

Strategic challenges, and why S377A is being repealed

In his National Day Rally on Sunday, Prime Minister Lee Hsien Loong touched on the challenges facing Singapore and how the country can respond, as well as why the Government plans to repeal Section 377A of the Penal Code, among other topics. Below is an edited excerpt of his speech on these two issues.

Lee Hsien Loong

Even as we emerge from the pandemic, our external environment has become very troubled. United States-China relations, which set the tone for global affairs, are worsening. The two powers are divided over many issues - their rival ideologies and systems of government; China's growing influence in the world; many specific problems, including trade disputes, cyber espionage, the South China Sea, Hong Kong; and most recently and worryingly, sharply escalating tensions over Taiwan. Yet the US and China need to work together on many pressing global issues, including climate change, pandemics and nuclear proliferation. Their tense relationship is making this almost impossible. This is bad news for the world. President Joe Biden and President Xi Jinping [recently held a long video call](#). They agreed to meet in person. But neither side expects relations to improve any time soon. Furthermore, we must all hope that there are no miscalculations or mishaps, which can make things much worse very quickly.

Apart from US-China tensions, [Russia's invasion of Ukraine](#) also has profound implications for the world, and for Singapore.

First, the invasion [violates the United Nations Charter](#) and fundamental principles of sovereignty and territorial integrity. This is particularly important to Singapore. Our security, even our existence, relies on countries upholding these principles. We cannot legitimise Russia's wrongful actions. Russia claims that what it calls a "special military operation" in Ukraine is justified by "historical errors and crazy decisions". If we accept this logic, what happens if one day others use this same argument against us?

Second, the war has created deep hostility between Russia and other states, especially US and Nato countries. Relations have completely broken down and there are nuclear powers on both sides. It is hard to imagine any satisfactory end to the conflict.

Third, the war in Ukraine affects security in the Asia-Pacific. It has complicated the already strained US-China relations, and also relations between China and America's partners in Asia, like Australia and Japan. We can expect more geopolitical contestation in the Asia-Pacific. Some countries will choose a side. Others, like Singapore, will try our best to avoid being caught up in major power rivalry. Our region has enjoyed peace for so long that it is hard for us to imagine things being different. But look at how things have gone wrong in Europe, how suddenly and quickly. Can you be sure that things cannot go wrong like that in our region too? So we must get real, and we must get ourselves prepared psychologically.

What can we do about these external dangers?

First, we must stand firm on fundamental principles of international law. Work with other countries to uphold a rules-based order, for example, by speaking up at the United Nations. Taking cover and keeping quiet will hurt us in the long term.

Next, we must take national service seriously, and keep the Singapore Armed Forces and Home Team strong and credible. If we do not defend ourselves, no one is going to defend us on our behalf.

Most importantly, we must stay one united people. Never allow ourselves to be divided - whether by race, religion, income, social differences or place of birth. Stay alert against foreign actors who

are looking out to exploit our vulnerabilities and to influence our people for their own interests.

Do not believe that everything you read online is true. If we are taken in and divided, we will stand no chance. But united, we can deal with any problems that come our way.

Economic challenges

Besides strategic dangers, we also have to deal with economic issues. We have emerged strongly from the pandemic. Most sectors are steadily recovering, including hard-hit ones like tourism and aviation. But now the war in Ukraine has clouded our outlook, although we still expect positive growth this year.

Top of everyone's minds is the cost of living. Even before the war, inflation was already becoming a problem because Covid-19 had disrupted supply chains and also caused developed countries, especially the US, to implement huge spending packages, stoking inflation which spread internationally. But the war has made things worse. Oil and gas supplies from Russia are getting disrupted. This is pushing up energy prices worldwide. That is why [our electricity prices have gone up](#). Ukraine and Russia are also major grain exporters. The war has prevented most of their grain from being shipped out to world markets, and that is causing shortages and spiking prices globally.

The Government is doing everything necessary to support Singaporeans, especially middle- and lower-income families. The support includes cash payouts, U-Save rebates, service and conservancy charges rebates, Community Development Council vouchers, MediSave top-ups and more. This financial year alone, a middle-income family with two young children, living in a four-room Housing Board flat, can expect an additional \$2,200 in support. A lower-income family living in a three-room HDB flat can expect even more, about \$3,700. This will not cover fully every cost increase, but it will help lighten some of the burden on Singaporean households.

If the situation worsens, we stand ready to do more. The Monetary Authority of Singapore has also [tightened our exchange rate](#)

[policy](#). The Singapore dollar has strengthened. It makes travelling overseas more affordable. At home, it makes imported goods cheaper, in Singdollar terms. But there is a limit to this because a stronger Singdollar also makes our exports more expensive, and we lose competitiveness against other countries. So we have to be very careful not to overdo things.

The basic reality is that international economic conditions have fundamentally changed. It is not just the pandemic or the war in Ukraine. The recent decades were an exceptional period. Globalisation was in full swing; international trade grew rapidly; China's economy was growing exponentially, and exporting more and more goods at highly competitive prices all over the world - this brought down the cost of many products, and kept prices worldwide very stable. This era is now over. China's growth and exports are slowing. Costs are going up. Some countries have raised tariffs against each other, particularly between the US and China. Countries are also relooking their supply chains to prioritise resilience and self-sufficiency. That means not buying from the cheapest. That means accepting higher costs. While companies are opting for "just-in-case" instead of "just-in-time" production, all these trends are raising costs and pushing up inflation everywhere, including in Singapore.

We do not have much influence over this global inflation picture. What is within our power is to make ourselves more productive and competitive, because then our workers can earn more, and more than make up for the higher prices of food, fuel and other imports. That way we can all become better off, in real terms.

This requires us to press on with economic upgrading and restructuring; redouble our transformation efforts; encourage workers to upgrade their skills at every opportunity; and that is exactly what we have been doing.

Besides prices rising, physical supplies are also being disrupted. You all know about [Malaysia's export ban on chickens](#). But it is not just Malaysia. Indonesia temporarily halted palm oil exports, when high cooking oil prices became a political issue. India also recently banned wheat exports, to keep domestic wheat prices down. Under pressure, faced with food shortages and rising prices, governments

will put their domestic needs first, so we must expect more arbitrary actions like these, which will impact us.

As a small and open economy, we are heavily dependent on imports, even of essential goods. But we are not helpless. For quite a while now, we have been actively diversifying our import sources - building up adequate stockpiles of food and medical essentials; investing in agri-tech to make local farms more efficient and productive; pushing ahead with [our "30 by 30" goal](#), to be able to produce 30 per cent of our nutritional needs locally by 2030. And when Covid-19 came, we redoubled our efforts.

It costs money to make our supplies more resilient. Buying from diversified sources means we do not just buy from the cheapest, or the most convenient producer. Maintaining stockpiles requires space, and incurs costs - we have to air-condition the stocks - but we must think of it as paying for insurance.

Early in the pandemic, when we [raised the Dorscon \(Disease Outbreak Response System Condition\) from yellow to orange](#), it triggered a small scramble. In fact, we had enough stocks in warehouses and logistics centres. We were able to restock the supermarkets quickly, and restored confidence.

Therefore, this year, when live chickens stopped arriving from Malaysia, we did not flap. We could draw on ample stocks of frozen chicken from Brazil, the US and other places. We soon brought in more chilled chicken from Australia and Thailand, [and now Indonesia](#). The chicken rice stalls are back in business again.

People take this for granted but actually a lot of work goes on behind the scenes. Nothing happens by itself. Not even in Singapore. It is possible only because we always plan forward, to give ourselves options and solutions during crises, and that is how we must continue to prepare ourselves for the future.

Section 377A

Even as we navigate through an uncertain and troubled world, we have to deal with domestic issues.

One of the delicate tasks of this Government, of any government, is to update our laws and practices from time to time, to reflect evolving social values and norms.

By and large, Singapore is a traditional society, with conservative social values. We believe that marriage should be between a man and a woman, children should be born and raised within such families, and the traditional family should form the basic building block of our society.

Most Singaporeans would like to keep our society like this. This is the Government's position too. We have upheld and reinforced the importance of families through many national policies, and we will continue to do so.

However, like every human society, we also have gay people in our midst. They are our fellow Singaporeans. They are our colleagues, our friends, our family members. They too want to live their own lives, participate in our community, and contribute fully to Singapore. We need to find the right way to reconcile and accommodate both the traditional mores of our society and the aspiration of gay Singaporeans to be respected and accepted.

A major issue for gay Singaporeans is Section 377A of the Penal Code, which makes sex between men a criminal offence. It was originally introduced in the 1930s by the British colonial government. It reflected moral attitudes and social norms that prevailed back then. But over the decades, homosexuality has become better understood, scientifically and medically. In many societies, including Singapore, gay people have become more accepted for who they are, instead of being shunned and stigmatised.

Many countries that used to have laws against sex between men have since repealed them. They include several Asian countries, but so far not Singapore.

Parliament last debated whether or not to repeal Section 377A in 2007. MPs expressed strong views on both sides. I joined in the debate to advise restraint and caution. I acknowledged that what consenting adults do in private is their personal affair, and the Government should not intervene. But I pointed out that not

everyone was equally accepting of homosexuality. Quite a few had considerable reservations, particularly within certain religious groups, including the Muslims, Catholics and many Protestant denominations. The Government decided then that we would leave S377A on our books, but not actively enforce it. We stopped short of repealing the law. It would have been too divisive to force the issue then. It was better for us to live with this untidy compromise, and it was a practical way to accommodate evolving societal attitudes and norms in Singapore. The compromise did not satisfy every group but by and large, it has enabled all of us to get along. And so, we have lived with this sensitive issue, without it monopolising our national agenda or dividing our society.

Now, 15 years later, attitudes have shifted appreciably. While we remain a broadly conservative society, gay people are now better accepted in Singapore, especially among younger Singaporeans. It is timely to ask ourselves again the fundamental question: Should sex between men in private be a criminal offence?

Singaporeans still have differing views on whether homosexuality is right or wrong. But most people accept that a person's sexual orientation and behaviour is a private and personal matter, and that sex between men should not be a criminal offence. Even among those who want to retain S377A, most do not want to see it actively enforced, and criminal penalties applied. From the national point of view, private sexual behaviour between consenting adults does not raise any law-and-order issue. There is no justification to prosecute people for it, nor to make it a crime.

Furthermore, we have seen several court challenges to S377A, seeking to declare the law unconstitutional. None have succeeded, so far. However, following the most recent judgment in the Court of Appeal, the Minister for Law and the Attorney-General have advised that in a future court challenge, there is a significant risk of S377A being struck down, on the grounds that it breaches the equal protection provision in the Constitution. We have to take that advice seriously. It would be unwise to ignore the risk and do nothing.

For these reasons, the Government [will repeal S377A and decriminalise sex between men](#). I believe this is the right thing to

do, and something that most Singaporeans will now accept. This will bring the law into line with current social mores and, I hope, provide some relief to gay Singaporeans.

But at the same time, most Singaporeans do not want the repeal to trigger a drastic shift in our societal norms across the board, including how we define marriage, what we teach children in schools, what is shown on free-to-air television and in cinemas, or what is generally acceptable conduct in public.

In our engagements and soundings over several months, this has come through very clearly. Among those with reservations, some feel strongly about S377A itself. But for most, their main worry is what they feel S377A stands for, and what they fear repealing it may quickly lead to. They also worry that this may encourage more aggressive and divisive activism on all sides. This is not only the concern of those with religious objections, but is shared by many non-religious people. Even many Singaporeans who support repeal want to maintain our current family and social norms.

The Government understands these concerns. We too do not want the repeal to trigger wholesale changes in our society. We will maintain our current family-oriented approach, and the prevailing norms and values of Singapore society.

Thus even as we repeal S377A, we will uphold and safeguard the institution of marriage. Under the law, only marriages between one man and one woman are recognised in Singapore. Many national policies rely upon this definition of marriage - including public housing, education, adoption rules, advertising standards and film classification. The Government has no intention of changing the definition of marriage, nor these policies.

However, as the law stands, this definition of marriage can be challenged on constitutional grounds in the courts, just like S377A has been challenged. This has indeed happened elsewhere. If one day such a challenge succeeds here, it could cause same-sex marriages to become recognised in Singapore, and this would happen not because Parliament passed any such law, but as the result of a court judgment. Then, even if the majority of MPs oppose same-sex marriage, Parliament may not be able to simply change

the law to restore the status quo ante. Because to reverse the position, Parliament may have to amend the Constitution, and that would require a two-thirds majority.

I do not think that for Singapore, the courts are the right forum to decide such issues. Judges interpret and apply the law. That is what they are trained and appointed to do - to interpret the law, what does the law say; to apply the law, how does it work in this instance. But judges and courts have neither the expertise nor the mandate to settle political questions, or to rule on social norms and values because these are fundamentally not legal problems, but political issues.

This has been wisely acknowledged by our courts in their judgments dealing with such cases. But even so, those seeking change may still try to force the pace through litigation, which is in its nature adversarial. It would highlight differences, inflame tensions and polarise society, and I am convinced this would be bad for Singapore.

We will therefore protect the definition of marriage from being challenged constitutionally in the courts. The legal definition is contained in the Interpretation Act and the Women's Charter. We have to amend the Constitution to protect it, and we will do so.

This will help us to repeal S377A in a controlled and carefully considered way. It will limit this change to what I believe most Singaporeans will accept, which is to decriminalise sexual relations between consenting men in private. But it will also keep what I believe most Singaporeans still want, and that is to retain the basic family structure of marriage between a man and a woman, within which we have and raise our children.

What we seek is a political accommodation, one that balances different legitimate views and aspirations among Singaporeans. For some, this will be too modest a step. For others, it will be a step taken only with great reluctance, even regret. But in a society where diverse groups have strongly held opposing views, everyone has to accept that no group can have things all their way. If one side pushes too hard, the other side will push back even harder. In some Western societies, not a few, this has resulted in culture wars,

contempt for opposing views - not just for their views but for the opposing people, cancel culture to browbeat and shut up opponents, and bitter feuds splitting society into warring tribes. There are some signs of similar things starting to happen here too. I say, let us not go in this direction. All groups should exercise restraint, because that is the only way we can move forward as one nation together.

We have a stable and generally harmonious society, and we will work hard to keep things like this. I hope the new balance will enable Singapore to remain a tolerant and inclusive society for many years to come.