

Beyond Legal Measures: Effective Communication and Governance Responses to Misinformation and Fake News in Malaysia

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ABSTRACT

The rapid spread of fake news, misinformation, and defamation in the digital age has emerged as a major concern for Malaysia, endangering public trust, social stability, and national security. Fake news, as opposed to accurate information, spreads faster due to its sensational and shareable nature. This article examines the interaction between effective communication strategies and Malaysia's legal system in addressing fake news and defamation. Utilizing a qualitative method via documentary content analysis, the research analyzed primary legal documents and scholarly articles. The study was conducted thematically, resulting in three core dimensions: (i) the importance of effective communication, (ii) the role of law, and (iii) challenges and ramifications. The findings indicate that while legal provisions under the Communications and Multimedia Act 1998, the Penal Code, the Defamation Act 1957, and the Sedition Act 1948 provide deterrence and remedial functions, effective communication, which emphasizes transparency, credible official channels, and media literacy, serves as a preventive measure. The repeal of the Anti-Fake News Act (2020) highlights the tension between restrictions and freedom of speech, requiring careful judicial interpretation to avoid overly stringent regulations. The study emphasizes that depending on either legal or communicative frameworks is inadequate; rather, a harmonious combination of both is necessary. Strategic recommendations include regional ASEAN cooperation, public-private partnerships for rapid response mechanisms, rigorous media literacy education, and ongoing legislative changes to address new digital threats such as deepfakes. This dual approach provides a comprehensive framework for protecting Malaysian society against misinformation while upholding democratic values and freedom of expression.

Keywords— Fake News, Effective Communication, Media Law, Freedom of Expression, Governance.

INTRODUCTION

The proliferation of fake news and defamation has emerged as a global challenge in the digital era, threatening democratic values, eroding public trust, and destabilising social order. Unlike factual information, fake news tends to spread more rapidly because of its sensational, concise, and emotionally appealing nature [7]. Scholars have shown that misinformation not only disrupts informed decision-making but also undermines institutional credibility and weakens public confidence in governance structures [35]. In Southeast Asia, the risks posed by disinformation are particularly concerning, given the region's diverse socio-political landscape and the increasing reliance on social media as a primary source of information. [21] highlights the necessity of regional ASEAN cooperation to counter cross-border disinformation through fact-checking initiatives and collaborative monitoring systems

In Malaysia, several cases, for example, the Zara Qairina case, involved the dissemination of inaccurate information before investigations concluded, the propagation of false information about child abductions, natural

catastrophes, COVID-19 vaccines, and defamation charges against government officials, which have emphasized the urgency of the situation. The issue of defamation and fake news in Malaysia is not a new phenomenon. These cases demonstrate that fake news can have adverse consequences across social, economic, and political domains, posing threats to national harmony and public security. Despite the existence of multiple legal provisions such as the Communications and Multimedia Act 1998, the Penal Code, and the Defamation Act 1957, concerns persist regarding the adequacy of current measures and the balance between regulation and freedom of expression [3]. Similarly, communication strategies by official institutions are sometimes perceived as less credible than those by unofficial sources, particularly in politically sensitive contexts. This highlights the importance of examining the interaction between effective communication and the law as complementary methods for combating misinformation, fake news, and defamation. Accordingly, this study investigates how effective communication and Malaysia's legal framework operate in combating fake news and defamation, while also analysing challenges and proposing strategic recommendations to strengthen their combined effectiveness.

LITERATURE REVIEW

Global and Regional Perspectives on Fake News

According to global research, fake news poses a substantial risk to democratic nations by disrupting public decision-making processes [16]. [37] highlights the significance of ASEAN regional collaboration in combating misinformation through cross-border fact-checking programs. In Malaysia, the repeal of the Anti-Fake News Act 2018 and the subsequent introduction of the Emergency (Essential Powers) (No. 2) Ordinance 2021 demonstrate the state's attempt to strengthen regulatory responses to misinformation while balancing democratic rights [41]. Despite the establishment of these legal instruments, [13] and [35] contend that the more pressing challenge lies in the public's perception of institutional legitimacy, which indicates that formal regulation without social trust risks being ineffective or counterproductive. Furthermore, [4] and [43] underline the importance of increasing media literacy in order to foster a more discerning and critical culture when examining information. He further contends that the root challenge lies not only in the legal framework but also in citizens' critical ability to navigate political communication and social media content. This analysis reveals a knowledge gap. limited research has examined the symbiotic interaction between effective communication and legal frameworks as a comprehensive method to combat fake news and defamation in Malaysia.

Legal and Journalistic Analysis in the Malaysian Context

Malaysian legislation on fake news often raises concerns about overreach and definitional ambiguity [25][34]. Further, [36] also explores how Malaysia's Anti-Fake News Act (2018) created ambiguity in defining "fake news" and highlighted conflicts between journalistic practices and legal regulation. Their study, using content analysis and qualitative interviews, reveals that maintaining a balance between media freedom and legal control remains a challenge in Malaysia's semi-authoritarian environment. While [45] examines how Malaysian media develop anti-fake news legislation. their findings suggest different depictions between mainstream and tabloid media, emphasizing the role media sentiment plays in public reception of legal initiatives. [1] and [40] demonstrate that newspaper framing of anti-fake news laws diverges between mainstream and tabloid outlets, highlighting how media sentiment affects public trust and acceptance of state initiatives. Furthermore, [42] investigates how Malaysian newspapers frame anti-fake news legislation. These findings suggest that legal approaches cannot be entirely effective without complementary initiatives that involve media and civil society players, as well as effective communication.

Media Literacy and Self-Regulatory Measures

Media literacy is widely recognized as a crucial countermeasure against fake news. According to [24], media literacy enables citizens to evaluate content critically and resist being misled. Studies indicate that a better level of new media literacy correlates with willingness to spread misleading information [46]. Initiatives such as Sebenarnya, MyCheck, and the collaborative platform JomCheck have been launched to encourage citizens to verify before sharing [6][23]. Grassroots campaigns such as Klik Dengan Bijak and AI untuk Rakyat reflect the evolving landscape of digital literacy efforts in Malaysia [9]. These programs illustrate how hybrid fact-checking

approaches and community-driven interventions complement institutional measures [2][26]. As a result, strengthening media literacy through both institutional initiatives and grassroots campaigns emerges as a practical and sustainable approach to mitigating the impact of misinformation.

Self-Regulation and Governance Mechanisms

[11] and [20], critique reliance on legal instruments alone, suggesting that self-regulation via media councils or ethics norms could enhance accountability. [14] and [15] echoes this, warning that overly expansive fake-news laws risk suppressing press freedom. Alternative governance, such as establishing a transparent Press Council, has been proposed to mitigate misreporting while preserving journalistic standards. Accordingly, fostering media self-regulation through transparent councils and ethical standards represents a better-balanced governance model than relying primarily on punitive legal mechanisms.

Effective Communication as a Preventive Measure

Recent research emphasizes the relevance of good communication as a preventive strategy in combating the irresponsible dissemination of fake news. [17] and [22] argue that transparent, timely, and empathetic communication from credible authorities strengthens public trust and reduces reliance on unverified sources. [29] Highlight that crisis communication approaches, when tailored to the Malaysian socio-political context, can minimize confusion during critical events such as elections or public health crises. Moreover, [28] and [47]. stress that inclusive and culturally sensitive messaging—delivered across multiple languages and platforms—ensures broader outreach and prevents misinformation from disproportionately affecting marginalized groups. This suggests that communication is not merely a medium for dissemination, but a proactive preventive mechanism that complements media literacy, legal frameworks, and self-regulatory measures in addressing fake news. Thus, scholarly evidence affirms that transparent and empathetic communication serves not only as a medium of information but as a preventive mechanism central to curbing misinformation or fake news.

Synthesis and Knowledge Gap

The reviewed literature demonstrates that Malaysia's battle against fake news has been primarily framed through three dominant lenses: legal instruments, media literacy campaigns, and self-regulatory mechanisms. While these approaches provide valuable insights, they are often examined in isolation. Legal frameworks risk overreach without sufficient public trust; media literacy alone cannot guarantee responsible information sharing; and self-regulation necessitates both a strong institutional culture and citizen buy-in. A critical synthesis reveals that effective communication serves as a missing but essential dimension—bridging legal, literacy, and governance measures. Communication strategies that are timely, empathetic, and culturally inclusive can reinforce trust, encourage verification behaviors, and enhance the legitimacy of anti-misinformation initiatives. However, limited empirical studies have examined how communication can function synergistically with existing legal and media literacy efforts in Malaysia. This gap highlights the necessity for research that integrates communication strategies within the broader framework of fake news prevention.

METHODOLOGY

This study employs a qualitative approach using documentary content analysis. Rather than collecting new empirical data, the research systematically examines legal texts, policy documents, judicial statements, and scholarly literature to capture how misinformation is regulated and debated in Malaysia within the wider Southeast Asian context. The choice of this method is justified by the nature of the research questions, which focus on principles, governance strategies, and normative implications rather than individual experiences. Documentary or doctrinal analysis is a well-established approach in legal research, as it allows systematic interpretation of statutes, case law, and academic commentary to identify underlying principles and patterns [27]. Misinformation is already extensively documented through legislation, court rulings, and policy reports, making textual analysis a reliable basis for evaluation [19]. By applying thematic analysis to these materials, the study highlights common themes and obstacles in reconciling regulation with democratic objectives such as free

expression and human rights. Thematic Analysis, following the [8] framework, enables the identification and organization of codes and themes that highlight underlying governance strategies and normative debates. Data from these sources were analyzed thematically to highlight three core dimensions: (i) the role of effective communication, (ii) the role of law, and (iii) the challenges and implications of regulating misinformation. Nonetheless, as the study relies exclusively on documentary sources, it does not capture the perspectives of policymakers, practitioners, or affected communities. Future research may therefore complement this approach with empirical methods such as interviews or surveys to provide a more holistic understanding [30].

ANALYSIS AND DISCUSSION

Effective Communication as a Preventive Mechanism

Effective communication requires transparency, efficiency, and reliance on official channels. Government responses through press conferences, official portals, and verified social media accounts are essential for delivering accurate information. However, the effectiveness of these responses depends significantly on the mode of delivery: rational, professional, and persuasive communication is more likely to be accepted by the public. Media literacy is also a critical element. Studies show that Malaysians, particularly youths, tend to share information without verifying its accuracy [5][10][12]. This reinforces the importance of providing systematic education on media literacy beginning at the school level. Scholarly debate thus affirms that transparent communication and media literacy are mutually cornerstones in preserving public trust and democratic resilience.

The Malaysian Legal Framework

Malaysia has passed various measures to combat fake news. The Messages and Multimedia Act of 1998 forbids the transmission of fraudulent or threatening messages, and the Penal Code (Section 505(b)) criminalizes remarks that cause public concern. The Defamation Act 1957 allows civil remedies, while the Sedition Act 1948 applies when fake news threatens national security or incites racial disharmony. The repeal of the Anti-Fake News Act in 2020, however, reflects the tension between combating disinformation and preserving freedom of expression. Courts play a crucial role in interpreting these laws to avoid overly “draconian” applications while still safeguarding public order. Scholarly perspectives highlight that while instruments are vital, their legitimacy ultimately depends on a proper balance of national security and freedom of expression.

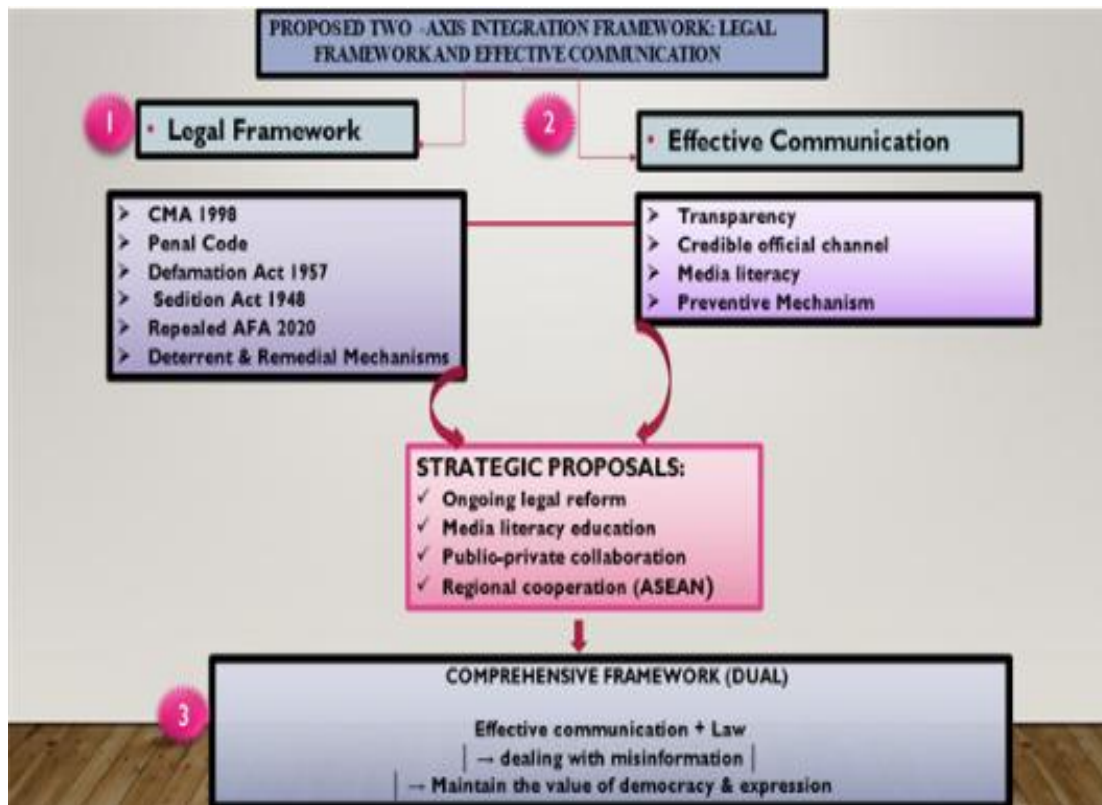
Challenges and Implications

The speed of fake news dissemination often outpaces official responses, leaving the public vulnerable to misinformation. Moreover, people sometimes perceive unofficial sources as more “authentic” than government statements, especially in political contexts. The implications of fake news are multifaceted: reputational harm at the individual level, threats to interethnic harmony, and risks to national stability. Overly restrictive laws, however, may undermine democratic values and suppress freedom of expression, leading to shallow public discourse. In addition, the erosion of trust in traditional institutions, including mainstream media and government authorities, further complicates efforts to counter misinformation or fake news. This proliferation of algorithm-driven social media platforms also amplifies echo chambers, reinforcing biases and making corrective information less effective. These challenges highlight the urgent need for a balanced and multi-prolonged approach that combines legal, educational, technological, and ethical strategies. Thus, addressing the implications of fake news requires a holistic strategy that integrates legal safeguards, media literacy, technological innovation, and ethical communication.

Proposed Integrated Framework

The following diagram illustrates the Proposed Integrated Framework for Combating Fake News: Legal Measures and Effective Communication:

Fig. 11. The Proposed Integrated Framework for Combating Fake News: Legal Measures and Effective Communication



STRATEGIC RECOMMENDATIONS

Continuous Legal Reform

It is necessary to address emerging digital phenomena such as deepfakes and artificial intelligence-generated misinformation. The rapid evolution of digital technology has introduced new threats, including AI chatbots and advanced forms of image and video manipulation, which are increasingly difficult to detect using existing legal mechanisms. To respond effectively, legislation such as the Communications and Multimedia Act 1998 should be amended to explicitly address AI-generated content, while specific guidelines should be developed to clarify the responsibilities of social media platforms in controlling false or misleading material. At the same time, legal reforms must be carefully designed to avoid excessive restrictions that could undermine freedom of expression and democratic participation. Thus, adaptive and forward-looking legislation is essential to ensure that the legal framework remains effective in addressing AI-driven misinformation or fake news without compromising democratic values [32][33].

Systematic Media Literacy Education

Systematic media literacy education is integrated into school curricula and community programs. Most people are easily influenced by sensational news because they lack the skills to assess the authenticity of sources. Suggested actions include incorporating media literacy into school curricula to teach students how to identify fake news, as well as developing community initiatives (through libraries, NGOs, and colleges) to educate adults on recognizing media manipulation techniques. Beyond technical skills, such initiatives should also promote critical thinking, ethical awareness, and responsible digital relationships, ensuring that individuals not only detect misinformation but also make informed decisions about sharing and engaging with content online. In the long term, embedding media literacy across generations creates a culture of discernment and resilience, mitigating societal vulnerabilities to the pervasive threat of fake news and misinformation. Accordingly, embedding media literacy in both formal education and community programs is vital to cultivating a resilient society capable of resisting misinformation or fake news [18]. Media literacy initiatives must be planned carefully, with a focus on a community-based approach. Local volunteers and educators can utilize the train-the-trainer methodology to

teach communities how to evaluate the credibility of information and think critically. Because it enables media literacy to be taught in a culturally and socially relevant setting near the community, this grassroots method is more inclusive and improves educational efficacy in setting outcomes.

Public–Private Collaboration

Public–private collaboration to establish rapid response mechanisms to counter false content. Fake news spreads rapidly across commercial platforms such as Facebook, X, TikTok, and WhatsApp, and governments alone are unable to respond effectively to the speed of its dissemination. To address this challenge, a rapid response mechanism should be established through collaboration between governments, technology companies, and media organizations. Digital platforms should incorporate a “report fake news” function that directs flagged content to the relevant authorities for investigation, while fact-checking databases should be shared between mainstream media outlets and digital platforms to strengthen the verification process. The government can collaborate with the media to create public campaigns (public service announcements). In Malaysia, effective government communication can be strengthened through proactive collaboration with mainstream and digital media. Establishing a 24/7 National Crisis Communication Centre would ensure the timely delivery of verified information during emergencies, preventing misinformation and fake news from gaining traction. Nationwide multimedia campaign via RTM, Bernama, TV3, and Astro Awani can broadcast public service announcements that encourage fact-checking habits, while social media platforms such as TikTok, Facebook, Instagram, and YouTube can be leveraged for short, engaging content targeted at younger demographics. Furthermore, to ensure inclusivity, communication strategies should be multilingual—covering Malay, English, Mandarin, and Tamil—while also utilising regional media in Sabah and Sarawak. Engagement with influencers, community leaders, and public figures can further boost credibility and outreach, complementing initiatives such as MCMC’s “Klik Dengan Bijak”. Rapid-response mechanisms during crises such as floods, pandemics, or cyber incidents must also be reinforced through coordinated efforts with both traditional and digital media, ensuring that government messages reach the public faster than fake news or misinformation can spread [43]. Collaboration between the government and the Corporate sector should be broadened to three ways of partnership, encompassing the government, academia, and technological corporations. Academia can perform research into the spread of misinformation, the government can develop relevant policies, and technology businesses can provide technical methods for monitoring and filtering content. This combination makes attempts to resist misinformation more proactive, scientific, and effective.

Progressive Judicial Interpretation

Progressive judicial interpretation that upholds justice while balancing fundamental rights. Progressive judicial interpretation is essential to ensure justice while maintaining a balance between the protection of fundamental rights and the preservation of freedom of speech. Courts play a pivotal role in this process, as overly restrictive interpretations of the law risk stifling public expression and undermining democratic discourse. To address this concern, judges should adopt a progressive interpretive approach grounded in the principle of proportionality, ensuring that punishments are commensurate with the nature and severity of the offense. The law should function as a mechanism of protection rather than oppression, thereby preventing its misuse to silence legitimate criticism of government actions. Furthermore, judicial decisions should serve as precedents to guide subsequent cases, ensuring consistency and fairness in the interpretation and application of the law [39]. In addition to legal reform, judicial interpretation should be more progressive, taking into account substantive justice concepts. The judge should emphasize a balance between the right to free expression and the obligation not to distribute misleading information. Furthermore, increasing transparency through publicly accessible judicial reports will improve accountability and avoid suspicions of abuse of power.[48]

Regional ASEAN Cooperation

Regional ASEAN cooperation to address cross-border disinformation through shared mechanisms and fact-checking initiatives. Regional cooperation within ASEAN is essential to address cross-border disinformation through shared mechanisms and coordinated fact-checking initiatives. In the current digital environment, fake news and defamatory content easily transcend national boundaries via social media, allowing narratives originating in one country to spread rapidly across the region. To mitigate this challenge, ASEAN should

establish a regional mechanism for information sharing on disinformation trends, alongside the creation of a centralized fact-checking centre accessible to all member states. In addition, efforts to harmonize national regulations on fake news are necessary to ensure consistency with regional commitments to democracy, human rights, and freedom of expression [38]. Malaysia can leverage the regional framework through a comparative regional study on ASEAN countries' approaches to addressing misinformation. For example, Singapore has a digital ethics platform, Indonesia has a large-scale digital literacy initiative, and the Philippines has a troll farm. This project has the potential to provide better results and opportunities for harmonisation with the ASEAN Digital Masterplan 2025, as well as improve the quality of news reporting.

Effective Government Agency Communication

It is a critical strategic recommendation in addressing the challenges of fake news. Clear, transparent, and timely dissemination of information through official portals, verified social media accounts, and regular press briefings can significantly reduce public reliance on unofficial or misleading sources. The credibility of government communication depends not only on accuracy but also on the mode of delivery. Messages that are rational, empathetic, and culturally sensitive are more likely to resonate with diverse audiences. In addition, adopting a multi-platform communication strategy ensures inclusivity, reaching citizens across different age groups, languages, and levels of digital access. Institutionalizing crisis communication protocols, particularly during health emergencies, security incidents, and elections, further strengthens public trust and minimizes confusion. Ultimately, effective government communication operates not merely as a reactive tool but as a proactive mechanism that builds resilience against fake news and misinformation and reinforces democratic accountability. [31]. The role of independent media and media councils must be strengthened to supplement effective communication by government entities. Media councils can establish ethical standards for journalism, provide a complaints mechanism, and ensure that mainstream media deliver information with integrity. Support for small and community media is also critical so that they can serve as genuine alternative sources of information, increasing public access to credible information

Table 1, summarizes the strategic recommendations, outlining the rationale and corresponding strategic action:

Table I The Strategic Recommendations, Outlining The Rationale and Corresponding Strategic Action

Recommendation	Rationale	Strategic Actions
Continuous legal reform	Rapidly developing risks, such as deep fakes and AI-generated misinformation, necessitate updated and adaptable legal tools [32].	Amend existing laws (e.g., CMA 1998) to address AI/tech risks; define explicit responsibilities for platforms; and guarantee that reforms protect free expression [33].
Systematic media literacy education	Low levels of public awareness and critical thinking leave society vulnerable to fake news and sensationalism.	Integrate media literacy in school curricula; operate community initiatives; launch nationwide awareness campaigns with media partners [18].
Public–private collaboration	False content spreads quickly on private platforms; the government alone cannot respond fast enough.	Create rapid response mechanisms with tech companies; enable reporting systems; develop shared fact-checking databases [44].
Progressive judicial interpretation	Courts play a key role in balancing justice with freedom of expression; strict interpretations may suppress voices.	Apply proportionality in rulings; prevent misuse of laws against legitimate criticism; establish case precedents for future guidance [39].

Regional ASEAN cooperation	Disinformation is cross-border; it requires shared regional solutions and coordination among ASEAN states [38].	Establish ASEAN-wide mechanisms for monitoring fake news; create regional fact-checking hubs; align regulations with democratic principles.
Effective government agency communication	Misinformation and fake news can erode people's trust in government and its institutions. Transparent, quick, and accurate communication systems are essential to ensure that the public receives genuine information and differentiates between genuine news and digital manipulation such as deep fakes [31].	Proactively disseminate verifiable information using multi-platform communication channels (social media, official websites, and mobile applications). and establish strategic alliances with media and technological platform providers to combat the dissemination of fake news

CONCLUSION

Effective communication from a government institution plays a crucial preventive role in countering the rapid spread of fake news. Unlike legal enforcement, which often requires more time due to the processes of investigation, prosecution, and judicial proceedings, effective communication can provide an immediate response by presenting verifiable and authoritative information to the public. This timeliness is critical because disinformation can spread rapidly in minutes in the digital economy, particularly via social media sites and messaging applications. However, efficient communication and legal enforcement are not diametrically opposed, but rather complementary. While effective communication speeds up the spread of factual information and fosters public faith in state institutions, the law serves as a deterrent by holding violators accountable and establishing official channels for justice. Striking a balance between these two approaches is therefore essential: Rapid communication prevents escalation, while strict legal measures discourage recurrence. The dual strategy that integrates both elements not only combats fake news while preserving freedom of expression but also strengthens societal resilience in the digital age. It maintains social peace, fosters public confidence in governance, and ultimately safeguards national stability from the disruptive impacts of misinformation and disinformation. Effective communication and legal enforcement are not mutually exclusive but rather complementary. While effective communication accelerates the dissemination of accurate information, the law serves as a deterrent and provides avenues for justice. Striking a balance between these two approaches is essential to curb fake news without compromising freedom of expression. Such a dual strategy can strengthen societal resilience in the digital age, preserve social harmony, and ensure national stability. Ultimately, inclusive, progressive, and collaborative governance provides the foundation for effective and sustainable responses to misinformation.

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