IN AUGUST, MALAYSIA was in political turmoil as a state of emergency declared in January – officially as a response to the Covid-19 pandemic – was due to end. Facing an imminent vote of no confidence, embattled prime minister Muhyiddin Yassin deployed security forces to block opposition party members from entering parliament.

His administration faced mass protests that openly violated its lockdown orders and his opponents decried the state of emergency as a thinly veiled effort by an unpopular government to cling to power. The enactment in March of the Emergency (Essential Powers) (No 2) Ordinance – which criminalised as “fake news” any criticism of the government’s response to the pandemic and the state of emergency itself – underscored those concerns.

During the tumultuous first three weeks of August, the print edition of The New York Times published only four articles mentioning Malaysia. Two focused on the Tokyo Olympics. None covered the state of emergency, popular protests against Muhyiddin’s administration or the impact of the “fake news” ordinance.

Muhyiddin resigned, on 16 August, the Times reported his resignation online but not in print. The paucity of coverage in The New York Times – admittedly in a month when the world’s attention was gripped by the drama unfolding in Afghanistan – reflects the broader absence of news on Malaysia, as documented by our analysis of 305 stories published by nine news outlets in the 12 weeks before and after the “fake news” ordinance issued on 12 March.

The Malaysian government is one of many to bring in emergency restrictions on civil liberties and press freedoms under the guise of addressing the pandemic. By examining patterns in international and domestic reporting on the crackdown, we show how countering censorship at a national level requires international engagement and that the international press was indirectly complicit in the Muhyiddin administration’s efforts to damage recent advances in Malaysian democracy.

Fighting “fake news”?

With parliament suspended, the government enacted the emergency “fake news” ordinance without debate and even less approval. It revived A lack of coverage need not be the result of censorship to have negative consequences.
PICTURED: Police out in force in Kuala Lumpur in August 2021 to stop the opposition from entering parliament.
and escalated the Anti-Fake News Act 2018, which had been widely condemned for its restrictions on freedom of expression until parliament repealed it in October 2019. Officially intended to criminalise the publication and dissemination of misinformation about Covid-19, in practice it aimed to “prevent any criticism” of the government’s pandemic response, according to analysis by the human rights organisation Article 19.

It empowered authorities to arrest people without a warrant and to remove online content without due process. It also created criminal liability for anyone who wrote, reported or published anything related to the pandemic that might “cause fear or alarm” and for any media organisation, social media platform or civil society group that hosted or funded such content.


Our data included all news stories published from 6 February to 23 April that at least referenced Malaysia. More than 92% of those stories published by US, UK and Australian outlets mentioned the country only in passing. When they treated Malaysia as the primary topic, coverage typically focused on international interests rather than domestic politics. Thus,

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Limited coverage of the ‘fake news’ order played into the ruling party’s hands

She said it would lead to “arbitrary censorship of critical and dissenting media reports, and thus, attacks on media freedom, and disproportionate crackdowns on legitimate speech”.

Overall, the paper treated the government’s policies as beyond reproach, a position that reflected the fundamental aim of Muhyiddin’s “fake news” ordinance.

A lapdog on a government leash will not overexert itself alerting the public to threats posed by those in power.

One online domestic news outlet, Malaysiakini, courageously continued to provide a platform for opposition voices even after the ordinance went into effect.

Malaysiakini regularly quoted opposition MPs (who made up 26% of its quoted sources in our data) and civil liberties groups (24%), including international organisations (9%) such as Human Rights Watch (HRW) and Article 19.

On 13 March it published an article that included critiques by the Society for the Promotion of Human Rights and HRW. Linda Lakhdhir of HRW called on the government to revoke the ordinance because its “ill-defined terms” made it “ripe for abuse”.

As a result of its opposition, Malaysiakini has regularly faced lawsuits and government investigations, but so far it has withstood the flak.

Rendering censorship less visible

By criminalising conduct “likely to cause fear or alarm” to “any section” of the public, the ordinance aimed to censor all criticism of the government’s authoritarian response to the pandemic. As Article 19 noted, its “highly subjective and potentially limitless” scope would have a chilling effect, pressuring individuals and organisations “to err on the side of self-censorship to avoid criminal sanctions”.

Censorship is most effective when its operation is invisible. But while Malaysia’s ordinance was no secret, the limited news coverage played into the ruling party’s hands.

As research by Lance Bennett, senior research fellow at the University of California, San Diego’s Daniel Hallin and others has shown, the ability of the press to criticise government often depends on the range of debate among government officials.

The suspension of parliament not only left Malaysia without legislative checks and balances, it also deprived the mainstream domestic press of a fundamental source of dissenting perspectives.

This forced many Malaysian news outlets to turn to sources in neighbouring Singapore and Thailand for critical news about their government. By ignoring Malaysia’s political crisis, the international press indirectly aided efforts to silence domestic critics. Months after the administration’s collapse, Malaysians continue to be charged with spreading false news.

News outlets in the USA, the UK and Australia were not subject to the “fake news” ordinance but their dismal performance in covering newsworthy events in Malaysia falls far short of the principle that they ought to vigilantly hold those in power accountable.

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