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SINGAPORE’S FAKE NEWS LAW
Countering populists’ falsehoods and truth-making

Shawn Goh and Carol Soon

Introduction
Framed as a growing threat to democracy, populism has become an increasingly unavoidable topic of discussion in both academic and popular discourses. While the concept of populism lacks a single coherent definition, its global rise is largely understood as a symptom of a crisis in democracy, underpinned by an erosion of democratic values like freedom of speech, acceptance of diversity and difference, and trust in government institutions and systems. As Momoc (2018, p. 68) highlighted, ‘populism is the most seductive ideology when the institutional system is unable to resolve the imbalances caused by the change or the crisis in the political, economic, and social spheres’.

Scholars have also pointed out that it is not by chance that the surge of populism is happening alongside a scourge of misinformation, disinformation, and other forms of falsehoods. As will be discussed in this chapter, digital and social media have provided an ideal communication environment for populists to successfully mobilise propaganda, lies, and conspiracy theories to propagate populist narratives and augment populist truth-making in an era where emotions trump facts (Postill 2018).

Singapore has remained resilient against rising populism thus far. While experts previously highlighted the role that Singapore’s strong authoritarian state plays in acting as a safeguard (Tan 2017), this chapter attempts to nuance the current picture. Using Singapore’s Protection from Online Falsehoods and Manipulation Act (POFMA) as a case study, this chapter argues that the country’s resilience against rising populism, in particular against populists’ falsehoods and truth-making, stems from a combination of being calibrated in its design and use of a repressive tool like POFMA and remaining hyper-responsive to public reactions towards the use of the law. This has allowed the government to continue justifying strong-handed measures without implicating its credibility in a way that would allow populist opposition to challenge its legitimacy and make significant political gains in the long run.

From populism to populism 2.0
Populism can be characterised by two key features – ‘anti-elitism’ and ‘people-centricism’. One of the best recognised definitions of ‘populism’ was proposed by political scientist Cas Mudde
Shawn Goh and Carol Soon

(2004), who argued that populism is a ‘thin’ ideology with a few core beliefs. First, society is divided into ‘the people’ and ‘the elite’, where ‘the people’ are seen as good and virtuous while ‘the elite’ are regarded as corrupt and dangerous. This antagonistic relationship between ‘the people’ and ‘the elite’ is central to Mudde’s concept of populism. Second, rather than representing the general will of the people, the current political establishment, together with its legal and public institutions, have instead infringed upon people’s ability to exert collective power, depriving them of their rights, freedom, identity, values, and voice. Hence, populists often appeal to the masses by claiming to enjoy a close relationship with people on the ground and to embody their under-represented voices and professing to legitimately restore popular sovereignty to them (Mudde & Kaltwasser 2017).

Other scholars have focused on the exclusionary features of populism. For instance, Abts and Rummens (2007) argued that because populists appeal to the masses by challenging the legitimacy of and fuelling dissatisfaction towards the establishment, populism can also be understood as a form of ‘vertical exclusion’, with strong anti-elite (e.g. exclusion of the political elite), anti-establishment (e.g. exclusion of the media), and anti-system (e.g. exclusion of the capitalist system) characteristics. Furthermore, populism can also be understood as exclusion with a horizontal dimension. For instance, Taggart (2004) described populism as ‘chameleon-like’, adopting different ‘ideological colours’ depending on ‘the other’ against whom people are united. For example, right-wing populism often excludes migrants and ethnic minorities in the name of nationalism or protecting national culture, whereas left-wing populism often excludes foreign economic forces of globalisation such as wealthy economic elites or cheap foreign labour to protect people from economic inequality and instability (Müller 2016). This explains why politicians like Donald Trump and Bernie Sanders may both be labelled ‘populist’ despite occupying opposite ends of the political spectrum (Sullivan & Costa 2020). This protection of national economy and culture have also led some scholars to conceptualise populism as ‘cultural backlash’, in which features of economic insecurity and xenophobia indicate a fundamental rejection of pluralism (Norris & Inglehart 2016). In short, populists claim to advocate for the people by attacking the elite (vertical exclusion) and appeal to the masses by invoking the heartlander and by excluding ‘others’ (horizontal exclusion) (Brubaker 2017).

Scholars have also gone beyond the framing of populism as a political ideology, extending the concept to look at populism in practice, as a political strategy (Ware 2002), as political logic (Laclau 2005), and as political style (Moffitt & Tormey 2014). For instance, Jansen (2011) argued that populism serves as a means for political mobilisation, in which marginalised individuals occupying fringe spaces of society are brought into publicly visible arenas to be given a voice and supported by an anti-elite, nationalist rhetoric thatervalorises them. Communications scholars have also reconceptualised populism as a genre of political communication, focusing on the performative and communicative aspects of populist leaders. For example, Kho (2019) argued that President Duterte’s form of populism in the Philippines involves a sophisticated social media machinery that mobilises fake news, bots, and trolls, exploiting behavioural biases to amplify identity-based rhetoric that resonates with groups of Filipino voters. In other words, populism is understood as a communicative repertoire that anyone willing to ‘do populism’ can employ (DeVreese et al. 2018).

Social media and the rise of digital populism

The utopian rhetoric surrounding the internet is a familiar one. Since its birth, the internet has been touted as embodying Habermas’s (1989) idea of the public sphere, where citizens
can come together to engage in critical discussion and deliberation through an open and
democratic exchange of thoughts, ideas, and opinions. However, one major critique of
Habermas’s thesis was that it over-promised the democratising effects of the internet and
overlooked its potential to polarise and fragment publics based on people’s interests, ide-
ologies, and values (Papacharissi 2002). Experts like Sunstein (2018) have argued that social
media platforms have been occupied by disparate communities of people whose collective
actions are driven by shared feelings and emotions. As Flew and Iosifidis (2020, p. 16) put
it, on social media networks, ‘rational persuasion is . . . weakened, while so-called “affective
persuasion” becomes prevalent’.

Scholars exploring the relationship between digital media and populism have highlighted
how innate affordances of social media platforms such as Facebook and Twitter provide a syner-
gistic thrust to the populist agenda and populist communications in several ways.

First, social media platforms offer populists a direct and unmediated communication channel
with their followers, bypassing information gatekeepers such as traditional media. Schroeder
(2019) argued that while the use of digital media had different effects on right-wing populist
movements in different countries, the ability of digital media to bypass traditional media gate-
keepers itself had been a necessary precondition for the success of many populist movements.
This rejection of traditional media further reinforces populists’ anti-establishment narratives, in
which traditional media is portrayed as part of the elite and accused of lying and manipulating
public opinion (Engesser, Ernst, Esser & Büchel 2017). Social media also amplifies populist
narratives at speed and scale by tapping into its logic of virality and network effect, thus boost-
ing the reach and persuasiveness of populist appeals (Klinger & Svensson 2015; Vaccari &
Valeriani 2015).

Second, the interactive and participatory features of social media augment this direct line
to the people by allowing populists to feel the pulse of the people (Engesser, Fawzi & Larsson
2017), and lowering barriers of interaction to create a sense of social presence and closeness to
the masses (Kruikemeier et al. 2013). Such characteristics have led to ‘the rise of an interactive
and participatory populism – a populism 2.0’ (Gerbaudo 2014, p. 68). Furthermore, populists
exploit the communicative architecture of social media platforms to craft personalised messages
in a targeted fashion tailored to a heterogeneous audience of internet users, making populist
appeals through digital technology more effective.

On top of leveraging social media affordances, populists are also adept at mobilising symp-
thisers by appealing to emotions like fear, anxiety, and a sense of insecurity and injustice.
For example, Dittrich (2017) found that far-right populists like Marine Le Pen often enjoy
a surge in social media engagement after national tragedies like terrorist attacks, suggest-
ing that populists exploit such events to validate their rhetoric of fear and outrage. Focus-
ing on the political relevance of emotions, Maldonado (2017) similarly sees populism as
an ‘affective performance’ in which social media, an ‘affective technology’, is particularly
conducive to populists’ mobilising individual emotions to drive collective perceptions and
actions. Furthermore, populists’ emotional appeals concurrently discred it rational rhetoric
while presenting their highly emotional and personalised communications as more authentic
(Thompson 2017).

In short, the combination of populism and social media exacerbates the scourge of online
falsehoods in today’s post-truth age by undermining trust in experts, institutions, and rational
debate while facilitating populists’ truth-making by providing an environment in which the
veracity of information is not assessed based on authenticity or credibility but on whether or
not it feels right to people.
Singapore’s authoritarian style of governance has often been the focus of criticism from the West, especially on issues relating to the freedom of speech. However, experts have also argued that features of Singapore’s strong paternalistic state safeguard the country against the rise of populists and skillful demagogues. These include strong institutions that shape public moralities to protect values like diversity and inclusiveness, rigourously clean and meritocratic institutions, and a commitment to pragmatism and evidence-based policymaking instead of being guided by ideological positions (Tan 2017). The outcome is a high level of trust in the government that fortifies Singapore’s resilience against populism.

Nonetheless, the government has been cautious to dismiss rising populism in Singapore as an unlikely scenario. With populist tides rising both globally and in Asia, the spectre of populism looms over the mindshare of Singapore’s political leaders, and populists gaining a foothold in Singapore’s political terrain is seen a plausible outcome if the existing governance system fails to continue engendering trust in its people. The government has, on several occasions in the past years, cautioned against the social impact of anti-foreigners and xenophobic rhetoric and taken action against websites (e.g. the now-defunct The Real Singapore website) and members of the opposition parties said to fan those sentiments (Lee 2016; Loh 2020).

In November 2019, Prime Minister Lee Hsien Loong spoke at the 65th People’s Action Party (PAP)’s Conference-Convention about the importance of not letting a disconnect between the elite and the masses take root in Singapore. Citing Chile as an example where populist movements gained traction due to an entrenched split between the elite and the masses, Lee stressed the importance of maintaining the ‘deep reservoir of trust’ with Singaporeans by upholding high standards of honesty, transparency, and integrity in governance (Tee 2019). Similarly, Deputy Prime Minister Tharman Shanmugaratnam has also spoken about the importance of domestic policy responses in tackling issues such as increasing polarisation in politics and the media and an erosion of consensus and a sense of togetherness in society. He stressed that policy interventions such as greater redistribution, encouraging social mixing, and reinforcing social consensus in Singapore would serve as a strong safeguard for Singapore against populism (Yong 2017).

**The Protection from Online Falsehoods and Manipulation Act (POFMA)**

On 8 May 2019, Singapore passed the Protection from Online Falsehoods and Manipulation Act (POFMA), which provides the government with the legal power to swiftly act against perpetrators of online falsehoods.

During the second reading of the legislation in Parliament, Minister for Law K. Shanmugam cited populism as a serious consequence of online falsehoods and articulated the need for a law like POFMA. He highlighted how a lack of regulation of the online space resulted in fertile conditions for populist movements globally, where populists mobilise falsehoods to attack institutions, invoke divisive rhetoric, use conspiracy theories to oversimplify complex issues, and persuade people based on untruths. This has led people to lose faith in institutions, opening the doors to populism, which further exploits and deepens this trust deficit. He explained how legislation can help protect the foundations of a healthy democracy, which include trust, free speech, and the infrastructure of fact (Shanmugam 2019). In other words, POFMA can be understood as one example of Singapore’s response to populism – particularly in the form...
of populism-fuelled falsehoods and populists’ truth-making – to restore confidence in public institutions in the face of rising populism globally.

Singapore’s ministers can invoke POFMA upon the fulfilment of two conditions – first, when there is digital dissemination of a ‘false statement of fact’, which excludes satire, opinion, or criticism and second, when a false statement of fact is deemed harmful to society, such as by undermining public interest in areas like security and public health, inciting ill will among communities, and the diminution of public confidence.

A false statement of fact can either be issued a ‘correction direction’ or a ‘stop communication direction’. In the former, the falsehood will be allowed to remain online, but relevant actors must comply by putting up corrective information provided by the government alongside the falsehood. This will allow people to ‘see both sides of the story’ and make an informed decision for themselves. In contrast, a stop communication direction (or a ‘take-down’ direction) will be issued in egregious situations to promptly stem the spread of a falsehood by ensuring its removal so that it will no longer be available on the internet.

In both scenarios, the use of POFMA is subject to judicial review, and an appeal may be made to the high court to overturn the minister’s order, which the government has argued prevents it from being the final arbiter of truth (Tham 2019).

Since coming into effect on 2 October 2019, POFMA has been invoked against falsehoods of a wide variety, including falsehoods about Singapore’s education spending, population policies, and criminal justice system. As of December 2020, eight cases of falsehoods relating to the COVID-19 outbreak have also received correction orders.

The controversies surrounding POFMA

The controversial passing of POFMA was met with pushback from members of civil society, media practitioners, and academics, all of whom voiced concerns about the legislation in a few areas.

First, many felt that the language of the law was too broad and sweeping, giving the government too much discretionary power when using it. For example, although POFMA targets falsehoods that ‘diminish public confidence in a state body’, the definition of ‘diminishing public confidence’ remains vague, allowing ministers to have extremely broad latitude to decide what that entails (Vaswani 2019).

Second, critics argued that POFMA allows the government to decide what is factual as only ministers, but not opposition politicians or members of the public, can trigger corrections or take-down orders. With POFMA designed as a tool for exclusive use by the government, some feared that the law could be abused to clamp down on political dissent and to stifle the opposition. Since coming into force, POFMA has been used in multiple instances against opposition politicians and well-known critics of the state, reinforcing the perception that POFMA serves to strengthen the hegemony of the PAP government by monopolising the means of shaping public narratives, instead of cleaning up cyberspace (George 2019).

Third, media experts have pointed out that POFMA may have a chilling effect on speech, resulting in the worsening of a self-censorship culture. Research has found that self-censorship is already prevalent in Singapore. For example, the 2018 Reuters Institute Digital News Report found that 63 percent of Singaporeans were concerned that expressing their political views openly on the internet could get them into trouble with the authorities (Newman et al. 2018). With the addition of POFMA to the government’s arsenal of speech laws, ordinary citizens may become even more hesitant to comment on socio-political issues online (Guest 2019).
Singapore’s authoritarian conundrums in using POFMA

While the government laid out its rationale for enacting strong legislation to stem populists’ falsehoods and truth-making, its approach to how POFMA has been designed and used signals the recognition of two conundrums that it has to contend with so that the use of POFMA would not paradoxically enable a populist opposition to make significant political gains.

First, although POFMA offers a strong and swift response against falsehoods that erode public trust, an over-reliance on this repressive and strong-handed response risks backfiring on the government’s legitimacy if the law is not perceived to be used judiciously or is seen as unjustified legislative overreach. This may cause the government to lose credibility and trust, ironically making the Singapore electorate more susceptible to the appeals of a populist opposition, the very enemy it was fighting in the first place.

Second, an over-use of POFMA may have a serious chilling effect on speech, leading people to self-censor on the internet to avoid getting into trouble with the law. This may result in a counterproductive situation in which the government becomes less sentient of people’s genuine sentiments, concerns, and dissatisfactions. One example of such a situation is China during its early stages of the COVID-19 outbreak, when the Chinese government’s digital surveillance and censorship tactics for managing online dissent made citizens too afraid to talk about the virus for fear of being punished for spreading ‘rumours’, paradoxically stifling online conversations that would have offered signals about a potential viral outbreak (Tufecki 2020). In other words, the chilling effect of POFMA may lead to an inaccurate picture of public opinion, thus weakening the government’s ability to anticipate challenges and adjust its strategies in response to shifts on the ground to bolster political support for the long run. This also gives populists political mileage to portray the government as ‘not in touch’ with the ground, reinforcing the populist narrative of a split between the elite and the masses.

The rest of this chapter highlights two approaches that the government has employed to solve the aforementioned dilemmas so that it may continue justifying the use of repressive tools without implicating its credibility in a manner that would allow a populist opposition to significantly challenge its legitimacy in the long run.

From repression to calibrated coercion

First, the government has been measured and calibrated in both its design and use of POFMA. While the government had historically taken a heavy-handed approach to managing political dissent and criticism during the early stages of nation-building, its governance style has since strategically shifted to a light-touch approach. In his analysis of press controls in Singapore, George (2007) introduced the concept of ‘calibrated coercion’, in which the state is able to deploy repressive tools against dissenters yet incur minimum political cost. George argued that the advantages of calibrated coercion include reducing the prominence of coercive tactics in the public consciousness and minimising backlash and moral outrage from the public that may be strategically leveraged by a populist opposition to the government. Furthermore, calibrated coercion involves ‘a dynamic process of creatively adapting regulations to suit recent experience and changed circumstances . . . quickly responding to news technologies. . . [that] pose a threat to [the government’s] political control’ (George 2007, p. 142).

In this respect, the calibrated design and use of POFMA can be understood as an extension of the government’s strategy to discipline the online space in a way that uses just enough coercion to get the job done.
Firstly, the government has argued that the calibrated design of POFMA narrows its powers by allowing for more proportionate and measured responses (compared to existing legislation such as the Sedition Act and the Defamation Act, which are blunt and sweeping) (Mohktar 2019). For example, a correction direction against a falsehood, which the government has also said would be the primary response for most situations, allows the falsehood itself to remain accessible on the internet as long as the corrective information is published alongside it. Similarly, a stop communication direction would apply only to the content containing the falsehood – which must be made unavailable – but leaves the rest of the website available online. Heavier penalties, such as cutting off a website’s revenue stream or shutting it down, would happen only if it received three directions within a period of six months. Hence, the calibrated design of POFMA grants room for the government to justify its use of the law in a manner that is synergistic with creating a public image of upholding free speech.

Secondly, on top of its calibrated design, the government’s use of the law has also been calibrated thus far. Since the law came into effect, every instance of the government’s use of POFMA has involved only the issue of correction directions, rather than its deploying the more extreme features of the law, such as take-downs. Tougher actions, such as compelling social media platforms to restrict access to certain websites, have only been taken when there has been noncompliance. Furthermore, the government has been cautious in ensuring that its use is targeted and narrow enough not to affect most Singaporeans directly, thus reducing the salience of its coercive tactics in Singaporeans’ consciousness.

In other words, the government’s calibrated design of POFMA and its measured use of the law (thus far) play a role in allowing the government to respond strongly against any populists’ falsehoods that undermine public trust while not catching itself in a bind where the salience of its coercion backfires on its legitimacy and counterproductively give populists greater political mileage.

**Hyper-responsiveness towards the public reactions of POFMA**

Second, the government has been hyper-responsive in addressing concerns about and public reactions to the law. Borrowing from existing work on the concept of ‘responsive authoritarianism’, authoritarian regimes can demonstrate responsiveness in a few ways.

The first is through the formation of official avenues for civic and political participation by citizens, through which people’s voices and opinions can be conveyed directly to the government (Means 1996; Qiaoan & Teets 2020). One example of this is the convening of the Select Committee on Deliberate Online Falsehoods in 2018, which sought to solicit public feedback on tackling online falsehoods, possibly through the use of legislation as a countermeasure. The public consultation exercise received a total of 170 submissions from academics, media and technology practitioners, members of civil society, and the public, of whom 65 appeared in front of the committee for oral hearing sessions that were widely reported by the local media. The committee eventually published a report that captured the public’s feedback and proposed 22 policy recommendations that the government accepted in their entirety. On top of serving as a channel for gathering feedback, the select committee process also signaled a more consultative governance approach through its deliberative mode of communication (Marquis & Bird 2018; Teets 2013). This allowed the government to portray itself as less paternalistic, keen to work with citizens in partnership, and closely aware of public sentiments on the ground. This national display of a close relationship between the government and its people (which, in itself, could be argued as a populist strategy) may have had the effect of countering populist appeals claiming that the political elites were disconnected from everyday Singaporeans.
The second is through proactive sensing and monitoring of public concern about and opposition to policy decisions, which the government responds to when resistance is perceived to be widespread (Huerlin 2016). As mentioned earlier, the passing of POFMA saw significant opposition from civil society, academics, and free speech activists. Leaders in the government embarked on a series of public engagements that ranged from live interviews to closed-door discussions to explain the legislation, clarify misconceptions about it, and address concerns about its use. One of the most popular engagements was a video in which Minister Shanmugam was interviewed by internet personality Michelle Chong, who played her alter ego of an ‘Ah Lian’ in an attempt to make the topic of POFMA (its rationale and what it sets out to do) more accessible to the working-class Singaporean. In the video, ‘Ah Lian’ conducted a light-hearted interview with the minister, who was himself more casual than his usual ‘no-nonsense’ public persona, using humour at times to diffuse the seriousness of the topic. The YouTube video has since received about 126,000 views. Such responses to public concerns by soft selling the legislation through light-hearted forms of communication may have moderated the public’s perception of the law as chilling free speech and also signaled that the government is willing to respond to and engage with concerns on the ground as valid and understandable.

The third is by responding to criticisms about the law through frank debates in the public domain to signal openness and transparency. For example, the select committee provided a legitimate channel for critics to air their grievances, and a certain degree of dissent was tolerated. The government also candidly engaged with criticisms from foreign news media outlets, especially those from Western liberal democracies such as Bloomberg, *The Economist*, and the *Washington Post*, regarding its use of the law. This openness in responding to critics signals some tolerance of criticism and dissent in the public sphere, once again lending legitimacy to the government by giving the appearance that it upholds free speech to cushion the chilling effects of the law (Marquis & Bird 2018; Repnikova 2017).

In short, being hyper-responsive to public reactions towards the law allowed the government to portray itself as closely in touch with people and issues on the ground, dampening a populist opposition’s ability to appeal to the masses by portraying the government as ‘not in touch’ with Singaporeans. Furthermore, the open engagement with criticisms produces a public image of upholding free speech and tolerance of dissent to moderate the chilling effect of the law that could, ironically, reduce its ability to accurately perform public opinion sensing in the long run.

**Discussion and conclusion**

In summary, this chapter has argued that understanding Singapore’s resilience against populism – especially in the form of populists’ falsehoods and truth-making – needs to go beyond looking at the role of Singapore’s paternalistic state and strong institutions. While a top-down measure like POFMA indeed represents a manifest effort by the government to tackle falsehoods, erosion of trust, and populism through its conventionally authoritative approach, it is the latent qualities such its calibrated design and use of the law, its hyper-responsiveness to public reaction, and its engagement with criticisms that allow it to continue justifying its use of strong-handed measures at minimal political cost. This is crucial to solving the authoritarian dilemma in which an over-reliance on repression may instead backfire on the government’s legitimacy, erode the deep reservoir of trust that it has built with Singaporeans, and ironically allow a populist opposition to gain traction in the country.

Moving forward, scholarly work exploring the relationship between populism, misinformation, and social media can afford to pay greater attention to two aspects.
First, many of the existing studies have been focused on explicating how digital and social media affordances have augmented populist appeals and uncovering how populists have co-opted the digital space for their agenda, in order to explain the surge of populism around the world. However, Singapore’s POFMA is but one example of a global move towards tighter regulation of the digital space to combat its online harms. Thus, future research should look into the effectiveness of state regulation of the online space in stemming populists’ falsehoods and truth-making and how populists have been circumventing such controls or manipulating them to their advantage in response. This would give a more nuanced picture of rising populism in our age of digital media.

Second, as George (2007) pointed out in his concept of calibrated coercion, the process of introducing creative regulatory adaptions in response to new technologies is a key feature that determines the success of reducing the salience of coercive tactics. In other words, Singapore’s ability to safeguard itself against populists’ falsehoods and truth-making would depend not only on the government’s continued balance of being calibrated in the use of POFMA and remaining responsive to public reaction but also on its ability to recognise when appropriate adjustments need to be made in order to maintain popular support. Hence, scholars focusing on media and politics in Singapore should analyse the specificities of new situations that arise in future on their own terms and explore new theoretical concepts as older ones lose their relevance and adequacy as the landscape continues to evolve.

Note

1 A colloquial term for a female who behaves in an uncouth manner, is loud, and is often seen as ‘low-class’.

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Shawn Goh and Carol Soon


Singapore’s fake news law