

Preface

Justice is a necessary prerequisite of any law for the compliance of the people with the law. If natural justice and the law are incompatible, law loses all its moral force. Both the people and the government must comply with the law if the rule of law is to be said to genuinely apply. Without such compliance the actions of the state rapidly become random, self-serving and unpredictable.

It is the Burma Lawyers' Council's aim to vigorously oppose all unfair and oppressive laws, and to restore the basic principles of the Rule of law. Only when the basic principles of the Rule of Law are put into practice and adhered to, it will assist and support the emergence of a modern, advanced and a new democratic country.

In order to establish a peaceful democratic human society, the people of a country need to observe the principles of rule of law. However, in Burma, from 1962 until now, not only have successive military rulers shown a brazen disregard for legal norms in the manner in which they have come to control the levers of power, but they have, over the years, promulgated a plethora of laws and decrees which are of doubtful legality under both international and Burmese domestic law. The common people are denied their basic rights under the Rule of Law. As a result, in general, most common people in Burma have doubts in the concept of rule of law as a shield to protect their fundamental rights and freedom. This will create a great problem for the establishment of a peaceful democratic country in future.

With the assistance of the NOVIB and the National Endowment for Democracy, the Burma Lawyers' Council has already established a legal research centre. Based on the research under the principles of Rule of Law, this journal presents the legal analysis on the major issues of Burma in connection with the issues in this region. The Burma Lawyers' Council will exert efforts to publish the journal regularly.