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Submission to the Select Committee on Deliberate Online Falsehoods

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Summary
"Deliberate online falsehoods" and "fake news" are ill-defined terms and are easily subject to abuse. Any legislation built upon such ambiguous terms would be overly broad and thus have a chilling effect on open dialogue and exchange in Singapore. Instead of new legislation, what Singapore needs is media literacy education from a young age that teaches not only critical evaluation of content but also informed and engaged civic and political participation through the media. More openness and transparency is needed from Singapore's public institutions so as to build public trust and society's resilience against disinformation campaigns.

I have been a freelance journalist since 2012, writing and reporting on Singapore for local and international publications. My bylines have appeared in *The Guardian, CNN, Al Jazeera English, ABC News, Foreign Policy, Esquire Singapore, The Washington Spectator, Asia Times* and *Southeast Asia Globe*, among others. I am currently the Chief Editor of *New Naratif*, a platform for Southeast Asian journalism, research, art and community-building.

I have a Bachelor of Media Arts from the Waikato Institute of Technology in New Zealand and a Bachelor of Arts (Hons) in Film from the Victoria University of Wellington. In 2012/13 I was awarded a Chevening scholarship by the British Foreign and Commonwealth Office to attend Cardiff University in Wales, where I obtained a Masters in Journalism, Media and Communications with First Class Honours.

My submission to the Select Committee is based on my experience as a journalist and member of civil society, as well as my involvement in facilitating dialogue sessions on the issue of "fake news" and "deliberate online falsehoods" in Singapore over the past two months. I co-facilitated six sessions, usually with about 15 to 20 participants per session. If required, I am willing to give evidence before the Committee.

"Fake news": A convenient tool

The definition of "fake news" has been intentionally ambiguous from the beginning. It was turned into a buzzword by Donald Trump, who uses the term to discredit any piece of reporting, any media publication, or any journalist he doesn't like.

"He deliberately uses the cry of fake news to addle the concentration of casual readers and viewers," wrote Jack Shafer on POLITICO, adding, "He relies on it as a scapegoat and as something to push against when he needs an applause line."[1]

"Fake news" has since been used in a variety of contexts to serve a variety of agendas:
- In February 2017, Syrian President Bashar Assad used the term to dismiss a report by Amnesty International estimating that thousands of prisoners were killed at a military prison between 2011 and 2015[2].
- In September 2017, Aung San Suu Kyi said that the Rohingya crisis was being exacerbated by "a huge iceberg of misinformation" that promoted "the interests of terrorists". But journalists have pointed out that her government continues to deny access to troubled areas to independent reporters and humanitarian groups, thus making it difficult to independently verify facts[3].
- In December 2017, The New York Times reported a Myanmar official rebutting criticism of what has been described as ethnic cleansing of the Rohingya in Rakhine State by claiming that the Rohingya's very existence is "fake news"[4].

The abuse of the term to stifle dissent, discredit critical reporting and obscure serious problems is not a theoretical possibility, but a current reality. According to the Committee to Protect Journalists, 21 journalists have been imprisoned under charges of "false news" in countries such as China, Turkey and Egypt[5].

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[1] Shafer, J. (2018). *Donald Trump's fake news mistake*. [online] POLITICO. Available at: https://www.politico.eu/blogs/on-media/2018/01/donald-trumps-fake-news-mistake/ [Accessed 25 Feb. 2018].

[2] Isikoff, M. (2017). *EXCLUSIVE: Defiant Assad tells Yahoo News torture report is 'fake news'*. [online] Yahoo!. Available at: https://www.yahoo.com/news/exclusive-defiant-assad-tells-yahoo-news-torture-report-is-fake-news-100042667.html?soc_src=social-sh&soc_trk=tw [Accessed 25 Feb. 2018].

[3] Anon, (2017). *Suu Kyi blasts Rohingya 'misinformation'*. [online] BBC. Available at: http://www.bbc.com/news/world-asia-41170570 [Accessed 25 Feb. 2018].

[4] Beech, H. (2018). *'No Such Thing as Rohingya': Myanmar Erases a History*. [online] The New York Times. Available at: https://www.nytimes.com/2017/12/02/world/asia/myanmar-rohingya-denial-history.html [Accessed 25 Feb. 2018].

[5] Committee to Protect Journalists. (2017). *CPJ's database of attacks on the press*. [online] Available at: https://cpj.org/data/imprisoned/2017/#~(status~'Imprisoned~charges~(~'False*20News)~localOrForeign~(~)~gender~(~)~employedAs~(~)~jobs~(~)~coverages~(~)~mediums~(~)~cc_fips~(~)~end_year~'2017~group_by~'location) [Accessed 25 Feb. 2018].

What do we mean when we say "fake news" and "deliberate online falsehoods"?

When looking at public statements in Singapore on the issue over the past year, "fake news" and "falsehoods" appear to encompass a wide range of posts, comments and reportage:

- During his opening address at the forum *Keep It Real: Truth and Trust in the Media*, Law and Home Affairs Minister K Shanmugam highlighted a range of "fake news", from false reporting to deliberate misinformation spread by foreign actors to rumours going viral on WhatsApp[6].
- The Ministry of Communication and Information described a Reuters headline as "fabricated"[7], even though it was not actually false. (The Reuters headline said that Chan Chun Sing had told the Foreign Correspondents' Association that he would be ready to be Prime Minister if called upon. At the session, Chan Chun Sing had said, "All of us have to be prepared to do the job when called upon." The statement could reasonably be understood to include himself—while one is entitled to disagree with Reuters' interpretation and choice of headline, it is overzealous to assert that the headline had been "fabricated".)
- Member of Parliament Lee Bee Wah choked up in Parliament talking about rumours that spread during racial riots in 1969[8].
- A Photoshopped image that altered the headline of a Lianhe Wanbao front page was not only identified as a case of contempt of court but also labelled as "fake news"[9].
- Meanwhile, the Green Paper largely focuses on "deliberate online falsehoods" as a case of malicious interference by foreign actors and therefore a national security concern—a scenario amplified by television programmes like *It Will Never Happen Here*[10].

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[6] Ministry of Law Singapore, (2017). *Opening Address by Mr K Shanmugam, Minister for Home Affairs and Minister for Law, at the "Keep It Real: Truth And Trust In The Media" Forum.* [online] Available at: https://www.mlaw.gov.sg/content/minlaw/en/news/speeches/opening-address-by-mr-k-shanmugam--minister-for-home-affairs-and1.html [Accessed 25 Feb. 2018].

[7] Toh, E. (2017). *'Business continuity' no matter who's next PM.* [online] The Straits Times. Available at: http://www.straitstimes.com/politics/business-continuity-no-matter-whos-next-pm [Accessed 25 Feb. 2018].

[8] Toh, E. (2018). *Fake news and its real consequences.* [online] The Straits Times. Available at: http://www.straitstimes.com/politics/fake-news-and-its-real-consequences [Accessed 25 Feb. 2018].

[9] Ng, K. (2018). *AGC looking into doctored headline of Chinese news report on CHC case.* [online] TODAYonline. Available at: https://www.todayonline.com/singapore/AGC-looking-into-doctored-headline-CHC-case [Accessed 25 Feb. 2018].

[10] Monochromatic Pictures (2018). *It Will Never Happen Here - EP4: Disinformation.* [video] Available at: https://video.toggle.sg/en/video/series/it-will-never-happen-here/ep4/563519 [Accessed 25 Feb. 2018].

Taken together, the discourse around this issue in Singapore gives a sense that the authorities are thinking of "fake news" as encompassing a broad range of activities from both foreign and local, state and non-state, actors.

This lack of clarity over what exactly constitutes "fake news" extends to the public as well. Over the past two months, I have been involved in facilitating dialogue sessions on the issue of "deliberate online falsehoods" and "fake news" in Singapore, with the goal of encouraging Singaporeans to discuss the issue and make their own submissions to the Select Committee.

In these sessions, participants found it extremely difficult to pin down a satisfactory definition of "fake news" or "deliberate online falsehoods", particularly in a way that would not inadvertently penalise content like satire or hoaxes used as a creative, nonviolent tactic to raise important issues, prompt discussions or simply to educate or entertain. Examples of such work include US-based satirical website The Onion[11], Singapore-based satirical website New Nation[12], Channel 5 comedy series The Noose[13] or the American culture jamming activist duo the Yes Men[14]. It would not be beneficial to Singapore to penalise or discourage such activities that contribute to public dialogue and create a vibrant society of diverse views and ideas.

Participants also found it difficult to come to any conclusion on the issue of intent, especially in scenarios where people might be sharing false information without malice—potentially because they genuinely believe it. An example repeatedly brought up over different sessions had to do with friends or relatives sharing dubious or unverified information—often medical misinformation—over group WhatsApp chats. In these cases, the sharing of such messages was deliberate, but the intent far from malicious.

Another contentious issue had to do with the question of where the power to determine whether something is "fake" or "false" will lie; *who* gets to decide what is or isn't fake? Why should this person, or this body, be given that much power to decide on everyone else's behalf? How can that power be checked so as to prevent abuse?

This difficulty in coming up with a proper definition of "fake news" or "deliberate online falsehoods", or clear boundaries of power and responsibility, cannot be underestimated. Without a clear-cut and easily understood definition, it is difficult to conceptualise or

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[11] The Onion. (n.d.). [online] Available at: https://www.theonion.com/ [Accessed 20 Feb. 2018].

[12] New Nation. (n.d.). [online] Available at: http://newnation.sg/ [Accessed 20 Feb. 2018].

[13] MediaCorp (n.d.). *The Noose.* [video] Available at: https://laughs.toggle.sg/en/laughs/the-noose [Accessed 26 Feb. 2018].

[14] Claude, C. (2017). *The Yes Men give a lesson in activism in Paris.* [online] Makery. Available at: http://www.makery.info/en/2017/01/31/la-lecon-activiste-des-yes-men-a-la-gaite-lyrique/ [Accessed 20 Feb. 2018].

communicate the exact problem that we are trying to tackle and to come up with targeted solutions that maintain the balance between dealing with the issue and protecting constitutionally-protected civil liberties.

Without this foundation, any potential legislation would likely end up worded very broadly, so as to allow the authorities as much discretion as possible to respond to a variety of scenarios. But such broadly-worded legislation—while convenient for those involved in enforcement—leaves people confused over what is or isn't legal to do or say.

Faced with such uncertainty, Singaporeans might choose to err on the side of caution and self-censor, which would only undermine the need—as stated in the Green Paper itself—for discussion and debate on matters of national importance to take place openly.

Freedom of expression in Singapore and the laws we already have

"Singaporeans hold a wide range of opinions and viewpoints on a variety of issues, be it on education, housing, transport, healthcare, or politics. These issues are close to Singaporeans' hearts. Discussion and debate on these matters take place openly. Such vigorous exchange informs Singaporeans and enables us to express views on matters of national interest, and to shape the path of the nation."

The statement above was made in the Green Paper on deliberate online falsehoods, acknowledging the importance of freedom of expression in the success and development of Singapore.

Freedom of expression is a basic human right enshrined in Singapore's Constitution. But many curbs on free speech exist in Singapore today. We are ranked 151 out of 180 in Reporters Without Borders' 2017 Press Freedom Index[15] and described as only "partly free" in Freedom House's Freedom on the Net 2017 report[16]. A comprehensive report by Human Rights Watch details the many ways in which freedom of expression has been restricted in the country, such as contempt of court laws, laws against the intention to wound religious

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[15] Reporters Without Borders. (2017). *Singapore: Intolerant government, self-censorship | Reporters without borders.* [online] Available at: https://rsf.org/en/singapore [Accessed 25 Feb. 2018].
[16] Freedom House. (2017). *Singapore Country Report | Freedom on the Net 2017.* [online] Available at: https://freedomhouse.org/report/freedom-net/2017/singapore [Accessed 25 Feb. 2018].

feelings, defamation laws and strict media regulation[17]. We must be careful of introducing more measures that would further exacerbate this situation.

Laws currently on the books in Singapore already address many of the concerns outlined in relation to "fake news". The Sedition Act[18] and the Maintenance of Religious Harmony Act[19] are already broadly-worded to deal with content or speech that could trigger disharmony between racial and religious groups. The Telecommunications Act outlaws the transmission of messages known to be "false or fabricated"[20].

We also have other regulations in place. The Infocomm Media Development Authority's (IMDA) online licensing regime allows the authorities oversight over prominent news websites, including the power to require these publications to take down objectionable content within 24 hours[21]. In the case of *The Real Singapore*—mentioned in the Green Paper—the publishers were charged and convicted under the Sedition Act[22] [23], while the government ordered the shutdown of the entire website for breaching the Internet Code of Practice under the Broadcasting Act[24].

The potential for virality on social media has led some to argue that these laws do not allow the authorities to act swiftly enough to counter the speed with which "fake news" might spread. However, we should be careful not to trade important principles of justice and due

[17] Human Rights Watch. (2017). *"Kill the Chicken to Scare the Monkeys": Suppression of Free Expression and Assembly in Singapore.* [online] Available at: https://www.hrw.org/report/2017/12/12/kill-chicken-scare-monkeys/suppression-free-expression-and-assembly-singapore [Accessed 25 Feb. 2018].
[18] Singapore Statutes Online. (n.d.). *Sedition Act.* [online] Available at: https://sso.agc.gov.sg/Act/SA1948?ProvIds=pr3-.
[19] Singapore Statues Online. (n.d.). *Maintenance of Religious Harmony Act.* [online] Available at: https://sso.agc.gov.sg/Act/MRHA1990.
[20] Singapore Statutes Online. (n.d.). *Telecommunications Act.* [online] Available at: https://sso.agc.gov.sg/Act/TA1999.
[21] Infocomm Media Development Authority. (2013). *Facebook Twitter YouTube Instagram Rate Our Information Was this Information useful? Very Useful Quite Useful Not Very Useful Not at all useful Unsure Comment Fact Sheet - Online news sites to be placed on a more consistent licensing framework as traditional news platforms.* [online] Available at: https://www.imda.gov.sg/about/newsroom/archived/mda/media-releases/2013/fact-sheet--online-news-sites-to-be-placed-on-a-more-consistent-licensing-framework-as-traditional-news-platforms [Accessed 26 Feb. 2018].
[22] Au-Yong, R. (2016). *TRS sedition trial: Ai Takagi convicted of four charges of sedition.* [online] The Straits Times. Available at: http://www.straitstimes.com/singapore/courts-crime/trs-sedition-trial-ai-takagi-convicted-of-four-charges-of-sedition [Accessed 26 Feb. 2018].
[23] Lee, P. (2016). *TRS co-founder Yang Kaiheng jailed 8 months for sedition.* [online] The Straits Times. Available at: http://www.straitstimes.com/singapore/courts-crime/trs-co-founder-yang-kaiheng-jailed-8-months-for-sedition [Accessed 26 Feb. 2018].
[24] Koh, V. (2015). *Govt orders shutdown of The Real Singapore.* [online] TODAYonline. Available at: https://www.todayonline.com/singapore/mda-suspends-licence-socio-political-website-real-singapore [Accessed 26 Feb. 2018].

process for speed. Hasty measures carry the danger of according too much power to the authorities, at the expense of freedom of expression and open debate in Singapore, thus undermining the "vigorous exchange" the Green Paper has highlighted as crucial to shaping the nation's path.

Instead of prioritising speed, we should look deeper into the issue, and address the root of the problem.

Media literacy education in Singapore

Many politicians and commentators have already identified media literacy as crucial in the fight against "fake news" and "deliberate online falsehoods". There is no more effective long-term measure against the spread of misinformation than ensuring that people are able to critically evaluate sources and make informed decisions about the content that they consume.

As someone who has studied and currently works in the media, I cannot overstate the importance of media literacy. It is not just a tool to combat "fake news", but a necessary skill to navigate today's media-saturated world. The media messages that we receive on a daily basis are not only affected by false information but also public relations spin (for both political and commercial motivations), private agendas (from both individuals and companies, including publishers and broadcasters), commonly-held myths, unquestioned assumptions, sweeping generalisations, oversimplifications, hyperbole, sensationalism, misreporting, inaccuracies and misunderstandings. The media cannot, and has never been, a foolproof gatekeeper of the truth, nor can any government or public institution. In fact, with newsrooms around the world downsizing and cutting staff—including at our local mainstream media outlets[25]—journalists find themselves stretched and pressed for time and resources, undermining their capacity to fact-check information and spend more time rigorous reporting. It is therefore imperative that people are able to process information critically and evaluate all these different agendas, motives, arguments and accounts for themselves.

Although the government has identified media literacy as part of the process to develop the media ecosystem and transform Singapore into a "global media city"[26], Lin Tzu-Bin, Intan

[25] Seow, J. (2017). *SPH starts retrenching staff.* [online] The Straits Times. Available at: http://www.straitstimes.com/singapore/sph-starts-retrenching-staff [Accessed 26 Feb. 2018].
[26] Infocomm Media Development Authority. (2003). *MDA holds Media 21 forum - industry to discuss global media city blueprint Minister to launch new media industry development schemes.* [online] Available at: https://www.imda.gov.sg/about/newsroom/archived/mda/media-releases/2003/mda-holds-media-21-forum--indu stry-to-discuss-global-media-city-blueprint-minister-to-launch-new-media-industry-development-schemes [Accessed 25 Feb. 2018].

Azura Mokhtar and Wang Li-Yi have pointed out that media literacy is still an "unclear concept" in the local education system[27]. (As an aside, Dr Intan Azura Mokhtar is a People's Action Party Member of Parliament whose research and expert opinion would have been a useful addition to the Select Committee.)

Other researchers have also found that media literacy education in Singapore tends to focus on "cyber wellness", focusing on responsible behaviour and civility online[28]. While it is positive to encourage considerate and sensible behaviour in online engagement, a holistic media literacy education programme needs to go much further.

Critical and media literacy education should be a key part of Singaporean's schooling from a young age. Singaporeans should be taught to be sceptical of every source they read and to approach everything with a critical eye. Comprehensive political education should also be increased so that Singaporeans are better equipped to consider questions of power dynamics, democratic process and fundamental principles of governance while considering the articles and arguments they might encounter online and in daily life.

But media literacy cannot simply be about how one consumes media; in an era where Singaporeans can easily write blog posts, take photos and create videos on smartphones, media literacy also needs to be about *participation*, and how one takes part in civic and political life through the media.

This again feeds into the point raised in the Green Paper—comprehensive media literacy also needs to be about citizens' ability to use the media to participate in open debate and "vigorous exchange". Yet current media literacy education in Singapore does not fully address this aspect of participation.

Research into initiatives that promote media production among Singaporean students shows that the emphasis on production skills is often tucked under overarching policy objectives, as opposed to encouraging media production for critical engagement. In a case study of animation competition *N.E.mation!*, Lim Sun Sun, Elmie Nekmat and Shobha Vadrevu found that the videos that communicated "policy-friendly messages" were "privileged over those that are more technically superior with less explicit national education messages"[29].

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[27] Lin, T., Mokhtar, I. and Wang, L. (2013). The construct of media and information literacy in Singapore education system: global trends and local policies. *Asia Pacific Journal of Education*, 35(4), pp.423-437.
[28] Weninger, C. (2018). Media literacy education in Singapore: Connecting theory, policy and practice. In: K. Chan, K. Zhang and A. Lee, ed., *Multidisciplinary approaches to media literacy*. Beijing: Communication University of China Press, pp.383-400.
[29] Lim, S., Nekmat, E. and Vadrevu, S. (2011). Singapore's Experience in Fostering Youth Media Production: The Implications of State-Led School and Public Education Initiatives. In: J. Fisherkeller, ed., *International perspectives on youth media: cultures of production and education*. New York: Peter Lang, pp.84-102.

In our efforts to deal with "fake news" and "deliberate online falsehoods", Singaporeans should be provided media literacy education that is not subsumed under other top-down agendas. Instead, Singaporeans should be given comprehensive media literacy education that emphasises skills to critically evaluate, engage and deal with a range of dissenting opinions and perspectives, as well as the capacity to respond and participate openly and in good faith.

Trust, transparency and openness in Singapore

Media literacy education should also come hand-in-hand with greater transparency and openness. "Fake news" and disinformation campaigns thrive in an information vacuum.

When Singaporeans feel that the mainstream media is controlled by the state and that the government has the power to decide what they do or do not see, read, hear or even say, it creates an environment in which people become more susceptible to claims that the powerful are deliberately hiding things from them. This leads to a greater willingness in some segments of society to believe conspiracy theories and other unsubstantiated assertions.

While the spread of such falsehoods is a problem that needs to be addressed, it is not something that can be dealt with via more policing, or the passing of more laws to penalise certain content or behaviour. In fact, further clampdowns on what one can do or say online are likely to further perpetuate an environment in which distrust, resentment and "fake news" can spread.

What we need is greater transparency and openness in Singapore. There should be a Freedom of Information Act so that Singaporeans can put in requests for data from the government, empowering people to do their own fact-checking and conduct their own analysis. This would also help journalists to produce better reporting, substantiated by more comprehensive data, and allow non-government organisations to produce better research to feed into more informed public discussions into important issues such as migrant workers' rights, poverty and inequality, human rights or heritage and conservation.

Greater transparency and openness also comes with the benefit of building and strengthening public trust by demonstrating the government's willingness to be held to account and communicate openly with its citizens. The introduction of an independent ombudsman to represent public interests in addressing complaints against the government and public institutions would also go a long way in building public confidence in the robustness of our democracy and its processes.

Even though it is likely that there will be regular disagreement and conflict as people's opinions diverge, a long-term inclination to engage in ongoing dialogue in good faith strengthens trust in public institutions and national processes, thus making the population more resilient against efforts to spread harmful falsehoods or disrupt social harmony.

Recommendations

1. Instead of introducing new legislation, seek non-legal measures to address the issue more holistically, so as not to inadvertently create an environment that further perpetuates the "fake news" problem.
2. Develop a media literacy education curriculum, beginning from the primary school level, that emphasises critical reading, clear and logical argumentation, media production and meaningful civic and political participation, so Singaporeans are equipped with the skills to engage in deeper and more informed public dialogue.
3. Introduce a Freedom of Information Act and develop processes to regularly declassify archival material to allow Singaporeans more access to data and sources, so as to empower Singaporeans to do their own fact-checking and come to their own conclusions.
4. Introduce an independent ombudsman to investigate and address complaints against the government and/or public institutions, so as to build public confidence in the robustness of Singapore's democratic processes.
5. Review existing legislation to remove overly-broad laws that curb free speech and stifle the vigorous exchange of ideas and opinions on issues of national importance, so as to build a society based on trust and communication, not fear.