'We are not like them': stigma and the Destitute Persons Act of Singapore

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Abstract

Using a legal-consciousness approach, this paper discusses the issue of stigma and law from the perspectives of a group of older homeless people in Singapore. Focusing specifically on the Destitute Persons Act 2013 Rev. Ed. (DPA), the paper shows the different ways in which homeless people make sense of, negotiate, resist or succumb to the stigma of a homeless identity ascribed by the DPA. From these experiences, two fundamental problems with the DPA are highlighted. First, the DPA imposes a homeless identity that is entangled in archaic legal definitions that often do not relate to contemporary experiences of homelessness in Singapore. Second, the enforcement of the DPA legitimises a differential treatment of homeless people, without addressing the broader complexities of homelessness.

Keywords: law and society; sociology; homelessness; ethnography; stigma; Destitute Persons Act

1 Introduction

'*Wa bo chu* ["I don't have a house" in Teochew, a Chinese dialect] I am homeless … you want [me] to say that? Very shameful, you know.' These words were spoken by Wesley (pseudonym), a lanky Chinese man who had experienced multiple episodes of homelessness in Singapore. Wesley was explaining why he could not bring himself to ask the welfare services for help. At sixty-nine years of age, Wesley's memory was failing and he could no longer remember the exact years he had been homeless. Despite having difficulties in recalling certain episodes in his life, the experience of being rounded up by the authorities for sleeping rough[1] was etched deeply into his memory.

Homelessness is a highly stigmatised issue in Singapore – a society that prides itself on its successful affordable public housing policy. Until the early 2000s, government leaders in Singapore were convinced that homelessness and rough sleeping did not exist in the city-state.[2] As visibility and public awareness of rough sleepers grew in recent years, the government began to acknowledge the issue of homelessness and community groups sprang up to provide much-needed homelessness services. According to the Ministry of Social and Family Development (MSF),[3] assistance and support have been provided to an average of 300 cases each year from 2005 to 2015 (Tan, 2018). Among those who received assistance over the years, approximately

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[1] There is no official definition of homelessness in Singapore. However, the term 'rough sleeping' or 'sleeping rough' has gained prominence in recent years. In this paper, 'homelessness' and 'rough sleeping' will refer to what is conventionally described in homelessness literature as 'street homelessness' or, more simply, the act of 'sleeping outside' (Fitzpatrick and Jones, 2005; May *et al.*, 2005).

[2] For example, the current Prime Minister Lee Hsien Loong told his audience in 2005 during an address to launch ComCare (a social assistance initiative for low-income individuals and families) that 'low income Singaporeans are much better off than low income groups in any other country in Asia. We do not have destitute persons sleeping on the streets' (National Archives of Singapore, 2017).

[3] The Ministry of Social and Family Development is the government department responsible for the regulation and administration of homelessness in Singapore.

80 per cent were men and 20 per cent were women. Most were between fifty and sixty-nine years old, with about 20 per cent over seventy years old (Tan, 2018). Low levels of education and a series of individual factors such as financial problems, strained family relationships, antisocial behaviours or addiction-related problems were attributed to this group of homeless individuals (Ministry of Social and Family Development, 2012).

The increased visibility of homelessness across Singapore has also heightened research interest and scrutiny on who these homeless people are and, concomitantly, the stigma associated with homelessness. A recent topic of debate has been the Destitute Persons Act 2013 Rev. Ed. (DPA) – a law that is widely encountered by people sleeping rough in Singapore. To provide some context, the Act allows provisions for the mandatory admission of destitute persons, as well as homeless people who fit the definition of destitute, into welfare homes for care and rehabilitation. Under the Act, a 'destitute person' is defined as:

'a) any person found begging in a public place in such a way as to cause or be likely to cause annoyance to persons frequenting the place or otherwise to create a nuisance; or

'b) any idle person found in a public place, whether or not he is begging, who has no visible means of subsistence or place of residence or is unable to give a satisfactory account of himself.' (DPA, s. 2.1)

In 2019, a nationwide street count and survey of homeless people found the DPA 'out of step' with needs of homeless people and recommended a revision to bring the Act up to date (Ng, 2019, p. 8). Responding to the recommendation of revising the DPA, the government clarified that it mainly adopts a social-work approach and refers homeless people to social-services agencies (Wong, 2019). Statutory powers, the government added, are exercised as a last resort when an individual's safety has been assessed to be at risk or the individual lacks the mental capacity to make informed decisions about her or his welfare. Yet, these assessments are somewhat arbitrary at present. Statutory definitions of homelessness do not exist in Singapore and there is no official way to delineate homelessness from destitution. The terms 'homelessness' and 'homeless person' do not actually exist in the law, and the DPA remains the key piece of legislation regulating homelessness in the country.

In this paper,[4] I focus on the stigma of homelessness imposed by the DPA in Singapore. I adopt a legal-consciousness framework, specifically the concepts of legal hegemony and everyday resistance, to analyse a group of older homeless people's encounters with the DPA. To show how stigma affects homeless people, I revisit Goffman's classical work on stigma alongside some contemporary ideas on homeless identity. The next two sections of the paper will present the methods and discuss the history and fundamental problems of the DPA, respectively.

The findings sections will show how homeless people made sense of, negotiated, resisted or succumbed to the stigma of the DPA when they were sleeping rough. Three key findings are discussed in detail. First, older homeless people actively resisted and rejected the destitute identity ascribed by the DPA. Second, they enacted a non-destitute identity during the spot checks in order to provide a satisfactory account for their homelessness. Third, older people in the study who had the DPA enforced upon them experienced further stigmatisation in welfare homes. They were also more likely to succumb to a destitute identity and to develop a sense of distrust towards the law and welfare agencies.

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[4]This paper draws from Tan's PhD study 2018, 'Older homeless people in Singapore: an ethnographic study', Monash University. The focus on older homeless people is because the majority of homeless people in Singapore are older people aged fifty years and above. A related book chapter entitled 'Rethinking individual vulnerability and homelessness in Singapore' by Tan was published in *Vulnerability in a Mobile World* (2019), Emerald Publishing Ltd.

2 Legal hegemony and everyday resistance

Developed in the latter half of the twentieth century, legal consciousness has gained popularity amongst scholars seeking to understand the relationship between people and the law. Broadly speaking, legal consciousness refers to the ways in which ordinary people experience, understand and act in relation to the law in everyday life (Chua and Engel, 2019; Merry, 1990; Harding, 2008). This section focuses on the concepts of legal hegemony and everyday resistance in legal-consciousness scholarship to provide a key framework for analysing homeless people's encounters with the DPA.

In their landmark study of legal consciousness, sociologists Ewick and Silbey (1992) identified three predominant ways in which people describe their relationships to law: 'before the law', 'with the law' and 'against the law'. 'Before the law' legal consciousness depicts people's acquiescence to the formal reason and impartiality of law. The law, so to speak, is a Durkheimian social fact (Durkheim, 1938) – an objective entity occupying a sacred space in society, separate from the profaneness of everyday life. The second type of legal consciousness, 'with the law', focuses on human agency (Weber, 1949) – people's ability to act, their will and subjective meanings. In this second typology, law loses its sacred status. People engage purposefully *with the law* and described it as a game to be played – a game wherein those with skills and resources manoeuvre and jostle for self-interested gains. Finally, people in Ewick and Silbey's (1992, p. 48, emphasis added) study also described a relationship of conflict with the law – a sense of 'being caught within the law, or being up *against the law*'. Here, the law is neither sacred nor profane, but a system of arbitrary power that is untrustworthy, dangerous and something to be avoided altogether. Instead of paying deference or playing law's game, people embodying an 'against the law' legal consciousness engage in resistance tactics to seek respite from the power of the law (Ewick and Silbey, 1992).

Building on Ewick and Silbey's seminal work, Chua and Engel (2019) coined the term 'hegemony school' to refer to legal-consciousness scholarship concerned with relationships of power and resistance. As the name implies, the main focus is with legal hegemony: that is, how the law reinforces and maintains the power and norms of a dominant group over others in society through political coercion and ideological consent (Gramsci, 1972). From the hegemony-school standpoint, all three types of legal consciousness above – 'before the law', 'with the law' and 'against the law' – subject individuals to law's hegemonic power and reinforces its authority and control (Chua and Engel, 2019). No matter people's legal consciousness, the legal institution continues to intrude and pervade into their lives because legality is embedded deeply into the social structures of everyday life such as work, family, religion, welfare and government. The effect of legal hegemony is particularly poignant in the lives of the poor. For example, Cowan (2004) highlighted how homelessness laws in the UK stigmatise and oppress homeless people by making moral judgments about their homelessness instead of their housing needs. As a welfare recipient in Sarat's (1990, p. 343) study on the legal consciousness of the welfare poor lamented: 'For me the law is all over … there is always some rule that I'm supposed to follow, some rule I don't even know about that they say.'

Despite the hegemonic nature of the law, people have shown that they are capable of resisting under circumstances of perceived unfair disadvantage, bureaucratic constraints or when opportunities and openings present themselves. Faced with bureaucratic constraints, for instance, some unsuccessful homeless welfare applicants in Cowan's (2004) study learnt to develop tactics to appeal to the emotions of bureaucratic officers reviewing their rejections. Others sought legal advice to reinstate their appeals, especially when they had exhausted the opportunities given by the bureaucracy to tell their stories. In general, common legal-resistance tactics include masquerading (playing with or the strategic use of roles), rule literalness (invocation rather than violation of the rules), disrupting hierarchy (manipulation of hierarchies or power arrangements) and foot-dragging (Ewick and Silbey, 1998; 2003).

These tactics are examples of 'everyday resistance' in legal-consciousness scholarship (Chua, 2014; Nielsen, 2004; Ewick and Silbey, 1998; Gilliom, 2001; Young, 2014). Everyday resistance, as such, is an art of the weak – the weapons of relatively powerless groups (de Certeau, 1984; Scott, 1985): calculated

actions played on and with the laws and rules imposed by the dominant group in society. These practices are likely to be covert, 'hidden, intentionally designed and executed to remain unrecognised and undetected by those against whom they are directed' (Ewick and Silbey, 1998, p. 184). Because everyday resistance occurs within the discourses of the dominant (Foucault, 1980), the possibility of challenging the overarching legal hegemony is debatable. The prospects of such wider victory appear dim. Resistance, while possible, would nevertheless leave intact the dominance and power of the law (Silbey, 2005). Nevertheless, everyday resistance should not be dismissed as inconsequential. For scholars like Ewick and Silbey (2003, p. 1345), 'petty acts of resistance become sociologically consequential' through storytelling and the retelling of resistance narratives by the audience. Its greatest subversive potential lies not in the assurance of victory, but in the collective nature of everyday resistance: the promise that one is not alone in resisting. To fully appreciate what is being resisted by homeless people in the study, it is crucial to understand how stigma affects them. The next section discusses the stigma of homeless identity in detail.

3 Stigma and homeless identity

The concept of stigma is strongly influenced by the work of Erving Goffman. Goffman (1963, p. 3) defines stigma as an 'attribute that is deeply discrediting'. The effects of stigma, to be clear, are not dependent on the nature of the attribute, for an attribute in itself is neither creditable nor discreditable (Goffman, 1963). For example, being idle in itself is neither creditable nor discreditable until further context can be added. In other words, stigma is only operationalised insofar as a discrediting attribute is sustained by certain beliefs, ideas, norms and values held by particular members of a society. Once operationalised, stigma taints and spoils a person's identity and prevents one from full social acceptance (Phelan *et al.*, 1997).

Three different types of stigma mentioned by Goffman (1963) are applicable to people experiencing homelessness. These are visible physical deformities of the body; blemishes of individual character or character flaws; and group stigma, attributed to one's association or membership with particular groups and communities like the homeless. Stigma associated with homelessness is also multi-faceted. The discrediting attributes of a homeless person can be visible, immediately apparent to others (e.g. sleeping rough, sores, unwashed and dirty body) or hidden and undisclosed (e.g. poor mental health, character flaws).

According to Goffman (1963), stigma that is visible, apparent to others, renders one a discredited person whereas hidden undisclosed stigma makes one potentially discreditable. In most instances, homeless people will find that, unlike their 'normal' counterparts in society, the difference between discredited and discreditable matters little. Without a home to retreat to, their homeless attributes take precedence in how others perceive them so that all the different types of homeless stigma – visible or hidden – may be imposed upon them. The homeless individual thus is very often a discredited and discreditable person all at once.

The stigma of a homeless individual as a discredited and discreditable person is realised fully in the context of a homeless identity. A homeless identity (Parsell, 2011) is a particular type of identity that is tainted and spoilt by stigma. It is called into existence and activated when people are 'identified [on both an individual and group level] by, or with reference to, their state of homelessness' (Parsell, 2011, p. 444). A homeless identity is both personal and social (Jenkins, 2008), with its discrediting attributes stigmatising the individual as well as the group on the whole.

The earliest versions of the homeless identity are found in medieval British and European vagrancy laws (Ribton-Turner, 1887; Webb, 1928). The vagrant, as I will show later, is either a valiant beggar or a feckless destitute given over to idleness and vice (Chambliss, 1964; Lees, 1997). Early beliefs about homelessness generally regarded homelessness as a consequence of the activities of people or, more specifically, the moral character of individuals engaged in those activities. Homeless people were either lazy and idle, diseased, immoral, corrupt, cunning, pathological, social outcasts or, at the extreme, evil criminals (Beier, 1985). These personal inadequacies and problematic attributes (Parsell, 2011) remain entrenched in modern-day homelessness legislation.

Therefore, a homeless identity is, first and foremost, an ascribed form of identity (Parsell, 2011). An ascribed identity is a personal and/or social identity that is imposed or enforced by others upon an individual (Bauman, 2004). Marginalised groups like the homeless with discrediting and discreditable attributes are susceptible to such imposed identities that they have no say over (Parsell, 2018). As vagrancy laws and the DPA demonstrate, the government and the legal system wield considerable power in ascribing identities such as 'vagrant' and 'destitute' unto different groups of people in society. Such identities, once imposed, become the dominant identity of a homeless person – an identity that is often difficult to shed.

A homeless identity is, however, also an enacted identity (Parsell, 2011). An enacted identity refers to the physical embodiment or representation of the self in relation to others around us. The concept of enacted identity draws primarily from Goffman's (1969) dramaturgical approach and Butler's (1999) performativity theory – focusing on people's subjectivities and their capacity to negotiate, reject and transcend imposed identities. For instance, Goffman (1961) suggested that people living in an institutional setting were able to manipulate their ascribed identity to their advantage. Similarly, other scholars have shown that homeless people are capable of 'playing the system', manipulating or resisting and rejecting their homeless identity (DeWard and Moe, 2010; Scott, 2010). These examples show that people are not solely passive individuals having identities, but rather can actively engage in negotiating their identities within the social and legal constraints they face (Parsell, 2018).

4 Methods

The data for this paper are drawn from a wider ethnographic study of older homeless people in Singapore from 2015 to 2018. Data on British vagrancy laws and the DPA were collected during the documentary and archival research phase of the ethnographic study. These included online data-bases of the Attorney General's Chambers of Singapore and legal documents from various libraries. Newspapers articles (136 in total) dating back to the nineteenth century were collected from the National Library Board (Singapore) microfilm archives to supplement the data on vagrancy laws, the DPA and homelessness.

Entry into the field for the main ethnographic fieldwork was facilitated by four social service agencies (SSAs) acting as gatekeepers.[5] All four agencies worked closely with homeless people in Singapore and served as the point of contact for recruiting respondents. In the field, I adopted the dual role of a volunteer/researcher that was vital for establishing and maintaining trust with the homeless people whom I interacted with. My previous volunteering experience also afforded a sense of familiarity in this regard.

The main fieldwork was conducted in 2016 with several revisits to the field in 2017. In general, the fieldwork consisted of two overlapping phases. The first phase involved participant observation, conversations with homeless people and keeping a field journal. Regular interactions were maintained with approximately sixty older homeless people during this phase. The second phase involved formal in-depth interviews conducted over a period of six months in 2016. Respondents for the interviews were invited to participate from the larger pool of sixty homeless people. The interviews were audio-recorded and each one lasted for between forty-five and ninety minutes. The questions focused on experiences of homelessness in Singapore, individual biographies and life histories. Themes of law and stigma emerged as people spoke about their experiences. The total number of respondents for the interview was twenty-six, including twenty-one men and five women. They ranged between fifty and seventy-eight years old.

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[5]The four SSAs were Mercy Centre, Paya Lebar Homeless Ministry, Catholic Welfare Services and We Care Community Services. Prior to the study, I volunteered with Mercy Centre for two years from 2012 to 2014, with We Care for six months in 2014 and have been volunteering with Paya Lebar Homeless Ministry since 2013. My volunteering work with Catholic Welfare Services began during the fieldwork and I remain a volunteer with the organisation to date.

The data analysis consisted of an initial round of open thematic coding of the fieldnotes and interview transcripts, and a subsequent round of selective coding to uncover the themes involved in people's experiences of homelessness in Singapore. After the key themes had been identified, they were then re-categorised according to each homeless person in the study to understand their experiences individually. Some key themes that emerged that contributed to the findings of this paper were enforcement, stigma, welfare homes and resistance.

5 The colonial legacy of the DPA and its fundamental problems

The history of homelessness legislation in Singapore is inextricably tied to its colonial past. While the DPA was enacted in 1965 – the year that Singapore became an independent nation state – its roots date back to British colonial vagrancy laws introduced in the nineteenth century. In this section, I examine the colonial legacy of the DPA and highlight two fundamental problems arising from this legacy that result in resistance from homeless people today. The first is the stigma imposed by the DPA. The second is the differential treatment of homeless people.

Singapore became a British settlement in 1819 (Chew and Lee, 1991). Two years later, a pauper 'hospital' – a wooden shed – was established to cope with the growing number of sick and starving beggars and vagrants in the pioneering outpost (Lee, 1973). In 1867, the Straits Settlements, with Singapore as its capital and centre of government, became a unitary Crown Colony under the direct rule of the British government (Sheridan, 1961). Singapore became one of the most flourishing ports in the British empire. However, poverty, malnutrition and opium addiction took a heavy toll on the population and threw many immigrants onto the streets (Turnbull, 2009). Many of the homeless had also escaped from the overcrowded and unsanitary conditions of the pauper hospital[6] (Lee, 1976). Harsh policies implemented by the colonial government including imprisonment and hard labour for runaway paupers were of no avail. During the mid-nineteenth century, the number of 'diseased vagrants' (Lee, 1976, p. 76) in Singapore had increased exponentially and the homeless became a common sight on the streets.

In 1872, the first vagrancy law was introduced in Singapore and strict vagrancy regulations were put into force to punish the 'imposters' amongst the poor. Consolidated as Ordinance No. XIII of 1872 of the Straits Settlements (Harwood, 1886), the vagrancy law extended to many of the poor and undesirables in society: persons without means of subsistence; the diseased and deformed; destitute beggars; wanderers at large; illegal squatters; fortune tellers; professional (fraudulent) beggars; thieves; and weapon-carrying thugs. The penalty, if convicted, was imprisonment in the civil jail[7] or a monetary fine. While the government's intent was to punish only the imposters, the 1872 vagrancy law functioned as a 'sweep all' legal mechanism (Foote, 1956) and any homeless person on the streets could be convicted as a vagrant. The 1872 vagrancy law set the precedence for enduring stereotypes about who homeless people are in Singapore's legal system: (1) destitute or professional beggars; (2) vagrants prone to vice and criminal activities; and (3) dirty bodies that are diseased and deformed.

In 1906, vagrancy laws in Singapore were revised into two new ordinances to deal with the incessant rising levels of homelessness and destitution among the populace. As a result, the 1872 vagrancy law was subsumed into Ordinance No. 96 (Minor Offences) – an ordinance for consolidating minor offences. Ordinance No. 94 (Vagrancy) was passed to establish houses of detention for vagrants. The British did not actually build new houses of detention in Singapore. Instead, the civil jail doubled up as a house of detention until the mid-twentieth century (The Singapore Free Press and Mercantile Advertiser, 1908; Koh, 1953).

Ordinance No. 94 (Vagrancy) of 1906 is an integral piece of vagrancy legislation that would go on to define the modern-day DPA. An important legislative development was the separation of

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[6]In 1844, the pauper hospital was renamed Tan Tock Seng Hospital and situated in proper buildings compared to its earlier predecessors.

[7]The civil jail (also known as Pearl's Hill or Outram Prison in Singapore's modern history) was built by the British in 1847 on the western slopes of Pearl's Hill and demolished in 1968 (Chew, 2016; Tan *et al.*, 2015).

destitution from other classes of vagrants subsumed as minor offences in Ordinance No. 96.[8] In Ordinance No. 94, a 'vagrant' was (re)defined as:

'a) any person found asking for alms;

'b) any person not being physically able to earn, or being unwilling to work for, his own livelihood and having no visible means of subsistence.' (Government of the Colony of the Straits Settlements, 1920)

The vagrant defined as a beggar and/or an idle person with no means of subsistence would, in time, constitute the primary components of the DPA's own definition of a destitute. In addition, Ordinance No. 94 also introduced regulations on the treatment of the destitute vagrants in the houses of detention. The core features of these regulations such as compulsory institutionalisation, compulsory work (if deemed physically fit), punishment for disobedience and powers to arrest escapees remain in place in modern-day welfare homes as part of the DPA.

Two broad legal categories of homeless people emerged through these early vagrancy laws in Singapore: the idle or destitute vagrant and the criminal vagrant. These categories continue to inform the legal institutions regulating contemporary homelessness in modern-day Singapore, namely the vagrancy criminal laws that regulate the behaviour of the poor and the welfare laws such as the DPA aimed at providing care and rehabilitation. Both types of legal institutions contribute to the punishment, compulsory detention and stigma of the homeless population (Webb, 1928).

As the findings sections will show, there are two fundamental problems arising from the DPA's colonial legacy. The first concerns the destitute identity ascribed by the Act. The DPA imposes a homeless identity that is entangled in nineteenth-century archaic legal definitions that do not relate to contemporary experiences of homelessness in Singapore. The disconnect between law and everyday life is a key reason for the ongoing stigma experienced by homeless people sleeping rough in Singapore today. British vagrancy laws brought into Singapore during the nineteenth century were mainly influenced by medieval European understandings of the poor that focused on the moral conduct of the individual in question (Beier and Ocobock, 2008). These stigmatising labels and attributes of homeless people from vagrancy laws remain an integral part of modern-day legal consciousness. For instance, terms like 'elderly vagrants', 'nomads', 'destitute' and phrases such as 'choosing a life of vagrancy' and 'easy way out' are not uncommon in newspaper articles about the homeless in Singapore (Goy, 2017; Soh and Ong, 2011; Mathi, 2008; Tan, 2015).

Second, the enforcement of the DPA legitimises a differential treatment of homeless people sleeping rough. A key legacy of vagrancy laws is to distinguish and sort the undeserving from the deserving poor – to sift out the imposters from the truly necessitous so to speak. Likewise, authorities enforcing the DPA are required to perform a similar sifting process amongst homeless people, separating the destitute for care and rehabilitation from those who are not. The findings will also show that not all people sleeping rough in Singapore were treated in the same manner by the law.

6 'I am not like them': resisting the destitute identity

A funny incident about scavenging for discarded goods was recounted by Mawar, a bespectacled fifty-year-old Malay woman with short wavy hair, during our interview at the Catholic Welfare Services office (also called the CWS Hub). Her partner Saleh was with her. Both Mawar and Saleh had been experiencing long-term homelessness at the time of the interview. Contrary to conventional stereotypes of homelessness, Mawar and Saleh worked and held part-time jobs: Mawar was a housekeeper in a hotel while Saleh was an aircon maintenance technician. Occasionally, Mawar would

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[8]Ordinance No. 96 (Minor Offences) is the precursor to the modern-day Miscellaneous Offences (Public Order and Nuisance) Act (1997) in Singapore, which still includes a section dealing with vagrants, entitled 'Part IV – Vagrancy'.

supplement her part-time income by scavenging for discarded goods to sell at the flea market. On one such occasion, Saleh decided to join her during his day off from work. Mawar continued the story:

> 'He [Saleh] *malu* [Malay word for "embarrassed"]. I am looking for things at this block [of flats] here, he is behind at another block there. When I try to find him, I think, "Eh, where Saleh ah? Not checking the dustbin, he was hiding in the corner." "Why you go there?" I asked him. "Got people, *paiseh* [Singlish word for 'ashamed']!" he told me. For what you want to *paiseh*, you not stealing people's things, right?'

That day, unbeknown to Mawar and Saleh, their scavenging caught the attention of two police officers on patrol. In Saleh's words, they were being 'escorted from behind'. The police asked for their Identity Cards (ICs) as part of the spot check but left soon after to allow Mawar and Saleh to continue on their way. 'It is because we are not like *them*,' Saleh reasoned.

The refrain 'I' or 'we are not like them' is a common one I hear from older homeless people in the course of my research. This 'us' vs. 'them' distinction is a way for people to distance themselves from the stigma of a homeless identity. In Singapore, a homeless identity is strongly associated with the discrediting attributes of being destitute – idleness, no means of subsistence and begging. Homeless people are thus highly stigmatised individuals: discredited for the visible act of sleeping rough and also a discreditable person with moral character flaws. As discussed previously, the destitute identity emerged from legal definitions ascribed to homeless people in early vagrancy laws and are sustained through time by present-day laws such as the DPA.

In this section, I will show that a homeless person's identity is entangled in archaic legal definitions that are often not related to contemporary experiences of homelessness. Many homeless people in the study worked for a living and were not the idle destitute or nuisance beggars defined by the DPA. The majority worked in blue-collar jobs that provided a low to moderate monthly income from $1,000 to $2,500 (Tan and Forbes-Mewett, 2018). Joe, a fifty-four-year-old man who had experienced two episodes of homelessness in his life, emphasised the importance of work (and money) when one is homeless. The need to work is especially crucial for middle-aged able-bodied homeless people like him, as they were not eligible for government financial assistance. As Joe explained, to survive on the streets, one needed to have money:

> 'Honestly speaking, if you don't have money, you cannot sleep outside. At home, if you do not have money, you can cook something cheap like porridge to eat. Now when you sleep outside, how to eat cheap [food]? Really, how do you cook? Maybe you say you can steal food from NTUC [a supermarket chain] and eat for one day but tomorrow you go inside [prison] and sleep behind bars …. If I am working and the job is smooth, I don't need to worry so much. But the fear is once you don't have a job, you will be finished!' (Spoken in Mandarin)

The ability to work and hold on to a regular source of income is a challenge for older people in the study especially. However, not having a regular income did not necessarily mean that one was lazy and idle. The lack of dignity in low-income jobs was a key struggle for homeless people. After Edward, a sixty-one-year-old Chinese man, became homeless, he had to find ways to earn money even though he had retired early as a managing director at the age of forty-one. Edward found work as a waiter, supermarket retail assistant and a cleaner washing toilets, sweeping floors and picking up rubbish. Working in these jobs, Edward's mental health suffered. The way that he was treated in a cleaning job showed him how far he had fallen from the days when he was a managing director:

> 'It was lunchtime and I was eating. [My supervisor] tell me, "Put the food on the floor. Come with me, somebody vomited in the wash basin. Better go and clean up!" I was having my … I look at that puke. Wow! It is terrible! Smelly! But no choice, I cleaned it, I had to swallow [my pride]. I was very angry! I wanted to hammer that guy but then I think, that won't solve

my problem. So, I had to swallow it. Okay, after I finished washing, when I got back … it was terrible, cockroaches running over my food! Shit … and that packet of food cost five dollars, gone!'

Older people in the study were also concerned by the fact that they could not physically do the work required due to their ageing bodies. Many of the low-income jobs such as cleaning, security work and retail were manual physical work that required long hours of standing. The stress of not being able to execute the job properly explained why some older people like Mr Ng, a sixty-nine-year-old homeless man, chose the insecurity of scavenging for discarded goods at his own pace rather than the security of full-time or part-time work. For Mr Ng, scavenging is work and not an idle activity of a vagrant:

'I have problems walking and sitting down. My legs hurt when I stand for too long. Initially, I thought about going to work. A volunteer introduced some jobs for me to work but I told him I can't. If I went to work, I might earn about $1000-plus a month … but if you want to take a salary from someone, you got to do the work. If you can't do the work, what are they paying you for? It is not that there are no jobs in Singapore for us. There are! Now the Singapore government encourages the elderly to work. Don't you think that will be a problem for some of us? For a 70-year-old person, the will may be strong, but the body is weak.' (Spoken in Teochew dialect)

Financial assistance from the government is available if homeless people are able to show that they could not work due to poor health, for example. However, the amounts provided are kept deliberately low to discourage a dependency on welfare and to incentivise work instead (Ng, 2012). No homeless person in Singapore could actually afford to be lazy and idle if they wanted to survive on the streets. None of the people in the study had indicated that they were able to rely on the government's financial assistance when they were homeless. Ahmad, a sixty-one-year-old Indian man who was homeless for two years, described succinctly how financial assistance was meant to work in Singapore:

'So, at the hospital, the social worker was the one who recommend me to all these [financial assistance schemes] …. She told me that because I had heart attack and cannot work, I can get help. So, I get $450 per month. It is for food and for my own using [expenditure] … that is enough. Not enough for rental, no nothing for housing. That is my budget. After when I start to work again, no more anything [financial assistance] already.'

In fact, being perceived as an idle person who 'freeloads' on others was a stigma that older people in the study went to great lengths to avoid. Mr Neo, a sixty-four-year-old portly, tanned Chinese man, would occasionally visit the Homeless Night Café situated near the CWS Hub when he was sleeping rough in the area. At the Night Café, he would often reject the meals offered to him. Mr Neo explained:

'Some people look for free meals, I don't like it. You see, when I come here, I rarely eat the things here. I only eat here if it rains suddenly or something like that. I rather eat outside when I have the money. Don't always depend on others … I used to do charity at *Ku Su Lin* [Singapore Buddhist Lodge]. I am not lying to you. I don't like to be a freeloader; I am not like them.' (Spoken in Mandarin)

Ku Su Lin, or the Singapore Buddhist Lodge, was a popular place for homeless people in the study to get a free meal when they were sleeping rough. Like Mr Neo, those who went there felt obliged to contribute in some manner to avoid being perceived as a freeloader. 'Old Town' (nickname), a sixty-nine-year-old long-term homeless man, shared similar sentiments:

'So, last year [2015] onwards, I started going to the *Ku Su Lin* for food. I am not a freeloader there. When I get there usually about 1pm, after I finished eating, I will start to do some work there at 1.30pm. I will help sweep the floor, clear the plates while others are eating and wash the plates. I work until 3pm. I will help them out. So, when I pack some food back to eat, they will not chide me.' (Spoken in Hokkien dialect)

These findings suggest that the archaic homeless identity ascribed by law is a poor representation of contemporary experiences of homelessness in Singapore. Older people in the study actively resisted and rejected the stigma of discrediting attributes ascribed by the DPA. Many of them were quick to distance themselves from the destitute identity and the stigma of homelessness.

Older homeless people's resistance to the destitute identity bears the hallmarks of everyday resistance described in the literature. There is essentially no overt confrontation or organised protest by homeless people against the DPA. Rather, resistance is located in the refusals and absences (Ewick and Silbey, 1998). Older people in the study refused to be associated with the ascribed identity of a destitute by stating pointedly to volunteers and researchers that they were not like *them*. They also emphasised the absence of discrediting attributes such as idleness and laziness in their lives through their narratives about the importance of work, their struggles with work and poor health, and not being a freeloader. As this section has shown, many of them worked for a living or had attempted to work throughout their homelessness because 'if you don't have money, you cannot sleep outside' (Joe). Those who could not work were hampered by poor physical/mental health or addiction issues rather than 'choosing' to be idle.

7 Giving a satisfactory account of oneself: enacting a non-destitute identity

There is a further legal dimension to the 'us' vs. 'them' distinction drawn by homeless people in the previous section. Here, I propose that this distinction is not merely confined within the utterances and narratives of homeless people, but it is a necessary form of 'work-in-itself' because of the enforcement of the DPA. Distancing oneself from the destitute identity had to be worked on, performed and reproduced repeatedly, in order to provide a satisfactory account for one's homelessness to the authorities in Singapore. To resist the stigma imposed by the DPA, one had to enact a different kind of homeless identity. I shall, for the sake of simplicity, call this the 'non-destitute' identity. This sort of 'work' is especially important when interacting with authorities who could enforce the DPA.

Interactions with enforcement authorities were common experiences for homeless people in Singapore. Depending on where they slept rough, respondents of the study reported being spot-checked and questioned by the police, the auxiliary police (AETOS), MSF officers and National Parks (NParks) officers. These spot checks usually took place in the early hours of the morning (from 2 to 4 a.m.) when they were asleep. Three questions were often asked: (1) Why are you sleeping here? (2) Do you have a home or address? (3) Do you have a family?

Whether one could provide satisfactory answers to these questions had real consequences for people sleeping rough in Singapore. The inability to provide a satisfactory account of oneself resulted in a verbal warning by enforcement authorities to move away from the area and that sleeping in public spaces was not allowed in Singapore. After two or three warnings, recalcitrant individuals (who could not provide satisfactory answers) were likely to be rounded up and institutionalised into the welfare home for compulsory care and rehabilitation.

Two types of accounts of the self were generally considered satisfactory if one was sleeping rough. The first was that a person had 'no choice' but to sleep rough because of work. For instance, sleeping rough because the spot was near the workplace and facilitated getting to work on time the next morning or that one had missed the last bus were common reasons cited by homeless people during spot checks. Being employed in some form of work, whether full-time or part-time, was proof enough that one was not *like* a destitute and hence need not be admitted into a welfare home. When Mawar slept rough outside the shop corridors of Waterloo Centre, the AETOS would conduct regular spot checks

there. Since Mawar was working shifts as a housekeeper in a hotel, she explained her long working hours to the AETOS and convinced them that she had no choice but to sleep rough. She told them that there was no more transport left that could bring her 'home' (a house she shared with her son) to Malaysia after work:

'I talked to AETOS, "How Sir? You want me to go back home? I stay JB [Johor Bahru[9]]. You don't believe, I got proof on my IC. Ah, I am working at the hotel until 11.30pm. If got bus, I go back *lah* [Singlish slang used to assert a point]. But don't have bus, how to go? You want me to walk back? If I stay Woodlands [a residential town where the immigration checkpoint between Singapore and Johor Bahru is situated], I can go back every day. But I am working here at the hotel far away from Woodlands, how to go back?" Then the AETOS said, "Okay, okay, okay, okay."'

Work was also a reason used by some older people in the study who scavenged for discarded goods or recycled carton boxes to sell when they were spot-checked. When Mr Neo was questioned by MSF officers one night, he told them that he could not carry all the 'old' goods home with him:

'I told them I don't have a choice. The MSF officers came to check. They asked me why I was sleeping there. I said, "I am running a business buying and selling old goods and rarely go home. My goods are so heavy. Why don't you help carry them back for me?" After they heard that, they felt that I had a point and they left me alone. They went to "arrest" someone else.' (Spoken in Mandarin)

Ying, a seventy-five-year-old woman who collected and sold recycled carton boxes for a living, was asleep under a multistorey car-park ramp when she was woken up one night by MSF officers and asked to follow them. In response, Ying told them that she was not homeless and gave them her home address. The MSF officers told her that she would be sent home immediately. Ying claimed that she 'sang songs' (which is a colloquial Mandarin metaphor for 'talking nonsense' or 'to ignore') to the officers until they left her alone. However, it was more likely her work reasons that helped her avoid the compulsory ride back home with MSF officers:

'I "sang songs" to them. I just ignored them. Actually, I asked them, "Why can't I sleep here?" They said, "You have a home …" and they wanted to drive me home. I told them, "If you drive me home now, you have to drive me back here tomorrow morning before 5 am, in time for the collection truck!" I am not being unreasonable. If you drive me home, what about all my flattened carton boxes here? Then they said, "Okay lah, okay. We will still come over and visit you. Don't let us see you sleeping here again." Since then, I slept here every day. They are earning a living, am I not doing the same?' (Spoken in Mandarin)

Productive labour (the idea that one worked to provide for their own subsistence) is key to enacting a non-destitute identity for people sleeping rough. The second component was family support. Hence, a second way to give a satisfactory account of oneself was to inform the enforcement authorities that one had family to return to and therefore was not a person without a potential place of residence. For example, a seventy-eight-year-old homeless woman, Mdm. Goh, indicated that she was let off during spot checks because of her ability to prove that she had family. Mdm. Goh slept rough in the public square of a prominent busy neighbourhood centre and was often woken up in the middle of the night by enforcement authorities. According to her, they would come at around 1 a.m.: 'Auntie [colloquial way of addressing a female who is more senior in age], wake up. You cannot sleep here,' the MSF

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[9]Johor Bahru is located across the Straits of Johor in Malaysia. It is connected to Singapore by public transportation. The last bus runs at roughly around midnight each night.

officers warned her. 'I don't want to say too much to them,' Mdm. Goh revealed, saying that she usually got up, gathered her things and moved away quietly to the nearby twenty-four-hour McDonald's. There, she sat and waited for the MSF officers to leave. On one occasion, the officers questioned her in detail. She told them that she was sleeping rough because she could not get along with her children's spouses. After running some checks, the MSF officers brought her to her son's house and questioned him:

> 'They [MSF officers] did not believe that I have children. One of them took my IC. After some time, they asked me to follow them. They must be very resourceful because they found my son's home in the middle of the night and asked him, "Why doesn't your mother come home to sleep?" My son replied, "It's not that I don't let her come home to sleep. She's the one who doesn't want to sleep at home." The officers were so mad at me and told me, "Auntie, why won't you be more obedient?" I said, "No, I don't want to because my daughter-in-law and me … we don't get along."' (Spoken in Mandarin)

The above findings on older homeless people's encounters with authorities enforcing the DPA showed that those who succeeded in enacting a non-destitute identity by convincing authorities that they had some form of work or familial support were generally allowed to carry on with their lives on the streets. From an everyday resistance standpoint, the enactment of certain non-destitute attributes such as productive labour and family support brings to mind the legal-resistance tactic of masquerade, which involves the manipulation of people's roles. More often than not, these manipulation of roles are not deceptive, but selective (Ewick and Silbey, 2003). Older people in the study were not so much assuming false roles during the spot checks as they were invoking certain 'correct' roles such as that of a productive worker or a family member. At times, the selective invocation of roles by homeless people was accompanied by rule literalness, another everyday resistance tactic. For instance, when Mr Neo and Ying told the MSF officers that they would go home if the officers helped to carry back the goods (Mr Neo) or drove her back to the same spot at which she worked the next morning (Ying), they were conforming not only to the rules of law, but also strictly to the rules of their work so that it might eventually be too tedious for the authorities to enforce the DPA.

Finally, older homeless people's encounters with the authorities in public spaces were not always related to the enforcement of the DPA. Most encounters on the streets with the police were in fact cordial in nature. For instance, Low, a fifty-four-year-old homeless man who slept in the same public square as Mdm. Goh, mentioned that the police patrolled the area frequently and had very different concerns from the MSF officers or the AETOS:

> 'The police have checked on me many times. They told me to be careful when they saw me sleeping outside here. They told me to be careful with my bag. They said, "Uncle [colloquial way of addressing a male who is more senior in age], you must keep your handphone and belongings properly."' (Spoken in Mandarin)

Mawar's experience was that the police would only question her when they had to respond to the public's complaint about homeless people sleeping rough. Once they found out that she was not behaving inappropriately, they left her alone:

> 'Sometimes the police say, "Cannot sleeping here, people complain." I asked them, "Tell me who complained against me, I want to know the reason. Did I do anything wrong or disturb anyone?" Then blah blah blah … the police told me, "It is wrong that you are sleeping here." I told them that I know I am wrong, but I could not go back to Malaysia because of my work. Then they asked me, "You are not scared ah, sleeping here? You must take care of your bag okay." I replied, "I know, don't worry. I [sic] no drinking beer. I am okay to sleep here. Don't worry!" After that, they left.'

These cordial interactions between the police and the older homeless people in the study suggested that the police were not involved in rounding up homeless people even though they had the legal jurisdiction to do so (via the DPA). The enforcement of the DPA had been tasked to the MSF officers and the auxiliary police (AETOS) while the NParks officers regulated the illegal campers in parks and beaches. Learning the roles of these different enforcement authorities and what constituted a satisfactory account in order to enact a non-destitute identity was a crucial element of older homeless people's legal consciousness that helped to them survive on the streets.

However, not every older homeless person in the study succeeded in giving a satisfactory account of themselves with the enforcement authorities. The next section focuses on the experiences of some older people who had the DPA enforced upon them and shows why some would eventually succumb to the destitute identity.

8 'Wake up, let's go': succumbing to the destitute identity

Wesley, a sixty-nine-year-old man introduced at the start of this paper, had already retired and lost all contact with his family members for close to thirty years when the AETOS conducted a spot check on him. With no satisfactory answers for the authorities, Wesley decided that the best thing to do was to heed their warning. He moved away from his sleeping spot. But Wesley soon returned to the same spot because it felt comfortable and familiar. When the AETOS found him sleeping there again, they woke him up and enforced the DPA on him (Tan, 2019, p. 38):

'At that time, these officers coming around night time, late night. They gave a warning: "Move away, don't want to see you here again". Ok, we move away but we came back because we grew familiar with the spot, *shiok* [Singlish expression for "comfortable" and "pleasurable"] already. And then one night, I cannot remember the time exactly, 2 am or 3 am or what … "Come, come, come. Come quickly!" Like you are under arrest. "One more time see you here, come! Wake up! Wake up, let's go!" Put in the van or what. Go to the Angsana Home [welfare home].'

Like Wesley, some older homeless people who were unable to work, had no family to call upon or struggled with substance addiction found it difficult to invoke an 'us' vs. 'them' distinction. Some had no control over how their family would react when called upon during the spot checks. Often, the fractious familial relations of homeless people struggling with substance addiction in the study were stumbling blocks in these situations. When Ganesh, a fifty-four-year-old recovering alcohol and drug addict, was questioned by the MSF officers one night for sleeping rough, he thought that he could rely on his eldest brother for help and gave his brother's contact number to the officers to prove that he had a home to return to:

'It was my oldest brother's telephone number. At that time, I was not on good terms with my sister-in-law because of my past drinking. I thought I still try, you know. When they called, my sister-in-law said, "No, we got no place for him." She didn't want to accept me. That broke my heart.'

Ganesh was admitted into the welfare home under the DPA. The MSF officers brought him there 'because I had no place to stay' (Ganesh). At the welfare home, the destitute identity was not only ascribed onto its residents, but also enacted in practice through the daily routines within its institutional setting. As Ganesh explained, the atmosphere at the welfare home was 'just down'. During his two-year stay there, Ganesh felt bored and the mundane routine of institutional living dulled his senses: 'You are doing the same old thing … repeating and repeating and repeating,' he said. When the welfare home found a cleaning job that allowed Ganesh to travel and go out during the day to work, he took the opportunity to escape and went back onto the streets. Ganesh was

subsequently arrested by the police and sent back to the home. In time, Ganesh succumbed to the destitute identity and accepted the legitimacy of the stigmatised treatment that residents at the home received:

> 'Angsana Home is for the homeless, jobless, and hopeless. The staff treat us like useless guys lah, good for nothing. They look down on you lah, simple. Because it is a charity you know, where people sponsor your food, like we are begging from them. The way the staff speak to us there, they don't treat us like humans, you know? But then again, some residents there also behave that way. They don't even bathe when there are showers there for them.'

For homeless people with a criminal record, the ability to give a good account of oneself during the spot checks was sometimes not sufficient to avoid being rounded up. Anwar, a sixty-five-year-old Malay homeless man, was employed at the time he was questioned by the authorities for sleeping rough. He also had a brother whom he could call for housing support if needed. However, Anwar was not given a chance to call him on the night he was rounded up and was only allowed to do so once he was in the custody of the superintendent of the welfare home. Anwar reasoned that it must be his previous criminal record that had led to his 'unfair treatment' (Anwar). When his brother and his employer attempted to bail him out, they were told that Anwar had to stay in the welfare home for a week:

> 'When I managed to get my brother, I told him, "You come lah because the Superintendent detained me." The next morning, my brother and my employer came to bail me out. The Superintendent said that I must stay for at least one week. I almost *hantam* [Singlish for beat up] him but he kept away. The two [AETOS] guards stood in between us. There was nothing I could do. So, I asked him, "My brother is here, my employer is here. Why do you detain me and not let me go?" Then I found out, they wanted to check my body, my brain, blah, blah, blah …. Go to IMH [Institute of Mental Health], just next door only.'

During that one week in the welfare home, Anwar was kept in an isolation area for newcomers away from the rest of the residents. There was no freedom at all according to Anwar. Everything was done in the isolation area during that week, including meals. Anwar was mostly confined to a room that he shared with seven other newcomers and a small area that had a TV. Newcomers to the home were also not allowed to smoke – a favourite pastime of Anwar's. Anwar did not stay for more than a week in the welfare home, as his brother was successful in applying for his discharge. For Anwar, however, the entire experience convinced him that the law and the welfare agencies could not be trusted:

> 'The real danger [for homeless people] is from the law …. Is there a notice that says no sleeping in the parks and gardens? No such thing, right? So, I sleep here, park, garden. MSF is the head behind all this, you know? They are the ones who give out this law. Get this homeless, charge them with vagrancy, send them to Angsana. And then the AETOS, the men, the people, who come to us. These are the guys who will get the commission when they get us into Angsana. Yes, they get the commission. It's the system … they don't respect us as humans at all.'

If Anwar's experience with the DPA and the welfare home led to a general distrust of the law, Wesley's experience resulted in an attempt to seek redress through an everyday resistance tactic by *disrupting hierarchy* – that is, to wilfully ignore hierarchy and its lines of authority (Ewick and Silbey, 2003, emphasis added). After Wesley was admitted into Angsana Home, he stayed there for three years. On one occasion, Wesley felt the 'full force' of the discipline at the welfare home. He fractured his lower vertebra as a result. According to him, he fell after being slapped across the face when staff thought that he was smoking in an unauthorised area. Wesley was not. But he had an unlit bidi (cheap cigarette) on his lips. 'That bloody thing is unlit what! You are supposed to be a charitable

organisation. Fuck you man!' Wesley's face contorted in anger as he recounted the incident. When Wesley felt recovered sufficiently, he obtained the medical report from the hospital and sought redress for the matter.

The first place that Wesley went to was straight to the 'top' of the welfare home, to the head office of the nonprofit organisation that ran Angsana Home. 'I went to complain at the head office to complain lah, "Blah, blah, blah …" and then I waited and waited. Nothing! Nobody wanted to know,' Wesley recounted. After some time, Wesley gave up waiting for the head office and went to the Legal Aid Bureau for legal advice:

> 'I got this medical report, I showed the lawyer [at the Legal Aid Bureau] and said, "Like this, like this happened, I got this fracture …" Very angry lah! I want to sue for compensation. "No, no, no, we don't want to be involved in this," the lawyer said. You Legal Aid Bureau what! Huh? You don't want to be involved in this sort of problem ah? Then, where can I go man? I have no money to pay lawyers outside. That's the last option already …. Outside [the Legal Aid Bureau's office] I was thinking, "Legal Aid Bureau like that ah?" But I don't go and make noise there, wait they call the cops, you get into trouble. That would make the problem worse and worse.'

Wesley went back to Angsana Home after his failed attempts to seek redress. He heard back from neither the head office nor the Legal Aid Bureau again. However, Wesley was transferred out of Angsana Home one day to another welfare home called Bukit Batok Home for the Aged. It happened suddenly, according to Wesley, but he was grateful that the second welfare home had a better environment. When Wesley was discharged from the second welfare home, he went back onto the streets. Wesley eventually exited rough sleeping with the help of volunteers from community organisations working with the homeless in Singapore. When he heard that volunteers from the same nonprofit organisation that ran Angsana Home wanted to help with housekeeping and cleaning chores at his rental flat, Wesley rejected them immediately. 'I already *tak mahu* [Malay for "I don't want"] lah. Don't want to get mixed up again lah,' Wesley said flatly.

The law is indeed a powerful presence in homeless people's lives in Singapore. The experiences of a group of older people who felt the 'force' of the DPA suggests that not all homeless people in Singapore were treated in the same way by the law. Those who succeeded in resisting a destitute identity or enacting a non-destitute identity were generally left alone by the authorities to carry on with their lives. Others like the older homeless people in this section failed and were admitted into welfare homes for compulsory care and rehabilitation.

Herein lies the hegemonic power of the DPA. Legal hegemony scholars like Silbey (2005) caution that the power of the law is never solely coercive, but maintained through ideological consent. Whether resistance was achieved through masquerade, rule literalness or disrupting hierarchy, these tactics were played on and with the rules and laws imposed by the dominant group in society. The law, as such, collaborates with existing norms in other social institutions to infuse consensus over meanings by enabling or constraining one's action. When older homeless people used work and familial support as tactics of everyday resistance, they were in fact reproducing and enacting dominant social norms that are valued by the state. Consensus is moulded and reaffirmed by the non-enforcement of the DPA on rough sleepers who could demonstrate 'correct' attributes while those who could not were admitted into the welfare home for compulsory care and rehabilitation.

Yet, the findings in this section have also shown that homeless people experienced further stigmatisation from staff at the welfare home and some like Ganesh eventually succumbed to the destitute identity. Others like Wesley and Anwar tried their best to exert their agency to change the circumstances they faced. Their limited success, however, led to a diminished sense of one's agency and an eventual distrust of the law and welfare agencies. In both of the above circumstances, the broader complexities of homelessness (Tan, 2018) are missed and remain unaddressed.

9 Conclusion

The regulation of homelessness is indeed a complicated matter (Tan and Forbes-Mewett, 2018). Although the government recognises that there are rough sleepers in public spaces and works with homeless outreach groups to provide support, the terms 'homelessness' and 'homeless person' do not exist in Singapore's laws. Instead, the DPA – a legacy of colonial British vagrancy laws – performs the simultaneous functions of policing, rehabilitating and providing compulsory care to those who are sleeping in public spaces (Rusenko, 2017).

Drawing from the experiences of older homeless people in a three-year ethnographic study, this paper has outlined two fundamental problems with the DPA in Singapore. The first is about the destitute identity ascribed by the Act. The DPA imposes a homeless identity that is entangled in nineteenth-century archaic legal definitions that do not relate to contemporary experiences of homelessness in Singapore. The disconnect between law and everyday life is a key reason for the ongoing stigma experienced by homeless people sleeping rough in Singapore. The second is about the enforcement of the DPA, which requires authorities to operate in a legal consciousness that legitimises the differential treatment of homeless people sleeping rough.

This paper has adopted a legal hegemony and everyday resistance framework to explore issues of stigma and law from the perspectives of a group of older homeless people in Singapore. In exploring these issues, the paper had sought to show how homeless people made sense of, negotiated, resisted or succumbed to the stigma of a homeless identity imposed by the DPA. Several key findings were highlighted.

Using everyday resistance tactics such as masquerade, rule literalness, disrupting hierarchy and resistance narratives, older people in the study actively resisted and rejected the discrediting attributes of a destitute ascribed by the DPA. In their narratives, they distanced themselves from a destitute identity by drawing an 'us' vs. 'them' distinction. They also had to learn the roles of different authorities that they encountered on the streets and what attributes constituted a satisfactory account of oneself in order to enact a non-destitute identity during the spot checks with authorities enforcing the DPA. Finally, those who failed in their resistance had the DPA enforced upon them and experienced further stigmatisation in the welfare home. They were also more likely succumb to a destitute identity than others in the study. For this group, the law and welfare agencies in Singapore were generally seen as unfair punitive institutions to be distrusted.

To conclude, the government has in recent years taken a proactive role in engaging community groups and homeless people themselves. In 2018, a PEERS (Partners Engaging and Empowering Rough Sleepers) network was set up by the MSF to work closely with volunteer groups and community service providers (Lee, 2019). Indeed, MSF and various government agencies have begun joining volunteers on their regular outreach walks with the aim of providing better integrated support to the homeless. A Safe Sound Sleeping Places (S3P for short) programme consisting of less stringent temporary night shelters operated by community service providers was also initiated as part of these recent collaborations. These are all positive steps in tackling homelessness in Singapore.

However, the experiences of older homeless people in this paper have also demonstrated that the stigmatising effects of laws like the DPA should not be underestimated. The differential legal treatment of homeless people in Singapore, based on the assessment by enforcement authorities of whether one was destitute or not, is indeed fundamentally problematic. When older homeless people employ tactics of everyday resistance during spot checks, these spot checks essentially become a masquerade – a test of one's ability to enact the non-destitute identity convincingly. This makes it difficult for government officials and volunteers alike to build rapport, trust and open communication with homeless people. If the aim of the government is to empower rough sleepers and homeless people, the next step forward might be to address the stigma imposed by the DPA and consider seriously its effects on homeless people in Singapore.

Conflicts of Interest

None

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