).

In this connection, email interviews with law students revealed that 80 percent participated in capacity-building programs such as Clinical Legal Education and Community Teaching as extracurricular activities. Differences between students from different universities were also found in the interviews. Students from Taunggyi University and Myitkyina University can participate only in the Mock Trials program provided by BABSEACLE. In contrast, students from East Yangon University can participate in the Legal Information Center supported by the DIHR in addition to the Mock Trials program. Students of the University of Mandalay could engage in the Mock Trial program by BABSEACLES, Moot Court competitions by the International Committee of the Red Cross in Myanmar (ICRC), and the Legal Information Center by DIHR.

Hence, COE students have more opportunities and experience through participation in various capacity-building activities than students from other universities.

### **Teaching Methodology**

After the transition from a military regime to a partial civilian government in 2010, followed by education reform, most law departments are moving towards positive education reform, and

teachers' roles have changed (Namitha, 2018). A professor explained the change in the interview: "After 2010, specifically, after 2015, teaching methods became more like a student-centered approach" (Participant 3, personal communication, December 15, 2021).

However, not all teaching staff are eager to adopt a student-centered teaching approach, as it requires much more effort in lesson preparation, and they are more familiar with traditional methods (Participant 2, personal communication, December 13, 2021).

Regarding the teaching methods currently used, some teaching staff still deliver lectures using textbooks. However, some are trying to switch to PowerPoint while continuing to use other interactive methods (Participant 8, personal communication, December 12, 2021).

In 2013, BABSEACLE organized Clinical Legal Education training, focusing on teaching methods across all law departments at universities in lower and upper Myanmar. From this, the teaching staff were trained to design lesson plans that took into account their knowledge, skills, and values. The knowledge and experience gained from that training are most helpful to teachers in lesson planning (Participant 4, personal communication, December 19, 2021).

Heavy workloads and unnecessary administrative tasks, such as participation in many festivals and supervision of sports activities, are challenges for lecturers in preparing effective lesson plans (Participant 5, personal communication, December 31, 2021).

For this reason, they are less confident about welcoming student questions since they have limited knowledge of the subject as a whole. The situation has led lecturers to adopt a passive teaching and learning approach. This deficiency arguably results from the centralization of the university system and the lack of academic freedom.

This situation can be interpreted differently by lecturers. One lecturer held that everyone has the freedom to choose their teaching methods. Regardless of the views of the teaching staff, from the students' perspectives, current legal education mainly focuses on theoretical knowledge and does not develop students' practical skills (Participant 1, personal communication, December 12, 2021).

Teaching staff had no opportunity to apply the law in practice due to the prohibition on other employment. In this regard, a professor strongly recommends:

"Teaching staff should be allowed to hold advocate's licenses and practice litigation skills in the courts. In this way, they can contribute their own experience in their teaching effectively" (Participant 6, personal communication, December 21, 2021).

As part of the integration of theory and practice in legal teaching, legal practitioners are often invited to give special talks at law departments, especially at University of Yangon and

University of Mandalay. This kind of learning opportunity may not be so readily available to non-COE universities.

Since 2010, students have had more opportunities to participate in extracurricular activities, such as mock trials, community teaching, and field trips to the Hluttaw, the courts, and Moot Courts. Some students participated in Moot Court competitions at national and international levels, such as the IHL Moot Court Competition and the Willem. C. Vis East International Commercial Arbitration Moot 2021 (Participant 9, personal communication, December 21, 2021). Since 2016, the ICRC has organized an annual national Moot Court competition on international humanitarian law at the University of Yangon. Only six universities, however, have ever participated in that competition (University of Yangon, East Yangon University, Dagon University, University of Mandalay, Yadanabon University, and Taunggyi University). Participating in extracurricular activities was viewed as the best way to combine theory and practice. Students can learn how the law is practiced beyond just theory, and such experience is also regarded positively in terms of students' future careers (Participant 9, personal communication, December 21, 2021).

The assessment system encourages the students to study what might be on the exams rather than to develop their critical thinking and lawyering skills. It also encourages teachers to drill students to pass the paper exams. On this point, a third-year student expresses her opinion that "in a tutorial class, it is boring and parrot learning or the tutorial questions are to be remembered by heart" (Participant 10, personal communication, December 19, 2021). This assessment system affects students' willingness to participate in class and fails to cultivate their ability to think creatively, critically, and analytically.

### **Teaching Materials**

The interview data show that there are very few legal e-resource databases available and that students can access e-resources only in university libraries, which have limited opening hours. Users have difficulty accessing resources in law department libraries because senior teaching staff lock the book cabinets under the pretext of preserving valuable books. Furthermore, it is often found that the reference books purchased do not meet users' actual needs because senior teaching staff fail to seek input from junior teaching staff and students, even though the Ministry of Education allocates an annual budget to every university department to purchase reference books. There is no balance in the supply of teaching materials across all specializations, and there is no transparency in the procurement of reference books. University libraries have insufficient legal textbooks and few resources for law studies (Participant 12, personal communication, December 15, 2021). In addition to poor facilities, there is not enough space to

accommodate many students (Participant 11, personal communication, December 13, 2021).

Students have little time for studying in the library because they spend more time in the classroom (Participant 11, personal communication, December 15, 2021). Students also recommended that library systems be upgraded to facilitate access for learners in remote areas (Participant 8, personal communication, December 12, 2021). At the same time, efficiently exploring online databases in this 21st-century teaching and learning environment requires high-quality internet access. Most students, especially those from universities in remote areas, were concerned about having reliable internet access to access online legal resources (Participant 8, personal communication, December 12, 2021).

Despite the challenges, one positive development in teaching/learning materials since 2010 is the availability of sufficient textbooks on human rights law, humanitarian law, and constitutional law for learners. Those who teach and research human rights education can explore more resources than those studying other subject areas. Institutions such as the Raoul Wallenberg Institute of Human Rights and Humanitarian Law and the DIHR have signed MOUs with some universities, supported and contributed to resources, including online databases, and translated most human rights textbooks from English into Burmese. This support has made it quite convenient for teaching and researching in human rights law.

All law department teachers at the University of Yangon and the University of Mandalay have received LexisNexis training on online databases to help them access legal resources <sup>2</sup> The DIHR often offered e-resource training mainly at the University of Yangon, the University of Mandalay, Dagon University, and East Yangon University. Only teachers from other universities who are involved in research projects organized by the DIHR have received this training. Such training, however, is rarely available to teaching staff at universities in remote areas.

Lastly, concerning teaching aids, most students from universities in remote areas complained that there was no teaching equipment, such as projectors or other visual aids (Participant 8, personal communication, December 12, 2021).

The situation is different at universities in cities, especially the University of Yangon and the University of Mandalay, where almost every classroom has a projector funded by international agencies and private donors. They can also raise funds by offering Diploma Courses. Again, the opportunities for universities in the cities and those in remote areas are quite different.

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<sup>2</sup>effectively. In 2015 and 2017, LexisNexis offered e-resources training to the law department's teaching staff and students to help them effectively explore e-resources.

### **Academic Freedom**

Although the National Education Law grants universities the right to be independent and self-administered, with a priority on research and development, in reality, not all universities have been granted autonomy by the MOE.

Myanmar has been underdeveloped in terms of research infrastructure due to limited education budgets. As a result of the Comprehensive Education Sector Review (CESR) conducted by the MOE in 2012, the NESP covered all educational sectors (Comprehensive Education Sector Review, 2013). Strategy 2 of the NESP concerns the enhancement of e-learning centers and e-libraries, the establishment of a National Research Innovation Fund and Research and Development Centers and the upgrading of facilities at selected Higher Education Institutions (HEIs). The Strategy 2 plan to upgrade facilities did not include all HEIs outside the COE universities. "COE universities are considered the priority universities for this plan" (Participant 3, personal communication, December 15, 2021).

In general, research work has been supported by the Department of Higher Education of the MOE with minimal financial support. Teaching staff from universities that collaborate with foreign universities and international institutions may expect to receive research funds from joint research projects (University of Yangon, n.d.). For example, the University of Yangon has signed fifty-four MOUs with foreign universities and international institutions. Dagon University also collaborated with several academic institutions and international organizations (Dagon University, n.d.). Universities in remote areas with ethnic minority populations, such as Panglong University, have the least opportunity to conduct joint research with foreign universities and international institutions (Participant 3, personal communication, December 15, 2021).

Teaching staff at remote universities also reported that they need to develop their skills in conducting and publishing high-quality legal research. Research skills required by teaching staff are also not provided equally (Participant 7, personal communication, December 15, 2021)

Before 2010, academic freedom in legal research was restricted, i.e., in choosing research topics, criticizing laws and their impact, especially on human rights law, and publishing. After 2010, however, the situation gradually changed, especially after 2015, when teachers became more inclined to conduct legal research on human rights topics. This change was also due to teachers having the opportunity to hone their research skills through training in human rights education and international joint research projects (Participant 6, personal communication, December 21, 2121). Even though teaching staff became interested in human rights research, permission from the MOE was still needed.

To enjoy academic freedom, a university must first have autonomy. Except for the

University of Yangon and the University of Mandalay, other regional universities are not autonomous. Regardless of their autonomy status, all research proposals from the two COE universities still require general approval from the MOE (Participant 1, personal communication, December 12, 2021), which indicates that academic freedom in these universities remains questionable.

## **Discussion**

### **Evaluation of Reform Implementation**

The analysis of the post-2010 legal education reform in Myanmar, assessed across five interconnected pillars, reveals that implementation efforts are fundamentally compromised by a deep failure in distributive equity, thereby lessening the reform's potential to achieve the social justice objectives of SDG 16.3. The study reveals a consistent pattern: geographic location and institutional status (COE universities and non-COE universities) determine reform benefits more than stated policy intentions, demonstrating the systemic reproduction of inequality that Critical Legal Studies critiques.

### **Structural Inequality and Capacity Building**

The central issue impacting staff functions and capacity is the unequal distribution of capacity-building opportunities and the highly centralized curricula design process. Although the National Education Law (2014) mandates professional development for teachers (Section 52) and support for university autonomy (Section 57(c)), the evidence suggests that international training, facilitated by institutions like UNDP, BABSEACLE, and the CHINLONE project, disproportionately favored teaching staff from COE universities. This distributive failure in accessing capacity-building training directly impacts the vast majority of teaching staff—the primary implementers of the reform—limiting their capacity to perform new pedagogical functions and effectively transition away from rote learning. The resulting inequality ensures that the reform efforts reinforce a two-tiered system, concentrating institutional capacity and access to international best practices in a select few locations. This systemic failure in distributive justice undermines the nationwide institutional capacity required for a unified, rights-based legal culture, essential to SDG 16.3.

### **Centralized Control on Curriculum and Teaching Methodology**

The goal of producing competent legal professionals is hindered by the persistence of centralized control over curricula and pedagogy. Despite the USAID report (2016) noting the curriculum's general alignment with international norms, the highly centralized control exerted by the MOE and relevant ministries (such as BOLS) leaves universities without the autonomy to adapt curricula to their specific institutional capacities or local contexts. This lack of decentralization prevents the successful integration of essential professional skills—such as legal writing, legal research, and trial advocacy—which remain lacking in Myanmar's legal classrooms. Consequently, the system risks producing graduates who lack the ethical commitment and practical tools necessary to dismantle the structural inequalities that Critical Legal Studies seeks to expose. Furthermore, the rote-learning tradition is perpetuated as assessment remains highly dependent on paper examinations that merely test memorization (Allen, 2018), failing to cultivate the critical, independent thinking required to produce law graduates with the necessary skills and attitudes to protect and promote peace and justice (Ulla, 2018).

### **CLS Critique: Hegemony and Resource Gaps**

The lack of academic freedom and transparency constitutes a significant structural barrier, validating the CLS critique that law and education serve to maintain power hierarchies. The difficulty for teachers and students to freely access resources—due to heads of department locking book cabinets on the pretext of preservation, and the non-transparent procurement of reference books—reflects a localized form of hegemonic control. These micro-level practices of resource control among senior staff function as a localized form of power maintenance, reinforcing institutional conservatism and actively undermining the student-centered approach mandated by reform efforts.

In addition to historically inadequate budget allocation for education (Hayden & Martin, 2013), the resource gap between urban and remote universities persists. This critical lack of autonomy, combined with the fear of retaliation for exploring ideas outside the prescribed curriculum (American Association of University Professors, 1940; Human Rights Watch, 2005), prevents the development of a positive research environment and prevents legal research from becoming a critical function of academia. Without this practice at universities, law graduates will have no experience in research or the skills necessary to hold the democratic transition accountable, thereby undermining the foundational goals of the rule of law and SDG 16.3.

## **Conclusion and Recommendations**

As Myanmar integrated the SDGs into its reform agenda, it had the potential to both learn from and share experiences with other ASEAN countries. During its transition, the government collaborated with international institutions to promote human rights and strengthen the rule of law. As part of this effort, law departments under the Ministry of Education made significant strides in reforming legal education, focusing on improving teaching and learning. The study of legal education reform implemented during 2010-2020 focuses on five aspects: curriculum, capacity building training, teaching methods, teaching materials, the research environment, and academic freedom. This study is the first multi-site empirical study examining legal education reform across Myanmar's diverse university landscape. While this study examines the 2010-2020 period, its documentation of pre-existing inequalities provides crucial baseline data for understanding how the 2021 coup has affected legal education and, by extension, Myanmar's trajectory toward justice sector development. The persistent inequality documented here suggests that legal education reform, while improving quality for some, risks creating a two-tiered legal profession that may exacerbate disparities in access to justice in Myanmar rather than ameliorate them.

To reform legal education for the sustainable rule of law and ensure equal access to justice, the state's reform framework must ensure the entire process is equitable and accessible to all stakeholders. For international development agencies supporting legal education reform, this study suggests that attention to equitable distribution of resources is as important as curriculum content.

## **References**

Allen, C. (2018, November 7). *Critical thinking in Myanmar's education system (Part I)*. Tea Circle. <https://teacircleoxford.com/opinion/critical-thinking-in-myanmars-education-system-part-i/>

American Association of University Professors. (1940). *1940 Statement of principles on academic freedom and tenure: With 1970 interpretive comments*. AAUP. <https://www.aaup.org/reports-publications/aaup-policies-reports/policy-statements/1940-statement-principles-academic>

American Association of University Professors. (2022). *Resources on academic freedom*.

[Video]. AAUP. Retrieved September 27, 2022, from <https://www.aaup.org/our-programs/academic-freedom/resources-academic-freedom>

ASEAN Secretariat. (2020). *ASEAN sustainable development goals indicators baseline report 2020*. ASEAN Secretariat. <https://www.aseanstats.org/wp-content/uploads/2020/11/ASEAN-Sustainable-Development-Goals-Indicators-Baseline-Report-2020-web.pdf>

Aung, M. T., & Aaen, L. S. (2020). Integrating human rights education in Myanmar's higher institutions. *Human Rights Education in Asia-Pacific*, 10, 185–192. [https://www.hurights.or.jp/archives/asia-pacific/section1/hreap\\_v10\\_formal\\_education4.pdf](https://www.hurights.or.jp/archives/asia-pacific/section1/hreap_v10_formal_education4.pdf)

BABSEACLE. (2013). *Myanmar*. <https://www.babseacle.org/justice-initiatives/myanmar/>

Blomquist, H. (2004). Legal education, profession and society transition: Reform of Lithuanian legal education. *Review of Central and East European Law*, 29(1), 35-96.

Bünte, M., & Dosch, J. (2015). Myanmar: Political reforms and the recalibration of external relations. *Journal of Current Southeast Asian Affairs*, 34(2), 3–19. <https://doi.org/10.1177/186810341503400201>

Carothers, T. (2007). The backlash against democracy promotion. *Foreign Affairs*, 86(2), 55–68.

Cemmell, J. (2009). *Academic freedom international study: Burma, Colombia, Israel, Palestine, Zimbabwe*. University and College Union. [https://www.ucu.org.uk/media/3421/Academic-Freedom-International-Study-complete-report/pdf/academic\\_freedom\\_whole\\_document.pdf](https://www.ucu.org.uk/media/3421/Academic-Freedom-International-Study-complete-report/pdf/academic_freedom_whole_document.pdf)

Central Statistical Organization. (n.d.). *Sustainable Development Goals (SDGs)*. <https://www.csostat.gov.mm/PolicyAndStrategy/SDGs?form=MG0AV3>

CHINLONE. (2018, December 14). *Myanmar's Higher Education reform: Which way forward?*. <https://www.coimbra-group.eu/myanmars-higher-education-reform-which-way-forward/>

Comprehensive Education Sector Review. (2013). *CESR Phase 1 higher education: Background information report.*

[http://www.cesrmm.org/assets/home/img/cesr%20phase%201%20higher%20education\\_ba ckgroundinformationreport.pdf](http://www.cesrmm.org/assets/home/img/cesr%20phase%201%20higher%20education_ba ckgroundinformationreport.pdf)

Creswell, J. W., & Plano Clark, V. L. (2017). *Designing and conducting mixed methods research* (3<sup>rd</sup> ed.). SAGE Publications.

Dagon University. (n.d.). *International collaborations.*

<https://www.dagonuniversity.edu.mm/international-collaborations/>

Edwards, H. T. (1992). The growing disjunction between legal education and the legal profession. *Michigan Law Review*, 91(1), 34-78. <https://doi.org/10.2307/1289788>

Hayden, M. & Martin, R. (2013). Recovery of the education system in Myanmar. *Journal of International and Comparative Education*, 2(2) 47-57. <https://doi.org/10.14425/00.50.28>

Human Rights Watch. (2005). Reading between the “Red Lines” The repression of academic freedom in Egyptian Universities. In *Human Rights Watch*, Vol. 17, No. 6(E).  
<https://www.hrw.org/reports/2005/egypt0605/egypt0605.pdf>

Hutchins, R. M. (1937). Legal education. *University of Chicago Law Review*, 4(3), 357-368.  
<https://chicagounbound.uchicago.edu/uclrev/vol4/iss3/1>

International Bar Association’s Human Rights Institute. (2012). *The rule of law in Myanmar: Challenges and prospects*. International Bar Association.  
[https://www.burmalibrary.org/sites/burmalibrary.org/files/obl/docs14/IBAHRI-Rule\\_of\\_Law\\_in\\_Myanmar.pdf](https://www.burmalibrary.org/sites/burmalibrary.org/files/obl/docs14/IBAHRI-Rule_of_Law_in_Myanmar.pdf)

Iwuàla, E. (2022, January 6). *Strengthening the ability of communities through legal education: Area the justice of peace can come in*. Sabilaw.  
<https://learnnigerianlaws.com/strengthening-the-ability-of-communities-through-legal-education/?amp=1>

Lall, M. (2020). *Myanmar’s education reforms: A pathway to social justice?* UCL Press. <https://doi.org/10.14324/111.9781787353695>

Lien, B. T. B. (2005). Legal education in transitional Vietnam. In J. Gillespie & P. Nicholson (Eds.), *Asian socialism and legal change: The dynamics of Vietnamese and Chinese reform* (pp. 135–158). ANU Press. <http://www.jstor.org/stable/j.ctt2bjds.15>

Liljeblad, J. (2019). Democracy, rule-of-law, and legal ethics education in context: Directing lawyers to support democratization in Myanmar. *Georgia Journal of International and Comparative Law*, 47(2), 451-478. <https://digitalcommons.law.uga.edu/gjicl/vol47/iss2/4>

Ministry of Education. (2020). *Mid-term review NESP 2016–2021 (final report)*. Myanmar: Nay Pyi Taw.

Namitha, C. (2018). Modern method of teaching. *Journal of Applied and Advanced Research*, 3(Suppl.1), S39-S41. <https://dx.doi.org/10.21839/jaar.2018.v3S1.167>

National Education Law. (2014). Available at: <https://www.myanmar-law-library.org/law-library/laws-and-regulations/laws/myanmar-laws-1988-until-now/union-solidarity-and-development-party-laws-2012-2016/myanmar-laws-2014/pyidaungsu-hluttaw-law-no-41-2014-national-education-law-burmese-and-english.html>

National Education Strategic Plan 2016-21. (2016). Available at [https://www.britishcouncil.org/sites/default/files/myanmar\\_national\\_education\\_strategic\\_plan\\_2016-21.pdf](https://www.britishcouncil.org/sites/default/files/myanmar_national_education_strategic_plan_2016-21.pdf)

Popoff, A. (2018). *The assassination of Robert F. Kennedy: Crime, conspiracy and cover-up*. Trine Day.

Sung, N. K., & Lee, W. W. (2006). Reform of legal education in the age of globalization. *Journal of Korean Law*, 5(2), 85-96.

Ulla, M. B. (2018). In-service teachers' training: The case of university teachers in Yangon, Myanmar. *Australian Journal of Teacher Education*, 43(1). <http://dx.doi.org/10.14221/ajte.2018v43n1.4>

Unger, R. M. (1986). *The critical legal studies movement*. Harvard University Press.

United Nations. (1990, September 7). *Basic principles on the role of lawyers*. Office of the High Commissioner for Human Rights. <https://www.ohchr.org/en/instruments-mechanisms/instruments/basic-principles-role-lawyers>

University of Yangon. (n.d.). *International Collaboration*. <https://www.uy.edu.mm/international-collaboration/>

USAID. (May, 2016). *Burma Brief: Legal Education*, U.S. Agency for International Development (Report). [https://pdf.usaid.gov/pdf\\_docs/PBAAK144.pdf](https://pdf.usaid.gov/pdf_docs/PBAAK144.pdf)

Wizner, S. (2002). The law school clinic: Legal education in the interests of justice. *Fordham Law Review*, 70, 1929-1938. <https://ir.lawnet.fordham.edu/flr/vol70/iss5/29>

Zan, M. (2008). Legal education in Burma since the mid-1960s. *Journal of Burma Studies*, 12(1), 63-107. <https://doi.org/10.1353/jbs.2008.0002>.