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FAKE NEWS IN THE MALAYSIAN 14TH GENERAL ELECTION: SHALL THE NET BE FREE FOREVER?


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Abstract
Malaysia had its 14th General Election on 9th May 2018 that resulted in a change of government from the Barisan Nasional (BN) who ruled since 1957's independence to the Pakatan Harapan (PH) coalition. Acknowledging the power that social media had in influencing voters, The Communications and Multimedia Act 1998 (CMA) was mobilised to hunt dissenters, where some cases resulted in successful prosecution. Despite the drastic move taken to enact the Anti-Fake News Act 2018 one month before the election, the previous government failed to convince the public that fake news was grave threats to society. Instead, the above initiative may have contributed to BN's painful defeat against the inexperienced PH. After the election, PH faced similar issues of having to deal with a plethora of fake news online and the 'gun' had now turned towards them. The PH Ministers had difficult times correcting misstatements issued through social media which was flooded with sarcastic trolls, some of which may amount to illegal content. Through a qualitative method, this article assesses how social media influenced the landscape of 14th GE. Consequently, international and national legal frameworks have been developed to combat the dissemination of fake news online, as analysed in the second part of this paper. The third part further examines how popular social media platforms provide countermeasures in dealing with fake news and how far legal frameworks correspond to the practices of service providers. It is hypothesised that in time, the PH coalition should have turned towards censoring the internet as done by the previous BN government due to the emerging threat of online fake news all over the world.

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- Social Media and Fake News in the 2016 Election**
By: Allcott, Hunt; Gentzkow, Matthew
JOURNAL OF ECONOMIC PERSPECTIVES Volume: 31 Issue: 2 Pages: 211-235 Published: SPR 2017
Times Cited: 514
- Side-Stepping Rights: Regulating Speech by Contract**
By: [Anonymous].
ARTICLE 19 Published: 2018
Times Cited: 1
- Pakatan Hopes Media Will Continue to Be Fair, and Not Report Fake News | Malaysia**
By: [Anonymous].
Malay Mail
accessed August 18, 2020
URL: <https://www.malaymail.com/news/malaysia/2020/03/15/pakatan-hopes-media-will-continue-to-be-fair-and-not-report-fake-news/1846792>
Times Cited: 14
- Politics and Policy: Fighting Fake News without an Anti-Fake News Law**
By: [Anonymous].
The Edge Markets
accessed August 18, 2020
URL: <https://www.theedgemarkets.com/article/politics-and-policy-fighting-fake-news-without-antifake-news-law>
Times Cited: 1
- Arctic Stronghold of World's Seeds Flooded after Permafrost Melts**
By: [Anonymous].
The Guardian Published: 2017
accessed on 11 November 2020)
URL: <https://www.theguardian.com/environment/2017/may/19/arctic-stronghold-of-worlds-seeds-flooded-after-permafrost-melts>
Times Cited: 1,033
- Pakatan on Offensive over `fake News'**
By: [Anonymous].
The Malaysian Insight
Times Cited: 1
- Malaysia: Anti-Fake News Act Should Be Repealed in Its Entirety**
Group Author(s): ARTICLE 19
ARTICLE 19 Published: 2018
Times Cited: 1
- Title: [not available]
Group Author(s): ARTICLE 19
Side-Stepping Rights: Regulating Speech by Contract Published: 2018
Link to: <http://article19.org/wp-content/uploads/2018/06/Regulating-speech-by-contract-WEB-v2.pdf>
Times Cited: 1
- Filtering the Internet: A Best Practices Model**
By: Balkin, Jack; Noveck, Beth Simone; Roosevelt, Kermit.
Information Society Project at Yale Law School Published: 1999
URL: <http://www.yale.edu/lawweb/jbalkin/articles/Filters0208.pdf>
Times Cited: 7
- Digital Speech and Democratic Culture: A Theory of Freedom of Expression for the Information Society**
By: Balkin, Jack.
New York University Law Review Volume: 1 Issue: 1 Published: 2004
URL: http://digitalcommons.law.yale.edu/fss_papers/240;
Times Cited: 1

11.	Dewan Negara Passes Repeal of Anti-Fake News Act Group Author(s): Bernama BERNAMA Published: 2019 URL: http://bernama.com/en/news.php?id=1801184	Times Cited: 1
12.	Title: [not available] By: Byron, T. Safer children in a digital world: the report of the Byron Review: be safe, be aware, have fun Published: 2008 Publisher: Department for Children, Schools and Families, London	Times Cited: 149
13.	Court Acquits Malaysiakini Bosses over Airing Video against Ex- AG Apandi Malaysia Malay Mail By: Chong, Debra. Malay Mail Published: 2018 URL: https://www.malaymail.com/news/malaysia/2018/09/20/court-acquits-malaysiakini-bosses-over-airing-video-against-ex-ag-apandi/1674558	Times Cited: 1
14.	Title: [not available] Group Author(s): Committee for Information Computer and Communications Policy of OECD The Role of Internet Intermediaries in Advancing Public Policy Objectives Published: 2011	Times Cited: 1
15.	Title: [not available] By: Daud, Mahyuddin. Internet Content Regulation Published: 2019 Publisher: IIUM Press, Kuala Lumpur	Times Cited: 1
16.	Protecting Children against Exposure to Content Risks Online in Malaysia: Lessons from Australia By: Daud, Mahyuddin; Abd Jalil, Juriah JURNAL KOMUNIKASI-MALAYSIAN JOURNAL OF COMMUNICATION Volume: 33 Issue: 1 Pages: 115-126 Published: 2017	Times Cited: 3
17.	Wild Speculations on the Missing Flight MH370: Balancing Online Expression and Content Regulation in Malaysia By: Daud, Mahyuddin. Malayan Law Journal Articles Volume: 3 Pages: cvii Published: 2015	Times Cited: 1
18.	Dissemination of False Content Online in Malaysia: A Legal Update By: Daud, Mahyuddin; Zulhuda, Sonny. 7 INT C LAW SOC ICLA Published: 2018	Times Cited: 1
19.	Title: [not available] By: Dooley, Julian J. Review of Existing Australian and International Cyber- Safety Research Published: 2009 URL: http://www.google.com.my/url?sa=t&rct=j&q=&esrc=s&source=web&cd=1&cad=rja&uact=8&ved=0CCkQFjAA&url=http://www.communications.gov.au/__data/assets/pdf_file/0004/119416/ECU_Review_of_existing_Australian_and_international_cyber-safety_research.pdf&ei=aAlzU6DvBMeiugSKpYDIBw&usg=AFQjCNEL0oxgsWlo7XN8ZoRUNipMhXtAZQ&bvm=bv.66699033,d.c2E	Times Cited: 10
20.	Title: [not available] By: Edwards, Lilian. The Role and Responsibility of Internet Intermediaries in the Field of Copyright and Related Rights Published: 2011 URL: http://www.wipo.int/copyright/en/doc/role_and_responsibility_of_the_internet_intermediaries_final.pdf	Times Cited: 10
21.	Title: [not available] Group Author(s): Freedom House Freedom on the Net 2016 Country Profile: Malaysia Published: 2016	Times Cited: 2
22.	Title: [not available] Group Author(s): Freedom House Malaysia Country Report Freedom on the Net 2018 Published: 2018 Publisher: Freedom House	Times Cited: 1
23.	Title: [not available] By: Gomez. Social Media Impact on Malaysia's 13th General Election	Times Cited: 1
24.	Social Media Impact on Malaysia's 13th General Election By: Gomez, James ASIA PACIFIC MEDIA EDUCATOR Volume: 24 Issue: 1 Special Issue: SI Pages: 95-105 Published: JUN 2014	Times Cited: 18
25.	Title: [not available] By: HUFF M SECRECY SOC Volume: 8 Published: 2018	Times Cited: 1

26. **Facebook Told Advertisers It Can Identify Teens Feeling `Insecure' and `Worthless.'**
By: Levin, Sam.
Guardian Published: May 1 2017
URL: <http://www.theguardian.com/technology/2017/may/01/facebook-advertising-data-insecure-teens>.
Times Cited: 82
27. **Malaysia's Anti-Fake News Law Raises Media Censorship Fears**
By: Lourdes, Marc.
CNN Published: 2018
URL: <https://edition.cnn.com/2018/03/30/asia/malaysia-anti-fake-news-bill-intl/index.html>
Times Cited: 2
28. Title: [not available]
Group Author(s): Media Authority
Developments in Internet Filtering Technologies and Other Measures for Promoting Online Safety Published: 2008
Times Cited: 1
29. **Malaysia' 14th General Election: End of an Epoch, and Beginning of a New?**
By: Moniruzzaman, M.; Farzana, Kazi Fahmida.
Intellectual Discourse Volume: 26 Published: 2018
Times Cited: 1
30. **YouTube Cracks down on Conspiracies, Fake News**
By: Nicas, Jack.
Market Watch Published: 2017
URL: <https://www.marketwatch.com/story/youtube-cracks-down-on-conspiracies-fake-news-2017-10-05>
Times Cited: 1

Showing 30 of 36 [View All in Cited References page](#)