1

Mobilizing Gay Rights under Authoritarianism

> If you're talking about gay men being "attacked" very openly, very visibly, it happened. If you're talking about gay men organizing themselves, it happened. If you're talking about gay men fighting back, it happened. So for all intents and purposes, it was our Stonewall. (Keenan)[1]

May 30, 1993: Beach Road, Singapore

The night for Keenan and his friends started out like any other Sunday night at Rascals, when the disco attracted a regular crowd of gay men. People were dancing, drinking, and enjoying themselves. Suddenly, the music stopped and the lights went up. Out of the corner of his eye, Keenan saw a senior partner at his law firm try to hide himself in the crowd.

"Shut up!" "Police raid." A plainclothes officer in a striped polo T-shirt warned everyone to keep quiet or, he threatened, "I'll knock your heads." He and other officers divided Rascals patrons into those who carried identification documents on them and those who did not. Keenan was carrying his identity card, so he was allowed to leave the club. But his flatmate did not have identification and was detained. Keenan rushed home to fetch his flatmate's card and hurried to the Beach Road police station. There, he found his flatmate huddled together with other detainees taken from Rascals, all made to squat outside the station. Keenan produced his flatmate's identification to the police and had him released. The rest were released in the morning without charges.

Keenan's encounter was common in authoritarian[2] Singapore of the early 1990s. The police frequently raided gay businesses congregated along Beach Road, a popular strip of bars and clubs at the time. What transpired after the raid of May 30, 1993, however, was far from common in the island state and former British colony. Angered by the night's events, Keenan looked into Singapore's legislation. He discovered that the police had no authority to detain a person who did not carry his or her identification card unless they had reasonable belief that the person had committed some wrongdoing, which he did not think was apparent at Rascals. The recent law school graduate decided to write a letter to the police and looked around for signatories. The senior lawyers he approached refused to co-sign the letter. After much effort and persuasion, he finally managed to collect 21 signatures from among Rascals patrons and submitted the letter to the police and the Ministry of Home Affairs, its parent ministry.

The letter cited the relevant statutory provisions that supported Keenan's allegations and went on to say:

> It is particularly disturbing to find Singapore law enforcement officers behaving rudely towards and verbally threatening citizens who have not committed any offences. It would also be in the public interest to clarify the legal powers of police officers (plainclothes) to demand the production of personal particulars in cases where no offences have been committed. (Rascals letter, May 31, 1993)

A month later, the assistant superintendent of the Beach Road police station called Keenan:

> He said, "Look, we've received your letter. What do you want us to do? Basically, what we have done internally was that we have educated our police officers that what they did was not in accordance of [*sic*] the law." They had told [their officers] that they cannot do this in the future. So I said, "Fine. I want your assurance that there will be no more future occurrences." . . . And he gave me that assurance. (Keenan)

A few days later, Keenan received a letter from the Central Police Division Headquarters, signed by its acting commander, explaining that the police had received complaints of overcrowding at Rascals and had suspected some patrons of providing false identification. Then it went on to apologize:

Due to the confusion at the initial stage, our officers had difficulty controlling the large crowd at Rascals. Some of the patrons became unruly and our officers had to raise their voices. We apologise for their lack of tact in dealing with the situation. We will take steps to prevent a recurrence and to caution the officers concerned. (Police reply to Rascals letter, June 29, 1993)

————

Old timers often hail Rascals as Singapore's Stonewall, crediting the raid for galvanizing a fledgling gay movement[3] that was quietly taking shape in the early 1990s in Singapore. Of course, these activists are speaking of Stonewall the myth—that it started everything (D'Emilio 2002)—rather than Stonewall the socially and historically contextualized event. Many of them were mere toddlers and some of them were not even born when the notorious riots happened. The famous New York City incident did not single-handedly launch the movement in the United States that had deep roots in earlier decades (D'Emilio 1998; Armstrong 2002). Nor does their Rascals campaign bear much resemblance to the events that ensued after the police raids in June 1969. In the Stonewall narrative, the name of the famous bar is associated with open confrontation and street riots. In contrast, the absence of open confrontation and the reticence of angry protests on the streets epitomize the Rascals story.

My purpose here is not to debate the differences and similarities between the two incidents but instead to point out that the two events did more than trigger instant and singular reactions to systemic repression. As a result of Stonewall and Rascals, some people decided to organize and mobilize collectively (D'Emilio 2002; Hirshman 2012) and made choices on how to do so.[4] The two incidents are memorable because they represent turning points in gay history. The initial and evolving responses to these events created moments of opportunity that activists seized to advance collective action whose legacy continues unbroken, though sometimes untidy, to this day.

I also want to point out that the collective mobilizations that occurred after these incidents were shaped by the specific historical contexts and sociopolitical conditions that surrounded them. Stonewall occurred at the end of a decade in the United States made up of civil rights protests, black militancy, campus demonstrations, and the rise of the New Left. In Singapore, the Rascals raid occurred at the end of a period of increasing oppression. The ten-year period preceding Rascals started with the ruling party's decision to

permit limited space for political debate and dissent—containment—but ended with detentions without trial of young social activists and community organizers accused of plotting a "Marxist conspiracy" against the state.

Because of their different history and sociopolitical context, Keenan and other gay activists in Singapore have developed strategies that suit their environment; the American events may be their inspiration but cannot offer them a blueprint for building a movement. Acting on what they believe best serves their interests, Singapore's activists set an agenda to improve social conditions, to repeal the Penal Code's Section 377A against sexual conduct between men,[5] and to achieve greater legal protection and equality for gays in Singapore. At a more fundamental level, they must also ensure that the movement and its members can *survive* to carry on the struggle, and that means avoiding retaliation from an authoritarian state known to curb basic civil-political liberties that facilitate and protect collective action in the first place.

This is the story that *Mobilizing Gay Singapore: Rights and Resistance in an Authoritarian State* sets out to tell. How did a movement that started out dodging state surveillance and media exposure, in a matter of twenty years, develop into one that holds a 15,000-strong gathering and dares to argue openly for the repeal of Section 377A in Parliament and the courts? This book relies on in-depth interviews with gay activists in Singapore spanning the entire twenty-year period of the movement, observations of movement activities, and analyses of more than two decades of movement documents, government statements, legal documents, and media reports. It tells the story of how a marginalized minority works toward social change in a society where, in contrast to liberal democracies, civil-political rights and democratic processes are limited. The Singaporean state has no tradition of tolerating open confrontation and protest and uses the law to suppress such actions and cultivate cultural reticence. The rule of law prevails in the Singaporean state, but it takes a specific form. At the helm of the state is the People's Action Party (PAP); since independence from the British in 1963, the PAP has used a kind of legal reform to attain economic prosperity, earning Singapore one of the world's top ten Gross Domestic Product per capita and a ranking among the freest economies in the world (Heritage Foundation 2011).[6] However, this same type of rule of law, one of a rule-bound character, is also simultaneously harnessed to quell political differences and engineer social order. The state legitimizes the curtailment of constitutionally guaranteed civil-political liberties, such as speech, assembly, and association, by legislating the restrictions in accordance with existing law; correspondingly, it deploys law to delegitimize dissenting voices through prosecutions and legal sanctions (see also Rajah 2012).

Under such authoritarian conditions, gay activists in Singapore learn

to be creative as they find alternative ways to advance their movement while ensuring its survival. Even though they aspire toward legal reform and greater protection of their rights, they often do not deploy strategies and tactics familiar to activists in liberal democracies, especially street demonstrations. The result is a strategy of pragmatic resistance. Strategically and continuously adapted to their circumstances, this is a strategic dance (McCammon et al. 2008) that involves interplay among law[7] and a crucial set of political norms that ostensibly constrain collective mobilization— such as disdain for and rejection of open confrontation, exaltation of "social harmony," desire for legal legitimacy, and above all, efforts to preserve and perpetuate the ruling party's grip on power.

Singapore's gay activists nimbly adjust, escalate, or scale back their tactics as formal law and political norms change and as the relationship between them changes. To survive, activists avoid blatantly breaking the law, directly confronting the state, and being seen as a threat to existing formal structures of power. To advance the movement, they simultaneously push the normative limits, and on the rare occasions when they directly seek legal changes, they appeal to those norms and situate their legal claims in relation to them. Regardless of whether a tactic focuses on community building, directly challenges the state, or responds to movement opponents, all of them contend with the political norms against dissent and collective mobilization. In authoritarian Singapore, to speak out is to mount the first act of resistance, regardless of how it is carried out and what it concerns. That is why the scope of the movement encompasses not only engagement with the state but also the cultural, social, communal, and commercial arenas, all of which have expanded and become more visible and accepted as the movement developed.

With this ground-up, alternative account of collective struggle for gay equality, *Mobilizing Gay Singapore* examines a complex relationship between law and social movements and illuminates the processes of social change outside liberal democracies, especially in societies that are prospering economically but lagging behind in democratic institutions and rights. In particular, the book's central theme of pragmatic resistance advances the study of social movements. It refocuses attention on an interaction-driven and meaning making–centered approach that emphasizes the social and relational nature of human agency (Emirbayer and Mische 1998). As pragmatic resistance shifts along a spectrum of covert-overt forms of action, it shows how activists innovate strategy and tactics to achieve social change under authoritarian conditions. In doing so, it also sheds light on the processes through which activists escalate to grander scales of contention and

thus refines social movements' understanding of the relationship between mobilization and repression.

By detailing these mutually constitutive processes of social movements, *Mobilizing Gay Singapore* complicates the meanings of rights and the role of law and advances law and society scholarship at the intersection of social movements and authoritarian contexts. Law matters in ways that extend beyond exercising and claiming rights and mounting legal challenges in the courtroom. Throughout this book, law appears in its formal, or rule-bound, character as restrictions on homosexual conduct and expression and curtailments of civil-political rights. It also assumes cultural forms as a legitimizing source in which obedience to formal law earns cultural legitimacy, whereas disobedience loses it, and as a symbolic resource that inspires and empowers people to believe in their own human worth and dignity.

Consequently, law first matters to the movement as an obvious source of oppression. Legal restrictions prohibit same-sex sexual conduct between men as well as dissent and mobilization. Because oppression does not occur through physical violence, but as discipline (Foucault 1977) and legal regulation or channeling (Earl 2006, 2011), it is less detectable and is in danger of becoming accepted as normal or legitimate. Second, law nevertheless matters as a source and site of contestation. By deploying pragmatic resistance, gay activists mount challenges at and through law. Besides resisting the laws that censor same-sex conduct, they contest the legal restrictions that suppress mobilization. Alternatively, they use law to contend with restrictive political norms against dissent and collective mobilization. By avoiding direct confrontation or threats to existing power structures, activists risk accusations that they acquiesce to law's discipline and control and thus a reification of the existing order. Nonetheless, as this book shows time and time again, gay activists in Singapore are not concerned with challenging law for its sake and do not fret over problems of reification. What they want are equality, justice, and acceptance for gays in Singaporean society. They treat the choices between legality and illegality as merely tactical (Lukács 1920). Therefore, law simply matters to them as a pragmatic concern, not an ideological preoccupation. Ironically, law's power becomes neutered as they reduce legality to being no more than a means to an end and use it scrupulously to seek social change in face of its power and control.

These multiple sites and roles of law reveal the polyvocal and contextual meanings of rights. To gay activists in Singapore, rights are instrumental because they embody the movement's objectives of achieving greater dignity, freedom, and equality. Yet they are circumspect about the efficacy of rights, perceiving them as contradictory to socially constructed political norms

that constrain collective mobilization and political dissent. Hence, away from public contention, they quietly draw on the constitutive power of rights to make collective sense of their grievances and motivate supporters and constituents; in open engagement, though informed and motivated by rights, they deploy rights cautiously by leveraging on local political norms to create cultural resonance and legitimacy for their tactics.

What emerges is an unusual politics of gay rights. In contrast to places where rights mobilization is accepted and mainstream, in Singapore, exercising and claiming rights are nonconformist behaviors. Gay activists struggle with the state and their opponents over not only the meanings of equality but also the basic civil-political liberties that enable those challenges, rights that activists in liberal democracies often take for granted in their collective organizing work.

Later in this chapter, I elaborate on the book's central theme of pragmatic resistance and use Rascals as illustration to explain how gay activists in Singapore adapt, deploy, and perpetuate it as a form of strategic adaptation (McCammon et al. 2008). I also show how pragmatic resistance shaped movement development and achieved progress by giving an overview of the key themes that unfold in the chronological analysis in Chapters 3–7. I developed this theoretical approach by relating Singapore's gay movement and its strategy to social movements in other societies, especially gay movements, and law and society studies on the social control of protest, legal mobilization, and the role of rights. Hence, to understand the book's central theme, I first analyze these two bodies of scholarship.

Gay Organizing and Authoritarian Conditions

The development, strategy, and tactics of Singapore's gay movement highlight key themes in social movements literature, as well as areas in which this book makes a new contribution. Analyses of social movements increasingly emphasize interaction among larger sociopolitical conditions and institutions in which movements are embedded, movement organizations and their grassroots, and the subjective meaning making of social movement actors. Among the various approaches, one model known as political process remains dominant. When originally synthesized, the political process accounted for three sets of internal and external factors—political opportunity structures, mobilizing structures or indigenous organizational strength, and cognitive liberation (McAdam 1999)—and examined their interactions. As the model gained dominance, however, the interactive component and the subjective side receded from attention (Buechler 2000; Meyer 2004). Sometimes

social actors' interpretation of changes to larger political conditions became conflated with objective treatments of political opportunity shifts (McAdam 1996; Polletta 1999b, 2004). In response to political process, alternative and complementary perspectives arose.[8] Even though these perspectives are numerous and diverse, they all take subjectivity seriously. And, rather than focus on one of the three sets of factors, they emphasize the dynamic relationship among the sociopolitical context at large, movement and movement organizations, and the meaning making of social actors.

Such an approach yields the following implications for understanding the development of gay movements:

First, the waxing and waning and the nature of the strategy and tactics of gay movements often correspond to the liberalization or tightening of sociopolitical conditions. And even though the participation of elites is important, movements are more likely to make progress when they have grassroots support, which often develops in response to sociopolitical changes.

In the United States,[9] the McCarthyism of the 1950s singled out and persecuted gay men as national security threats. The FBI conducted surveillance on gay and lesbian meetings, the police carried out entrapment and bar raids, and the government censored homosexual speech and expression. Against this backdrop, homophile groups such as the Mattachine Society and Daughters of Bilitis were accommodationist, avoided confrontational tactics, and relied on professionals to achieve middle-class respectability for gays. They lacked a mass base and did not focus on building one, choosing to operate away from the public eye (Adam 1995; D'Emilio 1998).[10] By the late 1960s, however, many gays and lesbians had been exposed to the radicalism of the decade and confrontational styles of political action popularized by black militancy, the sexual revolution, and anti-war and student movements (Marotta 1981; Epstein 1999; Valocchi 1999). Would-be gay liberationists seized Stonewall as an opportunity to escalate an existing movement (Hirshman 2012). They harvested the protest culture of the 1960s and an existing New Left constituency as they pursued cultural criticisms and direct action outside of formal political institutions (D'Emilio 1998).

In the politically conservative era of the 1980s, gay activists initially responded to the AIDS crisis with service-oriented organizations. But even with promising signs of treatment, the federal government and medical profession were slow to push efforts forward. As the crisis grew, more and more infected gay men became frustrated and engaged in social action (Wachter 1992). The Supreme Court's 1986 decision to uphold Georgia's anti-sodomy law in *Bowers v. Hardwick* (1986) further sparked nationwide anger and urgency (D. Gould 2009; Bernstein 2002; Chauncey 2004). By

1987, some activists turned to direct action most epitomized by ACT UP (Wachter 1992; Bernstein 2002).

Since the 1980s, the AIDS crisis along with a lesbian baby boom made same-sex couples realize the imperative of securing the benefits of legally recognized relationships. Although the quest for same-sex marriage began as early as the late 1960s–1970s, it did not become a widespread movement goal until people started enduring painful experiences of loss and separation and activists saw encouraging political signals. Marriage seemed to be worth the fight and indeed possible only after the opening up of heterosexual attitudes about homosexuality and marriage, a series of favorable state court decisions, and the Supreme Court's 2003 reversal of *Bowers v. Hardwick* in *Lawrence v. Texas* (Chauncey 2004). These days, as gay activists and the Christian Right shuttle battlegrounds over same-sex marriage among state courts, legislative assemblies, and electoral polls, their uneven developments further highlight the impact of context-specific conditions in which activists mobilize. Movement gains and setbacks have varied across states and local sites, with the Christian Right placing anti-gay referenda on local and state ballots since the late 1980s (see, e.g., Bernstein 2002; Fetner 2008).[11]

The importance of context-specific conditions to a gay movement's development surfaces even more clearly under authoritarian conditions, where gay organizing usually corresponds to the opening up of regimes (Adam, Duyvendak, and Krouwel 1999; Drucker 2000). Gay movements emerged after the fall of South American dictatorships in Argentina (S. Brown 1999), Brazil (Green 2000), and Chile (Mogrovejo 2000). In South Africa, even though gay activists attempted collective organizing during the years of apartheid, the movement took off in parallel to the successful struggle against apartheid oppression (Gevisser 1995; Palmberg 1999; Currier 2012); compared with earlier periods when the movement consisted mainly of the elite white minority, it grew in strength with support from gays in the majority black population (Gevisser 1995). In Russia, with the collapse of the Soviet Union, public spaces for collective organizing became available and gay organizing was one of the mass movements that surged in the first few years that followed (Nemtsev 2008). In Indonesia, after the Suharto regime ended in 1998, activists from a lesbian group drew strength from the democratizing movement and moved from providing support services to a more overt political agenda and direct media engagement (Blackwood 2007).

Second, the emergence, increase, or decrease in the level of gay organizing turns on how activists interpret the sociopolitical conditions that surround them.

Whether "objective" conditions are "political opportunities," that is, openings or closings for activism (Gamson and Meyer 1996), depends on

the agency of activists, their organizational resources, and capacities to act (McAdam 1996, 1999). As these vary across individuals and groups (Bernstein 1997, 2003; D'Emilio 2002; Andersen 2006), splits and divisions appear in the American movement. In the early 1970s, after gay liberation, as the United States entered a phase of political conservatism and economic retrenchment, an organized New Right started to emerge while the New Left declined. Although scholars disagree over the exact temporal point, the gay movement generally splintered into various directions after the waning of gay liberation (Valocchi 1999; Seidman 1993; Armstrong 2002). Some activists preferred to pursue gay rights in the form of interest group politics, whereas others, especially lesbian feminists, persisted with radicalism and community building (Vaid 1995; Chauncey 2004).

In an authoritarian environment, the ways in which activists make sense of given conditions and make decisions to act (or not) are crucial to collective organizing as well. Sometimes the situation may seem opportune to an outsider, but activists may perceive it otherwise and choose not to mobilize (Kurzman 1996). The gay movement in South Africa did not take off simply because conditions liberalized with the collapse of apartheid. Rather, activists built on the strength of civil society that emerged and developed among nonwhite communities after the Soweto revolt of 1976 (Palmberg 1999). Even when conditions turn repressive, activists may not necessarily be deterred but may actually escalate their responses (Loveman 1998; Currier 2012) and make use of what may be seen objectively as closings to motivate bolder actions or different tactics (Meyer and Staggenborg 1996; Bernstein 2003). They change their tactics as they make and lose gains (Tilly 1978) and may even innovate if faced with tough constraints (McAdam 1983). Hence, gay activists in Zimbabwe spoke out publicly after state authorities banned their booth from a book fair (Currier 2009). In Poland, despite a repressive right-wing political climate and the mayor's refusal to issue permits, activists chose to push ahead with the Poznan March of Equality in 2005. They saw it as an opportunity to speak out against attacks on democratic freedoms and in favor of minority rights (Gruszczynska 2009).

Third, mobilization strategies that resonate more strongly with a society's emancipation experiences or receive the state's recognition as valid and just are more likely to succeed or to receive widespread support.

In the midst of diverse and untidy developments, certain strategies and tactics tend to outlast others and receive greater support among activists and allies. Usually, these are the ones that generate what social movements scholars call *cultural resonance* (Snow and Benford 1988) because the movement's constituents, supporters, and target audiences are able to relate to and identify

with the grievances and claims. Activists draw from "cultural toolkits" (Swidler 1986)—symbols, practices, and ideologies that are common and accepted in their societies—and build their strategies and tactics on the basis of those existing meanings. Hence, in the United States, activists who champion gay rights are able to extend the meaning of civil rights to construct the idea of sexual minorities (Bernstein 1997) who are also entitled to rights (McAdam 1994). For Americans, rights normalize and mainstream an issue (Gamson 1989) and thus bear cultural resonance.[12] While we see radicalism burst into the forefront from time to time, such as gay liberation and ACT UP, the American movement has by and large mainstreamed and sought reformation by seeking access to existing political institutions and focusing on electoral contests, litigation, and lobbying for legal reforms (Vaid 1995), tactics found in a preexisting tactical "repertoire" (Tilly 1978; Werum and Winders 2001). Queer politics and other radical discourses still exist, but do not occupy discursive dominance (Armstrong 2002).

Where conditions are more authoritarian, strategies and tactics also need cultural resonance to prevail. In regimes such as Nicaragua (Thayer 1997), Poland (Graff 2006), and Romania and Czechoslovakia (Long 1999), gay activists formulate their claims on the basis of the prevailing models of emancipation in their societies. In South Africa, as the country transitioned into a post-apartheid era, activists carefully constructed their claims as equality but *not* minority rights. This is because they worried that the latter could become associated with apartheid ideology that gave preferential treatment to minority groups (Hoad 1999; Palmberg 1999).

Further, strategies and tactics are more likely to succeed if the authoritarian state accepts them as valid or legitimate (Adam, Duyvendak, and Krouwel 1999). Thus, in Namibia, where the state is openly hostile to gay rights and organizing, gay activists shun legal tactics to avoid state retaliation (Currier 2009). In China, gay activists and groups also gravitate toward issues that complement government interest and avoid antagonizing the state so that it will continue to tolerate their existence (Spires 2011; Hildebrandt 2013).

However, while most of these studies point out that gay activists in authoritarian states leverage on politically palatable or resonant values, they seldom unpack the interactive processes through which they engage in strategic adaptation. In contrast, I focus on an understudied gay movement[13] and examine from the ground up how its activists interact with an authoritarian state, interpret signals in their broader environment, and decide whether and how to innovate and adjust their tactics. In doing so, I reveal the workings of one key ingredient in their strategy and tactics—law.

Law, Social Control, and Resistance

Singapore's gay movement, like those in the United States and other Western liberal democracies, engages law in an ongoing, constitutive relationship (Barclay, Bernstein, and Marshall 2009). Nevertheless, the ways in which law plays a role in the Singaporean story varies in its empirical nuances and implications. This is because Singapore's gay activists deploy pragmatic resistance, which involves a different relationship between law and social change. In particular, the relationship highlights new ways of thinking about important issues in law and society studies, namely, the meanings of rights and the role of law in relation to social movements.

Contemporary developments in law and society, like those in social movement studies, emphasize subjective meaning making—how social actors experience, understand, and use the law. Such a turn in the scholarship reflects broader shifts in contemporary social theory toward cognition and social construction, which examine how actors draw on cultural schemas to make sense of their social worlds and construct social institutions that shape those worlds (Nielsen 2004; Albiston 2006).[14] With this turn, although law is regarded as helping to shape, influence, and constrain social life and relations, everyday people are also understood to reproduce and reshape the law in their response to it. Hence, scholars try to identify law's power more holistically by examining not only the elite and powerful who effect and implement law from the top down but also the people on whom law is imposed.[15]

Studies on the role of rights in social change are among the law and society studies that reflect these developments. Among them are those that consider the ways in which rights serve as instrumental resources for social movements (see, e.g., Zemans 1983; Rosenberg 2008). Works outside and inside law and society show this to be the case with gay movements. As early as the 1930s, gay activists in American cities brought court challenges against prohibitions on gay bars (Chauncey 1994). From the 1950s onward, activist organizations began to litigate censorship laws, police abuse, antisodomy laws, discrimination, and same-sex marriage (Vaid 1995; Bernstein 2002, 2003; Andersen 2006). Such pursuit raises questions for law and society scholars who doubt the efficacy of rights to bring about social change. Some take what is known as the "myth of rights" perspective and argue that rights are misleading because their articulation and affirmation alone do not produce social change; rights go unrealized, mired in policy making and implementation (Scheingold 2004; Rosenberg 2008). Others find rights to be elitist (Hull 2001; Nielsen 2004) or disempowering because the aggrieved may lack resources to fight legal battles or perceive the process as a type of

revictimization (Bumiller 1988), whereas scholars who study international human rights find that they are individualistic and neglect concerns about communities and responsibilities (Merry 2006). Then there are critics who charge that rights are too absolutist and individualistic (Glendon 1991) and queer theorists who find rights to be too conventional and assimilationist to effect any transformative change (Stein and Plummer 1994).

Despite these limitations, gay activists continue to pursue rights, even when courts may no longer be responsive to their claims (Meyer and Boutcher 2007) and litigation has created backlash from their opponents (Rosenberg 2008). One way to understand such tenacity and endearment is to take a more expansive view of both the role of rights and the meaning of social change. Rights can do more than help movements to seek legal reform directly, and social change encompasses more than achieving such an aim. A more expansive view acknowledges that rights *alone* may not be able to achieve social change but also recognizes that they do have something to contribute to social change. Despite being unable to vindicate wrongs completely, rights can be used as cultural symbols that empower and inspire the oppressed to see possibilities for change and bargaining chips that can be used to threaten litigation against unmoving or recalcitrant opponents (Galanter 1974; McCann 1994; Andersen 2006). At the international level, if domestic activists can successfully portray their local grievances as matters of international human rights, they can successfully attract the support of transnational groups and other governments (Bob 2005, 2009). Further, rights may not even need to be mobilized outwardly in a public arena to take effect. They can help individuals to change their identities internally. By learning that they have rights, individuals come to think positively of themselves and reconfigure their relationships with others (Engel and Munger 1996, 2003) or they may start to question social institutions such as gender and work (Albiston 2010). Hence, even if rights are not mobilized to seek legal reform, activists can use rights to reframe grievances so that they or their constituents begin to alter their consciousness and question hegemonic arrangements (Polletta 2000; Barclay, Bernstein, and Marshall 2009).

Such rich studies on the meanings of rights, however, are lacking on authoritarian societies, where states often suppress or withhold rights from certain groups (see, e.g., Currier 2009; Massoud 2011). Activists may not be able to deploy rights-based tactics in the same way that their counterparts do in democratic societies (Johnston 2005; O'Brien and Li 2006). In this book, I detail the processes through which Singapore's gay activists work toward achieving rights for gays and make sense of their grievances in a rights-based language, *even though* they also perceive that rights lack cultural resonance

and "don't work" with the government. Hence, this book illuminates further meanings about rights, as made sense by people mobilizing collectively under authoritarian conditions: Rights are multilingual; they are contextual and situational, depending on the social processes involving interactions among formal state institutions and law, the cultural dimensions of law, norms outside of formal law, and social actors. As a result, the book also offers insight into a politics of gay rights under authoritarian conditions: The struggle over the meanings of gay rights goes beyond equality and nondiscrimination on the basis of sexuality; it encompasses the collective organization and speaking out on the grievances of gay people in and of themselves. The exercise of such basic civil-political liberties cannot be taken for granted, and when gay activists resist their prohibitions so that they make known their grievances they take the first step toward the fight for social change.

In unpacking these processes, however, I also explore the role of law beyond the resourcefulness of rights and the vindication of rights by the courts. It is particularly important for a society such as Singapore, where the state champions a type of rule of law, or rule-boundedness.[16] Unlike other postcolonial states that struggle to harness legal power for its economic and social projects (Comaroff and Comaroff 2006), Singapore has used rule-boundedness to push through economic reform and justify the suppression of rights. Repression remains, but it does not manifest in the form of explicit physical violence. To understand how pragmatic resistance is deployed to exercise as well as achieve rights, it is also important to consider the other faces of law—not simply rights—as oppression as well as broader sites of resistance and contestation.

First, a steady line of scholarship elaborates on how laws and legal procedures are used by the state to control dissent and collective action (Earl 2003; Fernandez 2009) and make oppression appear more indirect and acceptable (Kirchheimer 1961; Barkan 1984). For instance, as far back as the early twentieth century, homophobic authorities used the licensing of bars and laws against sodomy to limit the rights of gays to assemble and express themselves in public (Cain 1993; Chauncey 1994; Bernstein 2002). Of course, arrests and prosecutions cost time, money, and physical discomfort (Oberschall 1978; Feeley 1979; Barkan 2006). In the context of social movements, when dragged out over extended periods, these legal processes also sap the material resources and will of activists (Earl 2005). Even short of actual arrest, prosecution, and conviction, the mere existence of legal controls can threaten to discredit a movement that violates them and frighten supporters away (Earl 2005; Barkan 2006). Furthermore, regulation

or channeling (Earl 2006) renders repression subtler by allowing room for dissent while obscuring the repressive effects. Over time, the repression becomes less discernible and even legitimate as activists may come to accept the regulations as part of their practices and start to self-regulate (Fernandez 2009).

Second, on the brighter side, social actors can mount resistance against law or by making use of it (Merry 1995). Individuals fight repressive law with covert resistance, such as by working "under the table" while receiving welfare benefits (Gilliom 2001) or occupying physical space in government offices (Sarat 1990). During the early twentieth century in New York, gay men resisted anti-gay policing by communicating with one another in public with their own cultural codes (Chauncey 1994). Although such covert resistance does not openly confront and question the repressive laws, it strives to defy their control and achieve the resister's purpose without the participants getting caught (Ewick and Silbey 1998). Others expose acts of legal repression, such as the arrests of activists, to raise public awareness (Barkan 1977, 1980, 1985), win public support (Kirchheimer 1961; Earl 2005), or attract media attention (Barkan 1980, 2006). Sometimes individuals resist oppression by making use of law (Merry 1995). For instance, they resist existing meanings of other social institutions, such as gender, family, and work, and even influence or reconfigure them by navigating the interactions among these social institutions and law (see, e.g., Albiston 2010). In the context of social movements, gay activists leverage the law to reshape other norms and thus reconstruct understandings of how life should be organized (Barclay, Bernstein, and Marshall 2009).

Most studies, however, do not consider such interactions involving law, other norms in the larger sociopolitical environment, and social actors in relation to gay organizing under authoritarian conditions. In this book, I do so by developing a theoretical framework that is empirically based on an understudied movement. I examine law in both its formal form and cultural aspects and treat the political norms and cultural dimensions of law as being "all over" (Sarat 1990), permeating the larger political context, and interacting with movement organizations and the subjective meaning making of social actors (Emirbayer and Goodwin 1994; Polletta 1999b, 2004). With this framework, on the one hand, I find the ways in which repressive laws act as social control over Singapore's gay movement: Activists shun illegal tactics not only because of formal sanctions but also because law legitimizes power (Thompson 1975) and legal repression therefore sends the message that such tactics can cost them cultural legitimacy; on the other hand, it also uncovers the tactics that gay activists carry out to mount

resistance against and through laws—by exploiting the legitimating power of law and the authoritarian state's very nature of rule-boundedness.

Pragmatic Resistance

Bearing in mind the preceding discussions of social movements and law and society, I next turn to the book's central theme of pragmatic resistance. Informed by the study's empirical data, I build this concept from the ground up to reflect the subjectivities of Singapore's gay activists. At the same time, I look to sociological theories on action and culture to help me to develop the concept for *collective* action specifically. The way in which I approach "pragmatic resistance," then, has affinity with American pragmatism (Dewey 1922) and its contemporary sociological renditions (Joas 1997; Frye 2012): Social actors turn to their contextually embedded knowledge and experiences as resources to respond to problems and sometimes creatively adjust them to accommodate emerging exigencies (Emirbayer and Mische 1998). The school of pragmatism helped to shape cultural approaches (e.g., Swidler 1986) that form this book's theoretical roots. They motivate the way in which I situate Singapore's gay movement in relation to that of other societies to elicit an interaction-driven and meaning making–centered approach in social movements analysis. They also influence my engagement with contemporary law and society scholarship that treats law as cultural schemas on which social actors draw to make sense of their worlds, thus reproducing multiple meanings of law and rights in mutually constitutive relations. In Chapter 8, I return to social movements and law and society scholarship to examine the book's contributions.

In the remainder of this chapter, to help readers to navigate the central theme's nuances throughout Chapters 3–7, I elaborate on how Singapore's gay activists strategically adapt pragmatic resistance, deploy its tactics, and perpetuate and sustain it over time to achieve their goals.

> The first thing is a legal system, a good system, so you get the protection of the law . . . so there is more equality and the right of every individual in that way. (Loke)
>
> I believe that everybody should be treated equally and also that we should all really try to get along, not judge people based on certain things that you don't agree with, or you don't really know about. (Yvette)
>
> What I'd like to see is that people can feel good about themselves, or get a sense of well-being. And that also means that there is a certain level [of] acceptance in society. (Chan)

The aspirations of gay activists in Singapore are not much different from those of their counterparts in gay movements elsewhere. They strive for social acceptance and to allow gay people to live full lives, and they want rights and equality for gays. However, as they perceive and read signals from their Singaporean environment, they first strategically adapt (McCammon et al. 2008) away from tactics that could jeopardize the movement's survival. These usually include directly and publicly confronting the state, such as protesting on the streets or demanding rights that seem to pose a threat to existing power structures. Hence, strategic adaptation into pragmatic resistance not only helps the movement to make progress but also ensures its survival. These are the strategy's core characteristics that emerge from the chronological analysis in subsequent chapters.

Most of the time, the tactics of pragmatic resistance aim at immediate gains that change practice and informal policies, not formal laws and regulations. When they do seek legal reform, they also perform pragmatic resistance. The goal is to stay alive and advance with skirmishes rather than court demise by declaring open warfare on grander principles. Although such a nonconfrontational approach may resemble everyday resistance (Scott 1985), the two are different. Pragmatic resistance is a collectively sustained strategy, not an individual and scattered approach. Further, as I show, the strategy adapts, escalates, and becomes less covert over time as and when pragmatic concerns about survival decrease. The collective and coordinated nature of this strategy also distinguishes it from the "rightful resistance" that O'Brien and Li (2006) found among rural Chinese, though they both make use of prevailing cultural conventions to contest power.

The signals that gay activists in Singapore perceive and read include legal restrictions and enforcement, a set of political norms that they interpret to constrain collective action and dissent, as well as shifts in either. The political norms, which I explain further in Chapter 2, concern nonconfrontation, the preservation of social stability as a foundation for economic progress, the maintenance of the ruling party's monopoly, and legal legitimacy. The signals also include responses from the state, ruling party, and opponents to earlier tactics of the movement. Even though the state and the ruling party are authoritarian, they are far from monolithic. Their reactions not only change with time but also can vary across departments and ministries, even from bureaucrat to bureaucrat, and among factions within the party. Consequently, the task of reading signals requires an astute understanding of the internal workings of their government and ruling party, a knowledge that gay activists accumulated with each engagement since the early 1990s.[17]

On the basis of their readings of these signals, gay activists determine

whether and how to adapt their tactics. This is an ongoing cycle. With each subsequent tactic, they continue to engage in strategic adaptation, generating and refining a "strategic dance" (McCammon et al. 2008), "tactical dance" (McAdam 1983), "dark dance" (Johnston 2006), or as the activists put it, a "tango" or "complicated ballet." The determinations and actions, however, vary across activists and organizations. That is because they depend on individual agency—how far and how much one is willing to advance the movement at the risk of survival. Therefore, some activists disagree with the decisions of others, believing them to have undertaken a bout of risky business.

Because of the variations in agency, the subsequent chapters show differences and divisions within the movement. Nevertheless, Singapore's gay movement has not experienced deep ideological divides, such as the fissures between radical queer activism and gay rights advocacy or between radical lesbian feminism and the mixed-sex gay liberation movement (Taylor and Whittier 1995). Instead, the movement has steadily developed along the path of pragmatic resistance, the implications of which I discuss at the end of Chapter 7. Generally, its intramovement disagreements (see Chapters 3–7) can be divided into two types: fights over whether and how to respond to a new or changing signal and the objections of lesbian leaders to the male-centeredness of certain organizations. Neither type of disagreement has splintered the movement. Sometimes the factions that disagree with tactical choices or male domination set up new groups or implement their own tactics separately. But these diverse tactics remain characteristic of pragmatic resistance. The phenomenon is consistent with studies finding that factions actually help to sustain movement continuity and perpetuate dominant ideas within the movement. The conflicts force activists to be more self-reflective, reinvigorate their organizations (Schwartz 2002), and continue to mobilize (Reger 2002). Furthermore, as Chapters 3–7 show, gay activists reinforce their belief in the effectiveness of pragmatic resistance with each tactic and its outcomes, particularly the state's reactions; sometimes they interpret the results as prompting a need to refine or change a tactic rather than completely abandon the strategy.

Efforts to reinforce and refine pragmatic resistance and thus perpetuate this movement also draw strength from intramovement relations. Newcomers first encounter the movement either because they are seeking friendship and support or because they have altruistic intentions. Congruent with the literature on social movement networks and recruitment, as newcomers build relationships with people and organizations and participate in movement events, personal ties cultivate their trust in and commitment to the movement (Lofland and Stark 1965; Snow and Machalek 1984; Snow, Zurcher, and

Ekland-Olson 1980; Snow et al. 1986) and their initial motivations transform into a sense of necessity and obligation to "do something about it" for gays and lesbians in Singapore, even in the face of possible state retaliation (Morris 1984; McAdam 1986; della Porta 1988; Loveman 1998). They gain cognitive liberation (McAdam 1999), changing from feeling helpless to believing that they have the ability to alter their conditions (Piven and Cloward 1977). They become politicized as they start to identify or name their personal struggles as collective grievances on the basis of their sexuality and learn to mobilize collectively. The significance of these intramovement relations is further bolstered by the weak presence of participation in other local or overseas activism prior to joining the gay movement. Of the one hundred interviewees, only fifteen were involved in any kind of activism or volunteer social work while overseas, even though two-thirds of them have either worked or lived abroad. Under Singapore's authoritarian conditions, becoming an activist entails overcoming one's fears of becoming publicly identified as a gay activist or getting into trouble with the state. By becoming an activist, therefore, one mounts the first challenge to power that tries to stop dissent and resistance in the first place. It is by crossing the threshold into the gay movement that one begins to engage in strategic adaptation and pragmatic resistance.

Equally as important, by interacting with one another in the movement, activists continuously build new intramovement ties (R. Gould 1991) and perpetuate or reshape existing ones (Payne 1996). They learn from one another how to respond to signals and political norms. Oral, written, and performed narratives about their history expose them to knowledge of pragmatic resistance. Hence, intramovement social relations—friendships, influential leadership, education, and tutelage—help to produce, preserve, and pass on the movement's dominant practices and knowledge (Jasper and Poulsen 1993; Polletta 2002) such that pragmatic resistance is sustained across the movement and through the years. Sometimes seasoned activists offer advice to the less experienced or wield influence over others in making tactical choices. While each activist has his or her own interpretations of political signals, tactical choices, and outcomes, these are also influenced by intramovement relationships. Those who grow frustrated, cannot or will not assimilate into pragmatic resistance, or simply lose interest in the movement drop out and leave the movement.