Meeting the challenge of hate propaganda

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INTRODUCTION

Background

1. I was invited by the Ministry of Communications and Information to share my views with the Select Committee. I’m pleased to do so, in my individual capacity as a Singaporean academic. Allow me to contribute to one key aspect of the Select Committee’s deliberations: how falsehoods can be used to exacerbate racial and religious divisions. To establish my bona fides, I should state that I have been studying hate propaganda for a number of years. My 2016 book, Hate Spin: The Manufacture of Religious Offense and its Threat to Democracy, examined the use of hate propaganda by political opportunists around the world, with a focus on India, Indonesia and the United States. Indonesian organisations have translated it into Bahasa Indonesia because of its relevance to their country’s pressing need to confront religious intolerance. My work on hate speech has been used by the London-based Ethical Journalism Network and the European Federation of Journalists in its media training. The US-based Religion News Foundation lists me as an international expert on hate speech.

Summary

2. Hate propaganda, which invariably employs disinformation tactics, violates people’s dignity and equality, and can threaten social cohesion. A laissez faire or libertarian approach is not a viable response. Although an unregulated marketplace of ideas may ultimately reject untruths, hate campaigns can cause serious harms in the interim, demanding public intervention. International human rights law, even as it protects free speech, requires states to prohibit incitement to hatred.

3. Legal sanctions, however, are not the only possible response to hate propaganda. They can do more harm than good. When the threshold for legal intervention is set too low, laws can not only be misused to suppress legitimate expression, but often also backfire by playing into the hands of hate merchants. Legislators should therefore be extremely circumspect about relying on law to combat hate propaganda.

4. An analogy may help. In the decade-long megaproject to revive the Singapore River, policymakers did not make the mistake of focusing their efforts on clearing the muck from the river itself; they knew it was more important to address the problem upstream, by modifying activity in the catchment area. Similarly, making Singapore more resilient against hate propaganda requires more than targeting offenders who pollute the internet with obvious falsehoods. We need to address the information ecosystem, which requires non-legal interventions to build capacity and resilience.

UNDERSTANDING DISINFORMATION AND HATE

How disinformation is used in hate campaigns

5. Hate propaganda is a kind of group libel, directed against communities defined by their race, religion, nationality, immigrant status or other salient markers of identity. It is usually used to persuade members of an in-group that a certain out-group is to blame for their problems and does not merit equal treatment. Hate propaganda is a political strategy. It should be distinguished from individuals’ outbursts of hateful speech, including racist slurs and other day-to-day expressions of intolerance — these do not usually amount to disinformation campaigns and are therefore outside the scope of this paper.

6. Hate propaganda has been used to facilitate crimes against humanity, such as genocides, ethnic cleansings and brutal colonial conquests. Less extreme but also highly destructive is the use of hate propaganda as an instrument of identity politics, to mobilise supporters, intimidate opponents and put pressure on the authorities. Even if they do not culminate in violence, such tactics worsen social division and discrimination, undermining national cohesion.

7. Hate propaganda always involves disinformation, which occurs at different levels. At a macro level, grand narratives are circulated, emphasising the in-group’s noble characteristics, often harking back to some mythical golden age. These one-sided narratives spotlight past traumas, to heighten the community’s sense of victimisation and impending danger. A complementary grand narrative portrays an out-group as inherently untrustworthy because of certain irredeemable cultural, religious or ideological traits. These narratives keep us-versus-them attitudes simmering on the backburner.

8. When required, the grand narratives are catalysed by micro-level disinformation, about current events that supposedly demonstrate how the out-group poses a clear and present danger to the in-group. These events could be entirely fabricated or, more likely, involve half-truths about actual occurrences. The stories may relate to attacks on the in-group by members of other communities; or government decisions said to disadvantage the in-group; or the appearance of cultural symbols (books, films, cultural practices, places of worship) deemed to be deeply offensive. Hate propagandists use these news stories to whip up indignation and outrage, thus instigating their followers to take desired actions.

Different types of hateful expression call for different responses

9. Long before the recent wave of concern over online falsehoods, hate campaigns have been considered an unacceptable abuse of freedom of expression in societies that value human equality and dignity, including in liberal democracies. Hateful expression has little value and usually warrants a firm societal response. However, not all such expression should be tackled with criminal law. The menu of interventions should include legal prohibition of incitement to harms, but also counter-speech against bigotry; civic and media literacy education; and support for people-sector efforts promoting inclusivity and tolerance. The use of criminal law in the wrong circumstances can be counter-productive.

10. International human rights law provides useful guidance in trying to balance freedom of speech with other fundamental rights, notably human dignity and equality. The International Covenant on Civil and Political Rights, even as it protects freedom of expression, requires states to prohibit hate propaganda that crosses the threshold of incitement to harm. Article 20 states: “Any advocacy

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of national, racial or religious hatred that constitutes incitement to discrimination, hostility or violence shall be prohibited by law.” Regional human rights courts in Europe and the Americas, as well as national courts in most democracies, take the same line. The reason why incitement to hatred cannot be left to the free marketplace of ideas is that such expression threatens the targeted groups’ equal rights. Being outnumbered or suffering from historical disadvantages, they are unable to defend themselves adequately in a free-for-all debate.

11. Hateful expression may also be restricted by states on the grounds of public order. Since such justifications are prone to abuse by governments that simply wish to stifle criticism, international human rights norms require that such restrictions be narrowly tailored. Courts need to be satisfied that the government’s measures are both necessary and proportionate means of achieving the stated objectives. The Green Paper points out that many Western democracies are contemplating new laws and regulations in response to the threat of online disinformation campaigns. It is important to take note of how they formulate their policies in ways that minimise the cost to free speech.

12. Incitement, which merits prohibition, needs to be distinguished from mere insult and offence, which international human rights law considers protected speech. However, many jurisdictions, including Singapore, disagree that insult and offence should be permitted. This is a fundamental difference in thinking. The difference is sometimes clouded by the imprecise term “hate speech”, which rarely appears in written law. Most jurists equate hate speech with incitement — a call to action against a target group (see para 10). In Singapore, though, the term is sometimes used to refer to the causing of racial or religious offence — insults that hurt feelings but without necessarily instigating harms. It would be a false parallel to liken Singapore’s criminalisation of “hate speech” to European countries’ policies. What they tend to prohibit is the promotion or incitement of hatred, not the wounding of racial or religious feelings as is the case here under Section 298 of the Penal Code.

13. Countries that regulate insult tend to argue that the risks of inflammatory expression are so serious that the threshold for legal intervention must be lowered; instead of waiting for speech to reach truly dangerous levels, the state should extinguish provocations at their first flickers. Though intuitively appealing, there are problems with this approach. Offence is subjective and difficult to disprove. In most countries with insult laws, such laws result in the suppression of unpopular religious minorities whose practices are deemed offensive to dominant groups. My own research has shown that insult laws tend to be weaponised by political opportunists. Groups manufacture indignation and then demand that the state uphold its insult laws by punishing the individuals and groups accused of causing offence. The vilification and prosecution of former Jakarta governor “Ahok” Basuki Purnama for blasphemy was a classic case, and by no means unique.

14. Thus, laws against racial and religious insult tend to backfire. Although ostensibly on the books to protect social harmony, they have the opposite effect. Calls for such laws to be repealed are not underestimating the fragility of social harmony. On the contrary, these laws underestimate what we are up against: agents of intolerance who will exploit any state-sanctioned right to be offended in order to gain the upper hand. The vociferous taking of offence is standard modus operandi of hate groups (para 8). If Singapore has so far been spared from the worst side-effects of such laws, it is only because race and religion are not as politicised here as elsewhere. To assume that this will

Although Singapore is not a signatory to the ICCPR, the discussions around this international treaty constitute the best available thinking on the subject of hate propaganda and how to balance people’s equality and dignity on the one hand with their expressive rights on the other.
remain the case amounts to a major gamble. Introducing any anti-disinformation law that targets the wounding of racial and religious feelings in line with Section 298 would hand hatemongers another weapon, instead of disarming them.

15. To caution against criminalising racial and religious insult is not to say that such expression should be met with indifference. The state has many organs other than teeth. The government should use its own voice as well as other policy instruments to tilt the playing field in favour of the forces of inclusion and against groups that promote intolerance. The best defence against hate propaganda is to defend vigorously people’s constitutional rights such as religious freedom and racial equality. With strong anti-discrimination policies and scrupulously fair policing to uphold the rule of law, even incitement to hatred can only go so far.

Structure and dynamics of hate campaigns

16. To defend Singapore against hate propaganda, we need to understand its structure and dynamics. Singapore is more familiar with the types of inflammatory speech that the government has been dealing with using the Sedition Act and Section 298. These tend to be one-off cases of individuals who violate social norms, often impulsively and without giving sufficient thought to the consequences. The kind of hate that is peddled through disinformation, however, is in an entirely different league: it takes the form of large-scale, sustained and systematic campaigns.

17. These disinformation campaigns operate at multiple, mutually reinforcing levels. As noted in para 8, they work through grand narratives circulated over long periods, as well as more immediate stories about the here-and-now. The messages vary in their degrees of falsehood and provocativeness. Indeed, many of the campaign’s statements, viewed in isolation, may be factual and seemingly innocuous. (Example: “People of our religion have gone through many hardships and injustices throughout history.”) They are used to foster solidarity and maintain the community in a constant sense of anxiety and fear. Complementary messages, which may or may not be truthful, take the next step of directing that fear against a target. (Example: “There was an attack on our fellow believers by community X in country Y, showing once again the hatred they have for us.”) Once these ways of thinking are deeply entrenched, it does not take much to tip the balance towards the promotion of intolerance and hate. (“Community X needs to be put in its place.”)

18. Hate campaigns involve a division of labour. Typically, the leaders keep their hands clean. Through silent assent or subtle “dog whistles”, they can issue clear signals to their followers, yet evade legal accountability. Even though they are not explicit in their statements, their followers know what they mean, thanks to complementary messages from others in the network — usually activists lower down the hierarchy who make more explicitly hateful remarks. Hate networks may also include think tanks and experts who pump out pseudo-intellectual and pseudo-scientific arguments to support the movement’s grand narratives. These campaigns include “owned” media — the organisations’ own outlets — and sympathetic mainstream media.

19. The most pernicious hate campaigns benefit from an ecosystem conducive to intolerance. Many actors contribute to this ecosystem without deliberately meaning to do so. They vary in their degree of culpability. Some media can be said to be willfully negligent. They run stories solely with audience numbers in mind, purely for commercial benefit and recklessly disregarding whether the content is true or not. Shareability or clickworthiness is prized over trustworthiness. Although these media entrepreneurs may have no ideological links to the political entrepreneurs generating hate propaganda, they are united by a common methodology, of preying on people’s fears and prejudices with simplistic depictions of the world.

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20. Other media may intend to act more responsibly, but unwittingly contribute to the ecosystem of intolerance by, for example, reporting on hate-mongering politicians too uncritically or sharing dubious stories prematurely. In addition to professional journalists, the gatekeepers who decide what to publish or share include amateur bloggers, forum moderators, website administrators and so on. The current relationship between many of these individuals and the government is characterised by mutual suspicion. But these amateur gatekeepers should be regarded as potential partners in the larger battle against disinformation.

21. One additional complication, mentioned in para 8, is that many modern hate campaigns do not employ classic hate speech. Instead of going on the offensive by openly instigating harms against the target community — which is both illegal and socially unacceptable in many countries — hate propagandists play the victim. They claim that their community has been deeply wounded by the out-group’s cultural products, words and practices. The mass indignation that they whip up may be used to instigate riots or to call for state and non-state action against the target communities. Having persuaded their followers that they are victims of injustice, hate propagandists are able to frame these aggressions as acts of self-defence.

22. The ingenuity behind modern hate campaigns means that the law can never provide adequate protection. The law works when dealing with neatly self-contained messages, but can’t cope with distributed and layered campaigns. Legal solutions provide a false sense of security. Indeed, they can backfire, especially if states make the mistake of trying to prohibit insult, which only empowers hate merchants who employ the strategy of offence-taking as described in the previous paragraph.15

RISKS OF MISDIAGNOSIS

Beware the hype: it’s not really about social media

23. For good and ill, social media have democratised the generation and sharing of information and ideas, bypassing the gatekeepers of traditional media. Social media platforms are currently too hospitable to disinformation.16 Internet intermediaries have belatedly acknowledged that they have a responsibility to tweak their algorithms and beef up their human moderation systems to try to combat disinformation. However, it is clear that the volume of data to be processed means that these solutions will never be watertight. Furthermore, we’re dealing with a moving target. Committed disinformation agents will adapt their methods even as intermediaries and regulators try to play catch-up.

24. It is a fallacy that social media comprise the main or a necessary vehicle for hate campaigns. This myth may arise from social media’s novelty and prominence, which place them higher on the public agenda than the facts merit. Hate propagandists use the internet when it suits them, but they would not be helpless without it. Indeed, even in societies with wide and open internet access, hate campaigns use a wide range of channels. Face-to-face communication within places of worship and study groups probably play a much bigger role than online messages in fostering religious intolerance. In many countries, long-established talk radio and cable television news programmes do more to create intolerant “echo chambers” and “filter bubbles” than social media.

25. The disproportionate attention paid to social media may be counterproductive. It places undue faith in techno-legal solutions and diverts attention from potentially more impactful policy responses. It also underestimates the versatility of hate propagandists. Taking away their internet tools would not suppress the spread of their viewpoints; they would simply find other means.

including by going underground. Therefore, instead of treating the internet as an indispensable transmission mode for hate, it may be wiser to regard it as exposing symptoms of underlying conditions. Note that in Singapore’s most high-profile cases of preachers mouthing intolerance towards other religions, their objectionable expression was revealed online, but did not originate as online expression. Suppressing the symptoms does not always make a disease less virulent.

Resist the Trump bandwagon

26. United States President Donald Trump dismisses critical reports as “fake news”. Leaders around the world, ranging from the Philippines’ Rodrigo Duterte to Egypt’s Abdel Fatah al-Sisi have gleefully boarded this bandwagon. The use of this label is now strongly associated with the political style of populist authoritarianism, whereby leaders try to undermine the press in order to make the public more susceptible to their own disinformation campaigns. Any politician accusing media of “fake news” therefore risks being seen as trying to cover up truths. In Singapore recently, the government labelled a wire agency headline about a minister’s remarks as “fabricated”, when it was at worst a case of misinterpretation and subsequent overplay.\(^\text{17}\) The Singapore government should studiously avoid misusing such terms — it risks losing more political points than it wins, and will add to the culture of cynicism in which disinformation thrives.

How the Singapore context differs

27. Hate-promoting disinformation campaigns are a global problem, but that does not mean that the risks and remedies are the same everywhere. Context matters. Each society needs to assess the threat based not only on its own vulnerabilities but also its relative strengths. While we must learn from others’ successes and failures, our battle is on our terrain. If we fail to bear this in mind, we may build inappropriate defences and pick up the wrong weapons.

28. One major difference between the Singaporean and the American and British contexts is that our media are not as irredeemably polarised. Rightwing television and radio stations in the US and rightwing newspapers in the UK have been promoting anti-immigrant, anti-globalist rhetoric for many years. This has made their audiences more receptive to disinformation campaigns. Some mainstream media, such as Fox News in the US, deliberately amplify and embellish untruths generated by hate propagandists. Their audiences are highly resistant to media that are more socially responsible, fact-based and balanced in their reporting. Singapore’s mainstream media landscape, while hardly faultless, is not in danger of becoming as polarised.

29. Another key difference between Singapore and, say, India or Malaysia is that our electoral politics is not conducted along ethnic or religious lines. This is partly because of demographics. As we do not have a majority religion, no political party can reap any electoral advantage by promoting religious nationalism. We also have constitutional and legal checks against appealing to race and religion in elections. This in turn limits the opportunities for disinformation campaigns to exploit. Recent disinformation campaigns in Europe and the US were not aimed at promoting hate for its own sake, but at helping rightwing nationalist political parties win elections. The lack of similar electoral outlets in Singapore limits the scope for such campaigns. Instead, all major political parties here are avowedly multi-racial and multi-religious. Furthermore, unlike in the highly polarised politics of the US or India, Singapore’s government is still widely viewed as an honest broker in racial and religious tensions.

30. To highlight these strengths is not to advocate inaction. Rather, it is to say that while some other countries are forced into fire-fighting mode, Singapore’s interventions can focus on prevention, especially through civic education. Experts everywhere know that nurturing a society more resistant to intolerant populist appeals is the strongest guarantee against hate campaigns. This is a long-term

enterprise, and in many countries, the problem is too urgent and the government too lacking in moral authority to pull it off. Singapore is not one of those countries.

COUNTERING HATE PROPAGANDA

Possible interventions

31. This submission has tried to offer productive ways of thinking about disinformation as it’s used in hate propaganda. In particular, I’ve cautioned against over-depending on techno-legal restrictions — not because we should fetishise free speech, but because such responses underestimate the scale and stealthiness of hate campaigns. We would be better off strengthening the public’s capacity to deal with disinformation. Reliable, public-interest media remain the best antidote to deliberate falsehoods. Behavioural scientists also recommend inoculating people against untruths by making them more savvy about disinformation methods. Quality media and a forewarned public have been cited as key reasons why Russian disinformation was much less effective in last year’s German elections than anticipated.18

32. My main purpose is to provide guideposts rather than specific policy proposals. Nevertheless, let me end by suggesting a few measures for the Select Committee to consider. I have emphasised that the problem of online falsehoods cannot be divorced from the larger, mainly offline, ecosystems of intolerance and hate. Returning to my river analogy (para 4), we are fortunate that our information channels are not already so dangerously toxic that we have to go into a frenzy to fight the pollution. Instead, like the successful Singapore River clean-up, we can devote most of our attention upstream, addressing the broader environment and investing in long-term attitudinal and behavioural change. The suggestions below are accordingly broad.

33. **Early warning systems.** As noted in para 25, online falsehoods should be treated as a symptom of broader and deeper trends rather than as an ultimate cause of hate. Real-time monitoring of online messages can help alert society to emerging problems. One such international project Hatebase.19 Singapore can follow this example.

34. **Hatereview groups.** Countries more familiar with hate groups have non-government organisations devoted to tracking these networks and monitoring their activities. They help name and shame key players and educate the media. (Example: Southern Poverty Law Center in the US.20) The government should help build such capacity in Singapore.

35. **Fact-checking NGOs.** Independent fact checking organisations are widely regarded as an essential part of the range of required responses to disinformation. They complement the work of professional media, which usually do not have the resources to verify complex information. For credibility, it’s important that such projects be independent of both government and government-licensed media.

36. **Sense-checking NGOs.** Hate campaigns need to be challenged with not only more truthful facts but also more sensible opinions. Although there are several bodies working in the social harmony space, none is currently set up to respond rapidly when controversies erupt involving race or religion. We need a credible, independent group that can help shepherd public opinion towards moderation and reasonableness when temperatures rise.

37. **Repeal insult laws.** Section 298 of the Penal Code invites people to demand state intervention when their subjective racial and religious feelings are hurt. The same law in India and Malaysia, as well as religious insult laws in many other countries, have been weaponised by merchants of

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20. https://www.splcenter.org/
intolerance and hate (see paras 13–14). It should be repealed before the same happens in Singapore.

38. **Work with internet intermediaries.** Facebook, Twitter and other companies acknowledge the disinformation problem and are experimenting with solutions. Singapore should work with intermediary companies, but set our expectations realistically (see paras 24–25). As the internet giants’ efforts are likely to focus on the English-language internet, Singapore should push for more attention to be paid to Asian languages.

39. **PR and marketing self-regulation.** Singapore’s marketing, advertising and public relations industries need to catch up with other countries in updating and upholding their codes of practice for the digital era. Although most of their messages may seem relatively harmless, a failure to abide by industry best practices (in requiring disclosure, for example) contributes to a culture with low expectations of honesty in public communication — a culture conducive to disinformation campaigns.

40. **Media and information literacy.** It is clear that technological developments have outpaced most people’s ability to use media critically. The capability gap is being exploited to deceive users. Media and information literacy training is required to narrow that gap. The emphasis should not be on particular technologies, since these are constantly evolving. Instead, training should focus on inculcating critical reasoning skills (including how to interpret statistics).

41. **Inoculation through political literacy.** “Pre-bunking” falsehoods is more effective than debunking them. Based on the psychological theory of inoculation, this involves educating the public about hate propaganda motives and tactics. Although disguised as the product of authentic racial or religious sentiment, hate campaigns are invariably politically motivated. People need to be forewarned about such strategies. This is a form of political literacy, complementing media literacy.

42. **Training for journalists and moderators.** Gatekeepers of various kinds (see para 20) are at the front lines in deciding what information gets published and shared. These individuals can benefit from advanced training in verifying content that comes their way (detecting doctored images, for example). Such training is offered by various organisations around the world. The government should provide funds for universities and other organisations to provide workshops for free to anyone who wants it.

43. **Social science research.** When issues are prominent on the agenda, there is always a danger that policymaking takes a life of its own, with strong pressure to be seen as doing something — anything — to fight the problem. To avoid wasted effort and misallocation of public funds, policy should be informed by rigorous scholarly research. Relevant research is already being done around the world. The government should support more of such research in Singapore.

44. I am grateful for the opportunity to share my views and wish the Select Committee the best in its deliberations on this important topic.

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