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Book Discussion

COMMENTARY BY DAVID ENGEL, STATE UNIVERSITY OF NEW YORK

Lynette Chua's *The Politics of Love in Myanmar: LGBT Mobilization and Human Rights as a Way of Life* is a worthy recipient of the 2019 ALSA Book Prize. Dr Chua's previous study of lesbian, gay, bisexual, and transgendered (LGBT) activists in Singapore was a very good book[1] and has received its share of recognition. This book about the LGBT movement in Myanmar is even better.

The Politics of Love in Myanmar makes an important contribution to law-and-society scholarship worldwide. It extends and challenges our theories of how rights matter for their intended beneficiaries and how new legal norms can produce social and cultural change. And the book is not only a theoretical trailblazer; it is also a model for designing and conducting fieldwork. Dr Chua's fieldwork, which is carefully explained in the Appendix, will be studied carefully and emulated by graduate students around the world—and by established scholars as well. Dr Chua has set the bar extremely high for the rest of us. She travelled tirelessly to conduct hundreds of interviews, re-interviews, and observations under some very difficult circumstances; she participated in countless meetings; studied thousands of videos, photographs, and documents (some of them obtained quite literally by dumpster diving); and consulted a variety of experts and previous scholarship on Myanmar. She worked with two translators in an unusually well considered and respectful way, and made them true collaborators in her study. This is a masterful and exemplary job of fieldwork.

Let me explain briefly why I think this book represents such a significant contribution to the law-and-society field. As Dr Chua followed a group of LGBT activists from their exile in Thailand to their return to Myanmar, she observed them building networks that eventually reached from urban centres to rural communities throughout the country. What gave them the courage to overcome social stigma and political repression as they shaped their movement? What was the glue that held them together, when their communities and even their own families offered little but discouragement? How did the abstract ideals of international law play a role in liberating these individuals from repressive circumstances? How did the law become active in their lives?

These are the kinds of questions that have preoccupied law-and-society scholars for many years in many contexts. A more conventional study of LGBT rights in Myanmar would probably have started at the transnational level with the Universal Declaration of Human Rights, the 2006 Yokyakarta Principles on the Application of International

1 Chua (2014).

Human Rights Law in Relation to Sexual Orientation and Gender Identity, and other UN resolutions. It might have attempted to trace the processes by which these concepts at the international level were "translated" or "vernacularized" into a language of rights that made sense at the ground level in Myanmar. That is, it would have asked how concepts established in New York or Geneva or Yokyakarta found expression in the local language and culture of places like Myanmar.

Now, in part, that's exactly what Dr Chua does in her book. She doesn't so much break with the extensive body of research on translation and vernacularization of human rights as she transcends it. You could even say that she turns that type of scholarship on its head. Her book is not just a top-down study of law filtering from "higher" levels to local communities. It is also a bottom-up study of individuals assiduously and courageously building a social movement out of the materials at hand, investing them with new meanings and transforming feelings of fear, guilt, shame, sin, and exclusion into feelings of pride, self-worth, dignity, and belonging.

Remarkably, for a book that is very much about law, it is also a book with "love" in its title. Love here has a double meaning. It refers to the legal right to love whomever one chooses. But it also refers to the love that binds together the participants in this political movement. Love is the invisible force that preserves the various strands of the movement in the face of enormous challenges. It guarantees that resistance will be offered by a community of like-minded people and not just by a collection of atomistic, rights-bearing individuals. If law enters the picture, it does so in a relational or communitarian sense and not in the individualizing and alienating way that is often associated with liberal legalism. In this double sense, the book's title is well chosen; it really is about the "politics of love."

So Dr Chua's argument in this book is that law comes alive—that it has real-life consequences, not merely because its concepts of justice and human rights are persuasive at the intellectual level as excellent ideas. If we want to know how, when, and where law matters, she tells us, we must also consider emotions and relationships. Her protagonists are not just heroic exponents or exemplars of abstract principles; nor are they two-dimensional, cartoonish super heroes. They are living, breathing, flawed, admirable human beings who make mistakes and experience fear and frustration but are somehow able to overcome these feelings and move ahead. The book provides a framework for understanding how emotions and relationships infuse human rights ideals with meaning and make it possible to launch a movement in Myanmar. And it is worth repeating that it is only because of Dr Chua's extraordinary, in-depth fieldwork that this theoretical scaffolding could be constructed. The study is rooted in the local and the specific, but its theories of law, emotion, and social relationships should prove to be widely applicable in other societies and with respect to other areas of law. This is a book that could influence the course of socio-legal studies more broadly.

Based on her rich observations of people and events, Dr Chua describes three stages through which individual trajectories come into contact with human rights and result in collective action. She calls Stage 1 *formation processes*. Here, she traces the activities of movement leaders, especially two individuals whom she identifies by the pseudonyms Tun Tun and Tin Hla, in organizing workshops and forging networks of activists who are willing to resist social stigma and political repression to organize a movement. In Stage 2, which Dr Chua calls *grievance transformation*, she shows how activists encourage participants

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to voice their negative feelings of shame and guilt and—with the support of human rights concepts—to transform them into images of dignity and worth. Creative engagement with Buddhist traditions and spirit worship is particularly important at this stage. In Stage 3, which she calls *community building*, she shows how activists instil emotions of trust, affection, and respect that will over the long haul sustain new identities and new behaviours, and propel the movement forward as a significant political force.

Having laid out this framework in a convincing fashion, Dr Chua then presents my favourite chapter—Chapter 5—which she calls "Faults, fault lines, and the complexity of agency." In the best tradition of law-and-society scholarship, she carefully acknowledges the blind spots and shortcomings of the LGBT movement in Myanmar. She shows how some activists sometimes may unwittingly slight the interests and contributions of other members of their community, particularly lesbians and Muslims. She shows how the activists' thoughts and practices may violate the preferred positions of LGBT spokespersons outside of Myanmar. In fact, she even shows how some religious and cultural practices may be self-limiting or self-constraining for movement participants. Dr Chua does not shrink from posing these questions and criticisms, but the discussion in no way diminishes the reader's admiration for the activists she describes. For me, this chapter represents the payoff for Chua's carefully grounded fieldwork. Here, the activists now step forward as fully realized human beings with fluid identities in a highly complex and variegated social setting that presents them with daunting existential challenges. Yet, for the most part, they persevere and overcome. They promote the cause of human rights in Myanmar. If anything, after reading this chapter, the reader feels an even deeper connection to the movement participants and a more profound understanding of the role that law has played and might play in bringing about social change.

For nearly a century, from the time of Weber and Ehrlich to the present, socio-legal scholars have tried to describe how the abstractions of black-letter law and legal theory become rooted in social life—or fail to do so. How does law matter in the lives of real people in their day-to-day struggles against unfairness, inequality, disorder, and violence? This new book reminds us that the researcher's toolkit must include the study of emotions and relationships, not just concepts and ideas, for emotions and relationships determine the pathways that concepts and ideas take in real life.

The field of law and emotions has enjoyed a certain vogue these days among law-and-society researchers, and scholars in this field have been extremely helpful in broadening our understand of how law works in everyday life. Yet, the study of law and emotions can be a bit like the study of humour—draining its subject of the very qualities that make it human. Books that explain in a dry and intellectual way why emotions are important can be as dull and tedious as books that explain why jokes are funny.

But, in Dr Chua's hands, the emotions she studies are vibrant and alive. They aren't pinned like dead butterflies on a scientist's spreading board. While this book makes a significant theoretical contribution to our understanding of law and society, it preserves the humanity of its subjects and, as the song would have it, it keeps their love alive.

This excellent book shows how human rights law became a way of life for a group of people who are both exceptional and ordinary, who experience fear and oppression but, for the most part, overcome it. This is a description of human rights law as an actual living force, as a physical presence, in the lives of a group of activists who take great risks to make

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sure that the law achieves at least some of its lofty goals. Dr Chua's book brings all of this into focus in a way that few other studies have been able to do. She has blazed a trail for future research, and she has opened up new vistas for our field.

REFERENCES

Chua, Lynette J. (2014) *Mobilizing Gay Singapore: Rights and Resistance in an Authoritarian State*, Philadelphia: Temple University Press.

COMMENTARY BY AMY BARROW, MACQUARIE UNIVERSITY

In this commentary, I would like to acknowledge the distinction awarded to Lynette Chua's book, *The Politics of Love in Myanmar*.

Through her rich storytelling, Chua transports the reader to Chiang Mai, Thailand and to the cities, townships, and villages of Myanmar to meet the book's two protagonists, Tun Tun and Tin Hla, and a myriad of activists in Myanmar's lesbian, gay, bisexual, and transgendered (LGBT) rights movement. As Chua identifies, law-and-society scholarship has focused on the vernacularization of human rights without fully exploring the processes behind rights mobilization, including how activists infuse rights with meaning and the way in which the practice of human rights becomes a way of life. Unpacking these processes, which Chua frames as formation, grievance transformation, and community building, the reader is invited to observe the relationship between activists, rights, and social-movement mobilization through an alternative lens—that of emotions.

As Chua examines, emotions such as solidarity and the social ties that connect activists often only appear at the periphery of other studies about rights-based movements—tangential, but not the focus of how and why social change occurs. In part, this may be because socio-legal scholars are expected to distance themselves from emotions. Beyond attempting to interpret meaning and perspectives, socio-legal researchers have been discouraged from engaging with emotions, for fear of attributing meanings to words, which may not be present. We are expected to maintain a veneer of neutrality and avoid any bias, particularly if we are "outsiders" of a particular cultural or social context. Despite these ethical challenges, Chua's book breaks new ground, grappling with emotions and all of their intricacies to present her research subjects with authenticity and humanity.

Writing with and about love and intimacy, Chua revisits her earlier research on the LGBT movement in Myanmar to situate her findings in an alternative theoretical framework. By placing emotions at the centre of social-movement mobilization, rather than at the periphery, Chua demonstrates how emotions and all of their complexities shape and influence the movement's processes. Examining the social ties that connect Tun Tun, Tin Hla, and other activists in the LGBT movement, Chua reminds us of the importance of grounding our scholarship in the lived experiences of our research subjects.

It is not a feat that can be easily replicated—it is not easy to distil emotions from day-to-day exchanges between and among people, nor is it easy to make sense of emotions and their

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