



## Singapore's Section 377A: Culture Wars and a Divided Society

SINGAPORE — Controversies surrounding LGBTQ+ issues have long been occurring in Singapore. Section 377A of the Penal Code, which outlaws acts of “gross indecency” between males “in public or private,” is a hotly contested law in this country.

Some assert that this sodomy law is obsolete and singles out LGBTQ+ people. Others want to maintain 377A, as the law symbolizes Singapore's mainstream values on marriage and family as well as sexuality. Lee Hsien Loong, Singapore's [prime minister](#), remarked in 2007 that this law is “a symbolic issue, a point for both opponents and proponents to tussle around.” Lee's views were echoed by the Progress Singapore Party (PSP), a Singaporean political party that has deemed [377A](#) “a proxy combat zone for other issues like the sanctity of traditional family structures, marriages, parenthood and gender identities.”

Recent events have revealed that even if 377A is repealed, disagreements over family, homosexuality, and marriage will not fade into oblivion, but become more divided and even bellicose.

In June, Parkroyal Pickering Hotel, a glitzy lifestyle hotel in downtown Singapore, landed in hot water when a member of its staff told a lesbian couple that same-sex wedding celebrations were not permitted at the hotel. Prout, a pro-LGBTQ+ platform, publicized the refusal of the hotel to grace the ceremony. Consequently, the hotel had to issue a public apology on its Instagram page in a bid to sanitize its public image.

The following month, a school counselor at Hwa Chong Institution (HCI), an elite all-boys secondary educational institution in Singapore, was suspended from all duties after he revealed content that was “discriminatory to the LGBTQ+ community” in a school assembly talk on July 13. Some of the more controversial content delivered to students included statements such as “one in five homosexuals is a pedophile” and “58 percent of homosexuals have problems with intestinal worms.” Moreover, this counselor allegedly showed students a video featuring a man whose views toward homosexuality changed as a result of his faith. Following the unease displayed by some students, the school followed up with a subsequent engagement session.

These recent incidents seem to indicate a general societal shift in Singapore society from a stance of moral conservatism toward the LGBTQ+ camp. Already in Singapore, schoolchildren have been spurred



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on to use gender pronouns in controversial ways. Some young teenagers have gone as far as to classify themselves as “pansexual” — that is, not limited in sexual choice with regard to gender identity or biological sex. To add fuel to the fire, many LGBTQ+ activists have clarified their desire to go beyond the repeal of 377A. These activists are seeking for, among other things, the legalization of same-sex marriage and the promotion of sexuality education in schools tailored to the LGBTQ+ agenda.

On the other hand, a group of people who called themselves The Protect Singapore Townhall has urged for legal and governmental guarantees to defend the traditional definition of marriage and family, especially in the event of a repeal of 377A. An event organized by this group on July 23 to expound on the consequences of a repeal of 377A was attended by more than 1,200 people. Key organizers Jason Wong and Mohamed Khair Mohamed Noor stated:

We’ve been relatively restrained in the face of an intolerant, vocal minority that seeks to overturn the order in all areas of society — be it marriage, education, businesses, or beliefs, while demonizing all those who disagree as “bigots” or “haters,” instead of engaging us with good faith.

Both Wong and Khair posted concise updates on the session in Facebook posts titled “Silent No More” the same day, after the event. They wrote further, “We urge the Government to maintain the current political package and not to repeal Section 377A unless and until there are adequate safeguards for our marriages, families, and freedom of conscience. This includes enshrining man-woman marriage in the Constitution.”

Naturally, the aforesaid event did not sit well with LGBTQ+ advocates. The pro LGBTQ+ Association of Women for Action and Research (AWARE) voiced its reservation over views expressed by The Protect Singapore Townhall at the July 23 event. Police reports were made about the event. Fortunately, the Singapore authorities responded by saying that no action will be taken against Wong and Khair, as the event was legal.

### **Background of Section 377A**

[Section 377A of the Penal Code](#), ratified in 1938, outlaws acts of “gross indecency” between male persons in public or private settings. This law was grounded in Section 11 of the Criminal Law Amendment Act 1885 in the United Kingdom broached by Henry Labouchere, otherwise widely known as the “Labouchere Amendment.”

In response to public opinion that was “emotional, divided and strongly expressed” on 377A, the Singapore Government [decided](#) to uphold 377A of the Penal Code without actively implementing it during their amendment of the Penal Code in 2007. Seven years later, in 2014, [Singapore’s apex court](#) maintained that 377A did not infringe upon the rights to life, personal liberty, or equality under the Singapore Constitution. The same court pointed out that any amendments would be at the discretion of the Singapore Parliament. Subsequently, the Singapore Court of Appeal ruled in 2022 that 377A remains but cannot be used to prosecute men for having gay sex.

Shortly after the court ruling, Law and Home Affairs Minister K. Shanmugam [stated in Parliament](#) that the government is deliberating “the best way forward” on 377A. The minister elaborated in another [speech](#) that each ministry would have to ascertain the potential aftermath and determine what needs to be done, in accordance with “our society’s values,” in the event of a change of law.



## **Are Pro-LGBTQ+ and LGBTQ-identified People Overrepresented?**

There have been attempts claiming to represent the overall “values” of Singapore society alluded to by Law Minister Shanmugam. A 2022 infographic from Ipsos published on [Wake Up Singapore](#) and [Yahoo News](#) claimed that 45 percent of all respondents were more accepting of same-sex relationships than they were three years ago. The same survey claimed that only 44 percent of Singaporeans supported the retention of 377A. Based on the Ipsos survey results, it may appear that a considerable number of Singaporeans would advocate for the LGBTQ+ community, or at least sympathize with their concerns. Not surprisingly, pro-LGBTQ+ groups such as Pink Dot have praised the results of the Ipsos survey, hoping that “many of the overdue changes that we wish to see will finally be implemented in earnest.”

On the flip side, other segments of Singapore society threw some doubt on the reliability and accuracy of the Ipsos survey. One netizen in the public Facebook group [We Are Against Pink Dot in Singapore](#) opined that “if Shanmugam is basing his assessment because of this 500 suspicious participants, something fishy is going on.”

Another skeptic of the Ipsos survey includes Regardless, an online conservative platform. Regardless criticized the results of the Ipsos survey as “methodologically ... suspect” due to issues including “scant information on survey methodology” as well as the “small sample size” of the survey. Furthermore, Regardless posited that even if the unusually high percentage of respondents that identified as LGBTQ+ (12 percent) is accurate, factors such as “self-identification because of the politics of inclusiveness,” or “Rapid Onset Gender Dysphoria” could have contributed to the figure.

## **Why Are the Survey Results Significant?**

Surveys such as the Ipsos survey have surfaced at a time when the Singapore [government has](#) clarified that its position on 377A “will have to keep pace with the changes in society and how society sees these issues.” Back in 2007, the government retained 377A on the premise that the “majority” of people in Singapore society “find homosexual behaviour offensive and unacceptable,” implying that societal mindsets in Singapore have been instrumental in influencing the government’s stance on the sodomy law. For moral conservatives and LGBTQ+ advocates alike, the stakes regarding such survey results have been heightened, as Law Minister Shanmugam indicated in March 2022 that “Policies need to evolve to keep abreast of such changes in views. And legislation needs to evolve to support updated policies.”

## **What if 377A Is Repealed?**

Many have wondered if repealing 377A would placate the LGBTQ+ lobby in Singapore. Evidently, the answer is a definite “no.” As Prime Minister Lee disclosed in 2007:

So, supposing we move on 377A, I think the gay activists would push for more, following the example of other *avant-garde* countries in Europe and America, to change what is taught in the schools, to advocate same-sex marriages and parenting, to ask for, to quote from their letter, “...exactly the same rights as a straight man or woman.” This is quoting from the open letter which the petitioners wrote to me. And when it comes to these issues, the majority of Singaporeans will strenuously oppose these follow-up moves by the gay campaigners and many who are not anti-gay will be against this agenda, and I think for good reason.



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Indeed, Pink Dot and Oogachaga, two Singapore-based LGBTQ+ advocacy groups, have undoubtedly outlined their intentions to push for more changes beyond the repeal of 377A. Both groups stated in their October 2020 Universal Periodic Review (UPR) submissions to the United Nations Human Rights Council: “For the purpose of eligibility for public housing, ownership and inheritance, recognise same-sex long-term partnerships and marriages conducted in other jurisdictions.” Similarly, a group of LGBTQ+ organizations such as Sayoni, Prout, Indignation, etc., have in [their UPR submissions](#) petitioned to the Singapore government to “Amend Section 12(1) of the Women’s Charter, and permit and recognise registration of same-sex marriages and partnerships in Singapore or elsewhere.”

### **Religious Groups Respond**

Statements from Christians and Muslims in the multi-religious society of Singapore have reinforced that the homosexual lifestyle harms individuals, families, and society as a whole. The National Council of Churches in Singapore cautioned that the repeal of 377A would lead to a slippery slope due to the “normalization and promotion” of homosexuality. Roman Catholic Archbishop William Goh indicated that he would not object to a repeal of the law “if it were merely aimed at removing all potential criminal penalties against homosexuals.” Nonetheless, the archbishop was against a repeal “under the present circumstances,” until and unless Parliament “puts in place a formulation that more perfectly encapsulates the spirit of the law” assuring the defense of marriage and family.

### **Current Singapore Government Approach: “Civil Dialogue With Various Groups”**

The Ministry of Home Affairs in Singapore has adopted a cautious approach toward the increasing hubbub surrounding gender identities and sexuality in the country. Law and Home Affairs Minister K Shanmugam affirmed the government position that “we will do so in a way that continues to balance these different viewpoints, and avoids causing a sudden, destabilizing change in social norms and public expectations.”

Social and Family Development Minister Masagos Zulkifli told Parliament the same month that [traditional societal norms and values will be reflected in policies and laws](#) concerning marriage, parenthood, adoption, fertility treatment, as well as housing and inheritance, among other things.

“We’ll continue to adopt the approach of civil dialogue, working with all, involving all stakeholders, as we chart our own unique Singapore way forward without creating sudden shifts and deep divisions in our society.”

### **Singapore Society at a Crossroads**

Despite government efforts to mitigate various conflicting interests, a host of questions remain for Singapore as the culture wars surrounding sexuality and LGBTQ+ matters unfold even more on this tiny island of around 5.6 million. With 377A as the legal rallying point for both moral conservatives and LGBTQ+ advocates alike, will existing divisions turn out to be more contentious? Would objective standards of morality espoused by moral conservatives and the traditional institution of family be upheld? Or, will the Singapore government give in to the winds of change and follow in the footsteps of the secular West? Only time will tell.



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