

BOOK REVIEW

## The Asian Law and Society Reader

*By Lynette J Chua, David M Engel and Sida Liu, Cambridge University Press, 2023. 400pp. ISBN: 978-1-108-83641-8 \$39.99 (hardback)*

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*The Asian Law and Society Reader* addresses an important and timely need to further diversify scholarly conversations on law and society, starting from how we learn about the field. It is the latest addition to a series of rich and diverse primers (handbooks, introductions and others)<sup>1</sup> that invite readers to take a deep dive into more advanced research under the law and society umbrella. This book also pushes the boundaries of law and society scholarship by encouraging regional-focused discussions that will enrich our overall understanding of law and society discourse. In the same vein, it feeds back into the general theory and methodology of law and society by bringing together a collection of Asia-focused law and society scholarship.

This book caters to a wide readership, and in my own use I engage with it as a researcher, teacher, as well as a learner. I am also very fortunate to have read draft chapters, in their pre-publication stage, at the Training Initiative for Asian Law and Society Scholars (TRIALS) organised by the authors, Lynette Chua and David Engel. In that context it was fascinating to hear a close account from all three authors about the contents of the chapters along with their approach, experiences and the long years spent engaging with communities that they study, and doing law and society research in Asia.

The book was developed around the idea that Asia offers a unique context in which to engage with law and society studies. As a region with mostly transplanted legal systems, a shared history of colonialism, surviving plural normative systems with customary and religious laws and evolving forms of resistance and legal mobilising, Asia offers a fertile ground for law and society inquiry. As such, the book captures the dynamic and vibrant exchanges between laws (both autochthonous and transplanted) and Asian communities. More broadly, the book nudges readers to connect with broader theoretical debates in law and society: on positive law, the ‘mirror thesis’ (whether law is a reflection of society), modernity, law in context and others.

As with any text or reader, the book does not propound a single thesis. Instead, it exposes the reader to a variety of works, with examples of different methodological and theoretical perspectives from around the region. In its approach, it inspires engagement with many key aspects of law and society scholarship. The book presents a rich assortment of empirical studies dealing with different societies in Asia with a carefully crafted overall framework that binds them together. Although it does offer a collection of scholarly law and society articles with a regional focus on Asia, thus remaining true to its promise of being a *Reader*, the book is in its own category given its approach to engaging with the material that it has brought together. However, just as in the selection of featured works, there is a careful balance of diversity and depth in the many issues covered in this book.

<sup>1</sup>Some of which are Valverde *et al.* (2021); Barkan (2023); Sarat and Ewick (2015); Sarat (2004); Vago (1981).

The book speaks to nine areas that can connect with scholarship from other parts of the world: Religion, Legal pluralism, Disputing, Legal consciousness, Legal mobilisation, Legal professions, Courts, Crime and justice and Practicing Law and Society research in Asia. Even though ‘methodology’ is not featured as a stand-alone chapter, as some law and society texts do,<sup>2</sup> the empirical examples in the chapters demonstrate different methods employed in Asia-focused works. Each chapter, on a single focus area, consists of three to four sub-topics that assist the reader in exploring the different dimensions of each topic. Discussions in sub-topics are aided by the Asian law and society-focused work. And the chapters end with a list of references and readings.

Each chapter is set up broadly within the general discourse of law and society works. As such, the chapters begin with an introduction that engages with a brief history and evolution of an area, outlined with the seminal works in that area. The introduction to each chapter is a gripping narrative with comments by the authors. Rather than being merely descriptive, it offers critical comments on concepts. An apt example is the discussion on how legal mobilisation and rights mobilisation are conflated and used interchangeably when they are in fact two different concepts (p. 184). What is special about these chapter introductions is that the authors share Asia-specific highlights and comments. Chapter 1 on religion, for instance, has to balance the influence of many Asian religions on the Asian legal systems (pp. 19–20). Another point to note is that despite the deep immersion in Asia, the authors do not forget to pan out and bring in other regions and non-Asian examples through comprehensive parallels. One such instance is when the authors draw on Russia’s colonisation of central Asia and the continued existence of native religious laws to discuss colonialism and legal pluralism in Southeast Asia (pp. 75–76). Additionally, there are parallels between chapters which tightens the overall narrative of the book. One example is the authors’ discussion on how the existence of pluralism affects legal mobilisation (p. 184).

The authors identify five meta-themes for the book: colonialism, legal and political transformations, hierarchy and power, rights and identities.<sup>3</sup> These themes are common to law and society research and help readers connect with the chapters at another level. What is distinctive about these themes is that they point to how the familiar is approached differently in Asian contexts and how the context-specific features cause this difference. For instance, Chapter 6 on Legal Professions, under the theme of hierarchy and power, points to an even more complex relationship between the legal profession and the state. Under the theme of colonialism, ambiguities and paradoxes prompt interesting conversations on a broader debate on modernity involving Asian countries, such as Thailand, that have never been colonised. These Asia-specific nuances, grasped by the chapter narratives, elevate the book’s value to a comparative level surpassing its regional focus.

This book spotlights and gives visibility to regional-focused scholarship. In fact, that is a core strength of the book. Each chapter embeds selected works in its discussion along with how they connect with and contribute to the area in which it is featured. In addition to the featured and cited works, the chapters contain suggested readings for each area which is a useful resource for the reader.

As discussed before, the book does not dedicate a specific chapter to methodology and methods in Asian Law and Society scholarship. Instead, these issues come up thematically and practically in various parts of the book. First, the methodological diversity that exists in Asian Law and Society scholarship is reflected in the different types of scholarly work embedded into the chapters. Second, the authors raise methodological questions in different parts of the book. For instance, Chapter 3 on Disputing, among other points, discusses how methods of law and society scholars differ from comparative law scholars and what elements in a method enable good law and society scholarship (pp.114–115).

<sup>2</sup>Vago, 1981, pp. 320–351.

<sup>3</sup>See more on this in Chua, Engel and Liu (2023).

Finally, as much as it is a resourceful companion for legal scholars and law students, this book offers material, discussion and insights for scholars who approach law and society from other disciplinary angles. Through its collection of different studies and commentary, it embodies a comprehensive coverage of Asian Law and Society scholarship, keeping its promise to the reader. Overall, *The Asian Law and Society Reader* is a generative work that initiates important region-specific inquiry into the exchanges between societies and their laws.

## References

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