

Written Representation 81

Name: Isaac Neo Yi Chong
Student

Received: 28 Feb 2018

Written Representation to the Parliamentary Select Committee on Deliberate Online Falsehood

Summary

The ambiguity of the term “fake news” and the problematic assumptions of the term “deliberate online falsehoods” make it difficult to legislate against as the problem itself cannot be accurately defined. Furthermore, existing laws are already sufficient to deal with the spread of falsehoods in Singapore. The root cause of the proliferation of “fake news” is the lack of information publicly available to the public, which fosters a climate of mistrust and allows disinformation to spread easily. Thus, media literacy programmes and more openness from government institutions are needed to empower Singaporeans to fact-check their sources of news effectively and to build greater resilience against disinformation campaigns.

. . .

I am a Year 3 Political Science student at the National University of Singapore (NUS). In 2015, I interned at The Straits Times for six months, where I reported on a variety of news at the News Desk and the Sports Desk. I have also had editorial experience in school newspapers and online journals and am involved in the Community for Advocacy and Political Education (CAPE) in NUS.

My submission to the Select Committee is based on my experience as a journalist, a member of civil society, and interaction with my peers with regards to this issue. I represent no political party and what is written here are my own views and not representative of any institution that I belong to. I also have no financial interest in the subject matter. If required, I am willing to give evidence before the Committee.

What is “fake news”?

The term “fake news” has rapidly become a catch-all term used to describe a wide variety of news. US President Donald Trump has popularised the term in public discourse by using it to criticise news that puts him in an unfavourable light, and has even claimed that he came up with the term.ⁱ While the term predates Trump, it is almost impossible to define what exactly “fake news” means, and this ambiguity arguably makes it difficult to enact any effective legislation against it as it would be too broadly-worded to have a significant impact.

The Green Paper by the Ministry of Communications and Information and the Ministry of Law uses the term “Deliberate Online Falsehoods”. Two immediate assumptions are apparent from this term: 1) that the news in question must be demonstrably false, and 2) it has been knowingly spread with the intention to

mislead. In addition, the Green Paper also talks about the impact of such falsehoods, such as its influence on “political and social discourse”.

These assumptions throw up problematic issues to deal with. Firstly, the truth is rarely objective. The veracity of a news item depends on the sources available to both the reader and the journalists. Journalists will try to reach out to official sources before publishing a news report, and often it might take a while for official sources to reply. However, with the advent of social media, news reports nowadays are often time-sensitive and need to be published online first, which will prompt a journalist to include in their report that official sources have not replied. If the official source comes out to deny the report, it should not be decried as “fake news” as the intention to represent the truth is there, and in fact this clarification by the official source should be regarded as part of the same news item.

Secondly, there may be news articles which selectively represent facts. In this case, the news is demonstrably accurate, but skewed to represent a certain angle. Is this news then a “falsehood”? It may fulfil assumption (2) but fails assumption (1). This might be a case of “misinformation” rather than “disinformation”, as the onus is on the reader to countercheck with other sources.

Lastly, the impact of “fake news” is still open for debate. There can be no doubt behind the intent of disinformation campaigns such as Russia’s interference in the American elections, but a recent [study](#) showed that for all the hype about “fake news”, it only reached a “subset of Americans”, of which most were already “intense partisans”ⁱⁱ, so such falsehoods would only confirm their bias instead of change their views. In addition, another study has also found evidence that “echo chambers” have played a role in the impact of such falsehoods, as a subset of Americans with “the most conservative information diets” were disproportionately more likely to visit “fake news” websites.ⁱⁱⁱ This shows that the focus should be on how people consume their news, rather than trying to legislate the expression of such news.

Existing legislation is sufficient

In Singapore, there are many existing laws to deal with the problem of “deliberate online falsehoods”. For example:

- The Telecommunications Act says in Clause 45: “Any person who transmits or causes to be transmitted a message which he knows to be false or fabricated shall be guilty of an offence...”^{iv}
- Section 298 of the Penal Code criminalises “deliberate intention of wounding the religious or racial feelings of any person” and was most notably used to prosecute Amos Yee in 2015.^v
 - While this law is problematic as it invites political opportunists to weaponise it and use it against groups they are intolerant against, its use by the government has shown that it already has a law whose stated intention is to protect racial harmony.
- The Sedition Act was used to prosecute The Real Singapore (TRS), who had published articles that contained false claims about an incident between the police and members of the public during a Thaipusam procession.^{vi}

- The Attorney-General's Chambers (AGC) wrote to a man who uploaded a doctored newspaper report on Facebook about the City Harvest Church case, and he subsequently apologised and took down his post. Home Affairs and Law Minister K. Shanmugam said that he considered this as “fake news”, but also said that this was a “case of contempt by scandalising the courts”.^{vii} Contempt of court is already an offence under the Administration of Justice (Protection) Act.^{viii}

In addition, the Infocomm Media Development Authority's (IMDA) licensing framework allows the authorities to demand that online news websites take down objectionable content within 24 hours.^{ix} TRS themselves were ordered to cease operations for breaching the Internet Code of Practice under the Broadcasting Act by publishing articles that were deemed to be “against public interest and national harmony.”^x

These examples show that the state has tools at its disposal to combat the proliferation of “deliberate online falsehoods” and its impact on political and social discourse. Singaporeans have also shown the proclivity to call out misinformation online, rather than to blindly accept whatever is posted on social media. The issue then should be not to stifle further expression, but how to improve Singaporeans' ability to fact-check online news and to promote healthy discourse on the online sphere.

What can be done?

Media literacy programmes should be expanded and promoted to members of the public in order to teach them to how to fact-check effectively. In addition, these programmes should aim to educate Singaporeans while they are young, as we live in an increasingly digitised world and we often carry our habits from youth to adulthood. For example, non-profit agency TOUCH Cyber Wellness has run cyber wellness programmes for schools since 2001. Its initial focus was on managing gaming addiction but has since shifted to include components on social media engagement and the responsible use of social media.^{xi} Media literacy programmes should teach Singaporeans how to effectively interrogate everything that they see online, ways that they can countercheck news sources with other sources, and how they can be responsible social media users.

These programmes should not have a top-down agenda that focuses on rote learning and what should be ‘proper’ news, rather, it should promote critical thinking skills and stress the ability of individuals to balance dissenting opinions with their own views. This is vital to create healthy discourse online, which would encourage greater civic participation.

In addition, journalists and readers need more sources at their disposal for better production and consumption of news. Hence, a Freedom of Information Act should be introduced for Singaporeans to request for data from the government, so that people can be empowered to do their own fact-checking. Journalists would be able to back up their reports with more comprehensive data, while academics and non-governmental organisations such as thinktanks can produce better research to be published, which would improve the quality of public discourse. Greater transparency

fosters an environment where people are less willing to believe that the state is “hiding” things from them, which is a key cause of conspiracy theories and these “falsehoods”.

Lastly, after discussions with my peers, the consensus was that the state should not have a monopoly to decide what is “fake news”, as it already has a monopoly on the use of coercion. Civil society needs to play a bigger role in promoting media literacy programmes and checking sources of “fake news”, as Singaporeans already feel that the mainstream media is controlled by the state and are likely to react badly to further moves to curb the expression of alternative views. To that end, an independent Ombudsman should be introduced to investigate complaints against the government and public agencies. This, coupled with the above steps, will build greater confidence in our political system and foster greater social trust in our society.

ⁱ <https://edition.cnn.com/2017/10/08/politics/trump-huckabee-fake/index.html>

ⁱⁱ <https://www.nytimes.com/2018/01/02/health/fake-news-conservative-liberal.html>

ⁱⁱⁱ Guess, A., Nyhan, B., & Reifler, J. (2018). Selective Exposure to Misinformation: Evidence from the consumption of fake news during the 2016 US presidential campaign.

^{iv} <https://sso.agc.gov.sg/Act/TA1999?ProvIds=P1VI->

^v <https://www.mha.gov.sg/Newsroom/others/Pages/Statement-on-Offensive-Speech-and-Expression-involving-Race-or-Religion.aspx>

^{vi} <https://www.channelnewsasia.com/news/singapore/the-real-singapore-duo-slapped-with-7-charges-under-sedition-act-8258686>

^{vii} <https://www.channelnewsasia.com/news/singapore/agc-has-written-to-man-who-posted-fake-news-about-lawyer-who-9928278>

^{viii} <https://sso.agc.gov.sg/Act/AJPA2016#pr3->

^{ix} <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>

^x <https://www.todayonline.com/singapore/mda-suspends-licence-socio-political-website-real-singapore>

^{xi} <https://www.channelnewsasia.com/news/singapore/thriving-rather-than-surviving-teaching-students-how-to-spot-9960656>