



Internet Control and Auto-regulation in Singapore

Terence Lee¹

Abstract

This paper sets out to consider the use of new media technologies in the city-state of Singapore, widely acknowledged as one of the most technologically-advanced and networked societies in the world. Singapore is well-known as a politically censorious and highly-regulated society, which has been subjected to frequent and fierce insults and criticisms by those hailing from liberal democratic traditions. Indeed, much has been said about how the Singapore polity resonates with a climate of fear, which gives rise to the prevalent practice of self-censorship. This paper examines how certain groups in Singapore attempt to employ the Internet to find their voice and seek their desired social, cultural and political ends, and how the regulatory devices adopted by the highly pervasive People Action's Party (PAP) government respond to and set limits to these online ventures whilst concomitantly pursuing national technological cum economic development strategies. It concludes that the Internet in Singapore is a highly contested space where the art of governmentality, in the forms of information controls and 'automatic' modes of regulation, is tried, tested, and subsequently perfected.

Introduction

Since the mid-1990s, the opening up of interpersonal electronic modes of communication – including electronic mails (emails), Internet-based websites which facilitate electronic-commerce (e-commerce) transactions, digital mobile telephony with its short messaging service (SMS) and multimedia messaging service (MMS), and, more recently, the rise of electronic Government or 'e-Government' services – has enabled individuals in the developed world especially to experience what I would call 'technologically-induced libertarianism' by becoming more involved in political debates and public administration. With the ability to access wider information and the availability of space for a plurality of voices, "technologies such as the Internet are seen as offering potential for bringing government closer to the people, making it more responsive and relevant" (Gibson and Ward, 2000). Or in the words of Chadwick (2001), with the Internet, governments around the world now have an "electronic face" where citizens can not only access government services but also engage in various governmental discourses.

¹ School of Media, Communication & Culture, Murdoch University, Perth, Western Australia.

<mailto:tlee@murdoch.edu.au>

This paper takes the position, one that is becoming increasingly popularised and debated, that the early blue-sky vision of the Internet as a catalyst for the ‘perfection’ of democracy is somewhat premature, even mythical. In an era marked by the ubiquity of digital technology and computer-mediated communications – what Castells (2001) calls the “Internet galaxy”, drawing on Marshall McLuhan’s description of the diffusion of the printing press in the West as ‘Gutenberg Galaxy’ – the Internet has become implicated in various political and regulatory struggles, much of which has already begun (Shapiro, 1999: 14-5). Resnick makes a similar point when he argues that the ‘Cyberspace’ that the Internet occupies has been ‘normalised’, such that:

Cyberspace has not become the locus of a new politics that spills out of the computer screen and revitalizes citizenship and democracy. If anything, ordinary politics in all its complexity and vitality has invaded and captures Cyberspace (Resnick, 1998: 49).

The normalisation of the Internet into “ordinary politics” and everyday life also means that utopian fantasies of citizen empowerment and freedom that once accompanied the advent of mass Internet access are being balanced and offset by “dystopian fears of technocratic domination” (Resnick, 1998: 48). As a result:

[w]e should not be surprised to see governments and corporations trying to shape the code of the [Internet] to preserve their authority or profitability. But code is not everything. Even if we could lock in the democratic features of the Internet, the ultimate political impact of [communication technologies] must be judged on more than design. We must also consider the way a technology is used and the social environment in which it is deployed (Shapiro, 1999: 15).

Another way of analysing the politics of the Internet is to look at how power struggles and relations have (always) been played out in the pre-Internet era. Such struggles are mostly about the maintenance of political control and the winning of the hearts and minds of the citizen-electorate, either directly or indirectly. Foucault calls this ‘governmentality’, where political struggle occurs at the “contact point” where technologies of power interact with technologies of the self to bring the governed individual into greater subjectification (Burchell, 1996: 20). Differently put, in order to triumph in the Internet era, governments need to be actively involved in shaping the design as well as the societal, cultural and regulatory environment in which the Internet and other new media technologies operate.

In essence, this paper sets out to consider the ways in which new media technologies led by the Internet has been, and can be, used within the context of Singapore, widely acknowledged as one of the most technologically-advanced and networked societies in the world. With labels such as ‘police state’ and ‘nanny state’ constantly heaped on the city-state, it is well-known as a politically censorious and highly-regulated society. With toilet-flushing and anti-spitting rules, as well as widely derided laws banning the sale and distribution of chewing gum, it is not too difficult to understand why Singapore has come under frequent insults and criticisms by those hailing from liberal democratic traditions. Indeed, much has been said about how the Singapore polity

resonates with a climate of fear, which gives rise to the prevalent practice of self-censorship (Gomez, 2000; Tremewan, 1994). Against such a backdrop, it would be interesting to see how certain groups in Singapore attempt to employ the Internet to find their voice and seek their desired social, cultural and political ends. Equally, if not more, significant are the regulatory devices adopted by the highly pervasive People Action's Party (PAP) government to respond to and set limits to these online ventures whilst concomitantly pursuing national technological cum economic development strategies. It concludes that the Internet in Singapore is a highly contested space where the art of governmentality, in the forms of information controls and 'automatic' modes of regulation, is tried, tested, and subsequently perfected.

The 'Intelligent' Island

With first-world infrastructure and a highly-educated and technologically-savvy workforce, Singapore is widely acknowledged as one of the most networked societies in the world, both metaphorically and technically. At the dawn of the new millennium (2000), Singapore attained the status of the 'Intelligent Island', a term originally coined by the British Broadcasting Corporation in 1990 in a televised programme featuring Singapore's bold information technology (IT) developments (Lee and Birch, 2000: 151). With almost all homes and businesses in the Central Business District (CBD) connected to an island-wide hybrid fibre-optic cable network, Singapore became the first fully connected country in the world. The conventionally accepted belief among Singaporeans is that for the country to achieve economic growth in the twenty-first century, rapid adoption and mastery of technology by citizens is paramount. The manner in which large-scale nationwide technological imperatives are spearheaded and centrally managed by the government demonstrates that Singapore is very much a 'technological society' along the lines proposed by Barry (2001: 29), where citizens are "expected to have a certain knowledge of technology, and to make choices on the basis of this knowledge".

The government's pro-technology mentality and success in promoting high Internet use is reflected in most statistical data. According to a survey of 1,500 Singapore households in 2000, 66% of the population were found to be knowledgeable on the use of personal computers, 61% of households had at least one computer, while 50% of homes were connected to the Internet in one form or another (IDA, 2001). This suggests that Singapore is more connected than developed countries like the United States (with 42% connection), Australia (37%) and Britain (35%) (Dawson, 2001a). The survey also found Singapore to be an 'e-inclusive' society, with high incidences of personal computer ownership and Internet access across Malay, Indian and Chinese – the three main ethnic groups in multiracial Singapore – households (Dawson, 2001b). In September 2001, mobile telephony penetration rate in Singapore reached 76.7%, with a broadband audience exceeding 400,000 and rising exponentially (IDA 2001).

A monograph published in 2002 by the Singapore Internet Project (SIP) Team on the *Internet in Singapore* reaffirmed Singapore's high level of IT use and status as a technological society. It

reported that about 46% of adults, age 18 and above, were active users of the Internet.² The number is markedly higher for local Singaporean students, many who are being IT-trained and exposed from early childhood, with Internet penetration at 71% and rising (Kuo et al, 2002: 100). Even ‘non-users’ – defined in the SIP Report as people who do not access the Internet due to three key reasons: did not know how, no time and no interest – were found to be generally supportive of Internet use and development. As Barry points out, while citizens of a technological society are expected to have “a certain knowledge of technology, and to make choices on the basis of this knowledge”, not everyone will be “willing or able to meet these expectations” (Barry, 2001: 29). At the very minimum, it is crucial that such people do not become hindrances to the ‘technologizing’ process of turning computers into essential tools for the conduct of everyday life. Singapore appears to have done remarkably well in this regard, so much so that the government has come to define the ‘digital divide’ as “the gap between those who are Internet savvy and those who are not” (George, 2003: 6).

In order to understand the significance of the SIP study, the notion of ‘Internet use’ needs to be put into perspective. The SIP team identifies the two main purposes of the Internet as “a source of information and as a tool for communication” (Kuo et al, 2002: 8). The researchers found that emails and information searches were by far the most popular Internet activities, followed by entertainment and online discussions. E-commerce activities, most commonly carried out in online shopping and browsing for goods and services, were not as popular due largely to concerns about transactional security and privacy protection (Kuo et al, 2002: 103-4), although it should be noted that numbers are rising steadily with the mass availability of electronic security software and assurances by the authorities, particularly in regards to e-Government services. Nevertheless, closer analysis of these figures suggests, among other things, that the depth of technological expertise and innovative uses of the Internet in Singapore remains fairly low. Although Internet use is relatively high, Internet ‘expertise’ is limited to emailing and other elementary personal and commercial functions. Sophisticated use comes in mainly at the ‘youth market’ level, with the downloading of music, movies, graphics, interactive online gaming and other multi-media tools as the key applications.

The slow take-up of basic e-commerce activities in Singapore contradicts the expressed goal of the government for Singaporeans to embrace new technologies. This anomaly can be explained by looking at another aspect of the SIP report: the perception that the Internet has not led to a stronger sense of political empowerment (Kuo et al, 2002: 111). According to the SIP researchers, the percentages of users who believe that the Internet enables increased engagement on government policies and political issues are extremely low at less than 20%. In other words, the vast majority of Singaporeans do not consider the Internet to be useful for political engagement and civic participation. This in many ways negates ‘libertarian’ impulses that the Internet was slated to bring, and it appears to sidestep the importance of the ‘political’ in Barry’s (2001) conceptualisation of what a technological society should embody. But if we adopt Barry’s

² The SIP is part of a World Internet Project (WIP), coordinated jointly by research teams from the School of Communication Studies at the Nanyang Technological University (NTU) and the Centre for Communication Policy, University of California, Los Angeles (UCLA). Both teams have worked out general research frameworks and a platform for comparative research on how people utilise the Internet and how the interactive technology will impact individuals and societies within as well as across nations.

understanding that the 'political' is "an index of space of contestation and dissensus", then there is much to consider in thinking about Singaporeans' supposed lack of interest in political engagement via the Internet (Barry, 2001: 7).

On one level, public disinterest in political uses of the Internet could be attributed to the PAP government's intolerance for political dissent. Indeed, virtually all rules aimed at Singaporeans' political conduct were extended to include the Internet and other communication technologies as soon as public Internet access became available. But on another level, while such negative perceptions of the Internet's political role suggest that there are limits to how the Internet and media technologies can be used to effect political change in Singapore, proponents of civil society and political opposition figures refuse to dismiss the political possibilities of the Internet in Singapore (see, for example, Gomez 2000 and 2002), believing that technology is value 'neutral' and can therefore "provide ways of avoiding political disagreements" (Barry, 2001: 8).

In the present context of the Internet in Singapore, it is noteworthy that the many codes and guidelines aimed at encouraging its take-up, as well as governing its use, makes the medium a ready site for political struggle and contestation. Given that the Internet has been earmarked as a key tool for transforming Singapore into an innovative and creative society (George, 2002: 188-9), it is vital to understand how governing of the Internet as a medium of communication works in Singapore. The next section begins by looking at how the Internet is being strategically regulated and policed, with a careful eye on not upsetting on its economic potential, via the discourse of technological auto-regulation.

Governing and Regulating Singapore via the Internet

A UNESCO-commissioned report published by the Australian Broadcasting Authority (ABA) in December 1996 noted that Singapore had declared, from the early days of public Internet access, that it "does not intend to over-regulate the Internet" (ABA, 1997: 39). The economic potential of the Internet had led Singaporean authorities to opt for a 'lighter' approach to managing the Internet, as opposed to its notoriously strict and censorious "lockdown" of traditional print and broadcast media (Rodan, 2000). But bearing in mind that the state of Singapore has "always seen itself as having the legitimate right to influence and manage citizens' choices in a wide range of activities from what one can read or watch on the screen and television to the right to chew gum", controlling the Internet is but a matter of time (Yao, 1996: 73).

In most contexts, the concept of 'light-touch' regulation usually points to self-regulation on the part of the user based on an agreed-upon code or guidance (Ang, 1998a: 251-4; 1998b: 12). Singapore adopts and embraces a similar set of Internet self-regulatory principles, but only in conceptual terms. In application, it relies on aspects of illiberal governmentality – what I term 'auto-regulation' – where Internet and media users as governed cultural citizens are steered towards making 'correct' choices and decisions via the joint application of legislative codes with other subtle mechanisms of 'discipline' (Foucault, 1977). Foucault's notion of 'discipline' is understood in this context as a functional device or apparatus aimed at making the exercise of

power more effective and efficient through the subtle coercion of people (Foucault, 1977: 136-6). I argue that a 'light-touch' self-regulatory approach has worked – and continues to work – in Singapore not because of its functionality or the inherent ability of individuals or Internet industry players to discipline or conduct themselves. Rather, the practicability of self-regulation relies on the application of 'auto-regulation', where cryptic and arbitrary policies and legal codes as governmental technologies are employed by regulatory authorities to "shape, normalize and instrumentalize the conduct, thought, decisions and aspirations of others" (Miller and Rose, 1990: 82). With the holistic application of 'auto-regulation', the otherwise complex and arduous task of Internet policing in Singapore is made less onerous, aided and empowered or 'co-regulated' by laws, policy codes, statements and generalised techniques and technologies of surveillance designed to shape the conduct of individuals and groups within society (see Wood, 2003; Lyon, 2001).

Since 1995, the Singapore Broadcasting Authority (SBA) has been empowered by its Act to manage the nation's Internet policy and regulate Internet content. This responsibility was passed on to the Media Development Authority of Singapore (MDA) from 2003 following the passage of the *Media Development Authority of Singapore Act* (Chapter 172) (2003). This meant that all Internet regulatory codes and guidelines under the jurisdiction of the SBA were transferred, wholesale and mostly unamended, to the newly established statutory board. According to general information on Internet regulation in Singapore extracted from the MDA website:

MDA fully supports the development of the Internet and oversees the regulation of Internet content in Singapore. In regulating the Internet, MDA adopts a balanced and light-touch approach to ensure that minimum standards are set for the responsible use of the Internet while giving maximum flexibility to the industry players to operate. MDA also encourages industry self-regulation and public education efforts to complement its light-touch regulatory approach (MDA, 2004).

Singapore's concept of a "light-touch regulatory approach" to the Internet is predicated upon the 'Broadcasting (Class Licence) Notification' which came into effect on 15 July 1996 (Lee and Birch, 2000: 160-1). Commonly referred to as the Class Licence scheme, this subsidiary piece of legislation is presented as a convenient and communitarian approach to regulation because it embraces self-regulation on the part of the content provider and/or user. The 'automatic' Class Licence scheme is complemented by a Schedule entitled 'Internet Code of Practice' (MDA, 1997), intended as industry guidelines for Internet Service Providers and Internet Content Providers. Both of these codes are intended to encourage responsible use of the new medium whilst facilitating its healthy development in Singapore (ABA, 1997: 39). Both codes combine to form Singapore's self-regulatory Internet policy relating to content, which the MDA describes as "balanced and light-touch" (cited above) in view of its tacit acceptance by the Internet industry and what might be perceived as a light-handed, or even a hands-off, approach taken by the regulator.

The concept of self-regulation, irrespective of whether it is 'light-touch' or otherwise, appeals to many primarily because it appears to vindicate the liberal ideology which the Internet is said to

represent. For individual and public Internet users, it is a step closer to a utopian and unregulated state of liberty and democratic freedom. For commercial players operating in a capitalist and consumerist society, self-regulation supports the consumer's or citizen's right to free choice (Thompson, 1997: 2). For government administrators, self-regulation makes the arduous task of surveillance, accounting and reporting less onerous, especially when licensees are 'classed' or categorised collectively, and therefore subject to a uniform set of rules.

Since the *quid pro quo* of a class licensing approach to self-regulation is that all agencies involved are compelled to 'agree' to operate responsibly and in accordance to the laws of the land, the fear of legal or political reprisal ensures that non-compliance does not occur (Lee and Birch, 2000: 160). As to be expected, no one has been taken to task for violating MDA's Internet policy guidelines. I would suggest, however, that such a clean record in policy adherence has less to do with the self-proclaimed transparency of the authorities than it does with the application of auto-regulation principles that have been strategically applied at various times throughout Singapore's brief history of the Internet.

When first unveiled in 1997, three years after mass subscription to the Internet began, Singapore's Internet policy did not face much public opposition as concerns at the time were centred on the proliferation of violent and pornographic content. One year later, the SBA announced that a shortlist of 100 pornographic websites was to be blocked via the proxy servers of the three main government-controlled public Internet Service Providers (ISPs): SingNet (the Internet arm of Singapore Telecommunications Limited), Pacific Internet and Starhub (then known as Cyberway Internet). This became the first instance of *en bloc* Internet censorship in the world, one that prompted both critics and sympathisers of authoritarian rule to cast their eyes on Singapore. Despite receiving widespread criticisms, the government's stand on this new policy was firm and unapologetic. According to the SBA at the time, this blockage was a mere gesture of concern to bring Internet content in line with the nation's societal and 'Asian' cultural values (Tan, 1997: 27; Lee and Birch, 2000: 149).

Although this blatant act of censorship offended critics and other liberal-minded citizens, local media support for the move made it publicly acceptable in Singapore in a very short time, notwithstanding the fact that the vast majority of Internet users in Singapore were probably not interested in accessing these banned sites in the first place. The preference for the authorities, nevertheless, was to err on the conservative side, mostly to ensure continued political support from the "moral majority" of Singaporeans. Of course, whether this 'conservatism' is a myth or a representation of reality becomes irrelevant in a climate where cultural regulation and policing, via the symbolic declaration of the government's and community's values, hinge on the politically expedient enforcement of censorship.

In an August 2003 report documenting the findings of the Censorship Review Committee of 2002-2003, some 'tinkering' to Singapore's censorship rules were recommended, particularly those relating to film, television and literature classifications (see CRC, 2003: 13-14). For Internet content, the Committee recommended a 'more of the same' approach. This included a continued commitment to "light-touch regulation" as well as a reaffirmation of the symbolic ban

on online pornography, suggesting that the existing Internet regulatory regime continues to work well for the government. As the Report made clear:

The symbolic ban on the list of 100 websites has attracted international attention. It has served as a symbolic statement on the kind of content unacceptable to society. The 100 banned sites should be updated to include other harmful content such as those which promote paedophilia and child pornography. This symbolic ban should remain until MDA or industry players find a viable alternative (CRC, 2003: 47).

In an era where political legitimacy is increasingly linked to the morality of governing (Hunt, 1999: 17), it is not too difficult to understand how and why citizens would overwhelmingly support measures aimed at keeping out harmful and objectionable content, especially when the protection of children or minors are brought into the picture. The ability of the authorities to deny access to selected websites – whether with children or social/political dissidents in mind – reaffirms the means by which governmentality, exercised via the conduct and social control of the public sphere, can be enforced and reinforced in Singapore (Lee and Birch, 2000: 149). After all, with the Class Licence scheme, any person or group posting content on the vast and ever-enlarging space of the Internet becomes a de facto licensee as an ‘Internet Content Provider’, defined under the Class Licence as:

Any individual in Singapore who provides any programme, for business, political or religious purposes, on the World Wide Web through the Internet; or any corporation or group of individuals (including any association, business, club, company, society, organisation or partnership, whether registrable or incorporated under the laws of Singapore or not) who provides any programme on the World Wide Web through the Internet, and includes any web publisher or any web server administrator (MDA, 1996, Clauses 2a and 2b).

The power of a light-touch self-regulatory regime via a Class Licence scheme lies in the way it operates *carte-blanche* in a ‘catch-all’ manner, with Internet Service Providers and Internet Content Providers automatically deemed to be licensed without the need to apply to the MDA for permission to operate a website or publish online. The ease of setting up personal homepages, individual ‘weblogs’ and do-it-yourself online publications means that one could inadvertently become an Internet Content Provider and fall under its regulatory jurisdiction. Such ambiguously crafted rules widen the scope of policy enforcement, giving the authorities discretionary powers to deal with offenders – or would-be offenders. In addition, all web providers and users are reminded that all off-line laws also apply to the online world (Ang, 1999: 111). Accordingly, the final clause of the Class Licence reads: “Nothing in this Schedule shall exempt the licensee from complying with the requirements of any other written law relating to the provision of the licensee’s service” (MDA, 1996, Clause 18). With all possible bases covered, the MDA can unproblematically lay claims to being ‘light-handed’, transparent and fair.

Nevertheless, to ensure absolute compliance, the Broadcasting Act empowers the Internet regulator to specify and act on Class Licence conditions as required from time to time (ABA,

1997: 39). One of these conditions, Clause 4 of the Class Licence Notification, requires the pre-registration of all websites dedicated or seeking to promote political or religious causes. It states:

An Internet Content Provider who is or is determined by the Authority to be a body of persons engaged in the propagation, promotion or discussion of political or religious issues *relating to Singapore* on the World Wide Web through the Internet, shall register with the Authority within 14 days after the commencement of its service, or within such longer time as the Authority may permit (MDA, 1996, Clause 4; emphases added).

It is worth noting that this clause does not only refer to websites based in the geographical confines of Singapore, since the global nature of the World Wide Web (www) browser means that website “relating to Singapore” can be established and domiciled anywhere. Again, by including such arbitrary statements within the Internet policy, all possible regulatory loopholes are either removed or effectively negated. Although the highly politicised Clause 4 of the Class Licence Notification (MDA, 1996) has always existed, its first and highly public invocation was made in 2001 to deal with the ‘political nuisance’ of civil society caused by the ‘Singapore Internet Community’ (Sintercom) website, an Internet-based forum well known to Singaporean Internet users at the time (Lim, 2004).

In July 2001, notice was issued to Sintercom’s webmaster to register as an Internet site “engaged in the propagation, promotion or discussion of political issues relating to Singapore on the Internet” (Goh, 2001). At that time, this move was seen by critics as bizarre given that the independent website, founded in 1994 and perceived by many as the beacon of civil society in Singapore, had previously received exemption from pre-registering as a political site. Sintercom had been one of the most innovative non-governmental website, set up to encourage candid discussions of social, cultural and political life in Singapore for local and overseas Singaporeans. A month later, Tan Chong Kee, founder of Sintercom, announced that the website was to shut at the end of August 2001. Tan put the blame squarely on the arbitrariness of political terms within the Class Licence, adding that he believed civil society to be a “lost cause” in Singapore (Tan, 2001). Although Tan stressed that his decision had nothing to do with Sintercom’s regulatory tussle with the SBA, it became clear that the so-called ‘light touch’ Internet self-regulatory framework had succeeded in muting alternative voices that could become politically problematic.

Technological Auto-regulation

The “automatic” licensing approach of the Class Licence scheme (MDA, 1996) coupled with the ‘Internet Code of Practice’ (MDA, 1997) and other established laws in Singapore give rise to what I refer to as ‘auto-regulation’, a policy discourse where discipline and control is carried out ‘automatically’ without the need for direct policing or overt surveillance and supervision. The notion of auto-regulation is an appropriation of Foucault’s (1977) critique of the disciplinary power of Jeremy Bentham’s *Panopticon* prison structure:

[T]he major effect of the Panopticon [is] to induce in the inmate a state of

conscious and permanent visibility that assures the automatic functioning of power. So to arrange things that the surveillance is permanent in its effects, even if it is discontinuous in its action; that the perfection of power should tend to render its actual exercise unnecessary. [...] It is an important mechanism, for it automizes and disindividualizes power (Foucault, 1977:201-2).

Auto-regulation is predicated upon Foucault's belief that power, understood here as the political management of the Singaporean populace, is perfected when it is 'automized' and 'disindividualized' (Foucault, 1977: 201-2). As Foucault points out, the *Panopticon* architecture provides the "principle" of how to 'automize' power, and therefore, discipline via a supreme control of one's cultural thought and conduct.

Foucault then goes on to summarise Bentham's principle by declaring that the exercise of power should be "visible and unverifiable" (Foucault, 1977: 201). This suggests that surveillance via the policing of citizens – and indeed their Internet sojourns – must be conducted both 'visibly' (or directly) and 'unverifiably' (that is, indirectly and behind the scenes). In an extensive study on Bentham's approach to liberal governmentality via "indirect legislation", Engelmann points out that the central idea is to "enlist the governed as supplementary governors of themselves and others" (Engelmann, 2003: 379). Indeed, this same rationale is propagated by Foucault in his governmentality discourse, which relies on the shaping of the individuals' conduct via the regulation of oneself (Dean and Hindess, 1998: 11; Gordon, 1991: 3).

More than just a surveillance and policing technology, the *Panopticon* is "above all a form of government" (Foucault, 1994, cited in Elden, 2003: 248), or in other words, a function of Foucault's governmentality (Foucault, 1978). The ability to strike a delicate balance between being visible and unverifiable makes it possible to 'govern at a distance' (Miller and Rose, 1990: 76), where the only course of 'real' actions needed by authorities are to issue regular compliance reminders and to fine-tune legislations and codes from time to time to ensure currency and relevance (Engelmann, 2003: 374). Writing about Singapore's politics of comfort and regulation, Cherian George calls Singapore's tightly consolidated governmental power "central control" (George, 2000). Although George does not make references to Foucault or Bentham, his description of the Singapore government's 'central control' mentality mirrors the idea of the supervisory 'central tower' in the *Panopticon*, a conspicuously privileged position from which to exercise power and surveillance on citizens who are frequently construed and constructed as 'inmates' needing constant watch (Foucault, 1977: 202). The notion of 'auto-regulation' embodies the key elements of the *Panopticon* in that one does not know when the 'supervisor', as the analogical extension of the authorities, is really watching. As a result, regulation appears to be carried out automatically and with machine-like precision. As Foucault puts it:

[the] architectural apparatus should be a machine for creating and sustaining a power relation independent of the person who exercises it; in short, that the inmates should be caught up in a power situation of which they are themselves the bearers" (1977: 201).

In a climate of auto-regulation, where regulation is carried out 'automatically', both directly and

unverifiably – or both overtly and subtly – at the same time, the regulatory powers-that-be are often further empowered to invoke existing laws, rules and codes and/or enact new ones to tighten its already tremendous grip on social, cultural, political and disciplinary powers. If justifications of new or revised rules are required, broad statements emphasising the importance of safeguarding ‘public interests’, such as the need to maintain public order, public security, public morality and national harmony, are readily issued and mobilised to silence critics and cripple opponents (Lee and Birch, 2000: 149). It is no coincidence that these highly discursive political terms, contingent on the determinations of ministers and state officials, appear in most Singaporean laws that impact upon social and cultural policies. As such, these critical terms do not necessarily conform to a ‘common’ understanding. They often have their own distinctive characteristics, euphemistically referred to by social anthropologist Yao Souchou as “special meanings” (Yao, 1996: 73), tailored to suit whatever the political requirement of the day might be. This enhances the application of auto-regulation as it is essentially a potent combination of the ‘visible’ and the ‘unverifiable’: while the legal codes and terms are manifestly available for all to see, the meanings are not inherently inscribed and are, therefore, ‘not verifiable’. As Thompson explicates:

Meanings regulate and organize conduct and practices – they help to set the rules, norms and conventions by which social life is ordered and governed. They are, therefore, what those who wish to govern and regulate the conduct and idea of others seek to structure and shape (Thompson, 1997: 1).

The deliberate employment of ambiguous and arbitrary terms that are often legally-binding yet interpretable only by state officials is but one of the key foundations of auto-regulation. It is further assisted by other visible mechanisms, including, *inter alia*: direct policing and surveillance of citizens, media reports that are mostly uncritical of government policies, and more recently, willingness to call for public feedback on certain policies (particularly those that carry less political risks). Despite recent moves towards embracing greater openness, indirect gate-keeping ‘activities’, including covert surveillances or indirect policing, are also employed at strategic instances to ensure that direct measures that are usually laborious and resource-intensive can be gradually phased out over time. In short, these auto-regulatory strategies are calculated to attain policy compliance and political subservience, what Foucault calls the shaping of disciplined and “docile bodies” (Foucault, 1977: 138).

Media and Political Gatekeeping

Singapore’s Internet policy as exemplified by the discourse of technological auto-regulation has become the epitome of political and media gate-keeping in Singapore. Contrary to early libertarian ideologies about the democratising potential of the Internet, Singapore has demonstrated – and continues to demonstrate – its technical ability to monitor usage and Internet communication exchanges. As Gomez notes in his account of Internet and political surveillance in Singapore, political control through the Internet is technically easier due to the ability to intercept electronic messages at the point of departure or reception (Gomez, 2002: 43). In Singapore, the fact that all three main dial-up and broadband Internet Service Providers (ISPs) are directly

government-owned or government-linked gives the authorities the upper hand in enforcing electronic surveillance. Indeed, several such occurrences within the first decade of Internet use in Singapore are sufficiently telling.

In 1994, the year when public internet access was first made available through SingNet, Singapore's largest ISP and the Internet arm of the state-owned monopoly Singapore Telecommunications (SingTel), at least two separate illegal file scans were conducted on users' email accounts. Both episodes were dismissed by the authorities on the grounds that the scans were to uncover unlawful pornographic materials and computer viruses. Although the government indicated following these episodes that it did not intend any further unannounced searches, Rodan argues that "its demonstrated capability to search files on this vast a scale may in itself and by design have a suitably chilling effect" (Rodan, 1998: 10).

In November 1998, the local *Straits Times* reported that a section of the Singapore Police Force has been set up to "patrol the alleys of cyberspace" (Chong, 1998). While their official role is to keep hackers and cyber-crime at bay, the very existence of a 'cyber-police' branch at the time served to reinforce the widespread belief that Internet surveillance is vigilantly conducted in Singapore (Lee and Birch, 2000: 159).³ This suspicion was (re)affirmed in April 1999 when SingNet was again found to be conducting secret scanning of its subscribers' web accounts, supposedly for vulnerabilities to virus attacks (Chong, 1999b: 1). This particular case made the front-page news and caused a public outcry because the Ministry of Home Affairs, the parent ministry of the Singapore Police Force, was found to be involved. There was also a hint of a covert operation going awry as the unauthorised scanning was brought to light only after a complaint by a local law student who detected a hacker meddling with her computer system (Chong, 1999a: 3). To avoid implicating the Singapore Police Force or the government, SingNet was compelled to issue a public apology – via email – to conclude this embarrassing episode. This was followed a week later by a government announcement that guidelines on scanning would be established to safeguard the privacy of Internet users (Lyon, 2003a: 73).

Although the government, through the SBA/MDA, has categorically stated that it does not conduct file-searching exercises or online surveillances, many believe that it has the capability and capacity to do so. This has the effect of reinforcing the 'automizing' functions of auto-regulation, so that Internet users would be prudent to remain compliant. Given this, actual surveillance would appear superfluous. As Gomez asserts, Singaporeans have come to accept surveillance and expect certain people to be under its regulatory control (Gomez, 2002: 46). At the same time, significant public attention given to the scanning 'scandals' in 1994 and 1999 have had a 'gestural' effect of warning users about the technical capabilities of the authorities, not unlike the symbolic ban of 100 high-impact pornographic sites by the SBA/MDA since 1998. Hence, whether or not actual online monitoring is done becomes irrelevant in an auto-regulatory environment. The demonstration of a government's technical capability – whether real, imagined or perhaps even fabricated by the authorities themselves – becomes far more potent and

³ No further information on this 'cyber-police' has been available since. It is probable that this branch has been subsumed under the Technology Crimes Division of the Criminal Investigations Department (CID) of the Singapore Police Force (SPF). For further information on the CID and/or the SPF, visit the website: www.spinet.gov.sg.

intimidating.

Although Singapore's Internet policy is said to have been developed in consultation with the converging media, telecommunications and IT industries, there continues to be perceptions that a panoptic mode of centralised surveillance continues to dominate in Singapore – if not physically, then technologically and ideologically. Auto-regulation works because the enclosed nature of a panoptic regulatory supervision “does not preclude a permanent presence from the outside” (Foucault, 1977: 207). As Foucault points out, the general public is always welcome to inspect the central *Panopticon* tower by scrutinising the guidelines or codes (by contacting government departments or downloading them from official websites) or by examining other functions of surveillance (by visiting or speaking to the authorities concerned). Auto-regulation, like the *Panopticon*, is as Foucault notes, “a transparent building in which the exercise of power may be supervised by society as a whole” (Foucault, 1977: 207). But because auto-regulation is a widely dispersed function, with each individual and group playing a vital role in maintaining its conduct and applications – in self-regulating, self-censoring and self-governing – it is difficult for the public to identify specific flaws. Although avenues for public complaints are available, few Singaporeans (if any) actually register their disapproval with codes that could be seen as draconian. This is congruent with a society that is notorious for being politically apathetic and mindful of the political risks of feedback and criticisms of public policies. Nevertheless, in the context of Internet regulation and surveillance, silent acquiescence based on a convenient belief that “those who have nothing to hide have nothing to fear” can only be interpreted as consent (Lyon, 2004: 27). As a consequence, the authorities are able to create, using Bourdieusian terms, “a highly influential habitus of controlled behaviour” among Singaporeans (Lee and Birch, 2000: 148).

In effect, the concept of technological auto-regulation that is conducted both ‘visibly’ and ‘unverifiably’ with regard to the Internet in Singapore hinges on an ideology of control with the sole aim of producing law-abiding, self-regulated and therefore, economically productive, docile and compliant citizens. This ideology of control has been the key driver of media policy in Singapore since the nation's independence in the 1960s. Singaporean gatekeepers have long been wary – even paranoid – of foreign media and international broadcasters engaging in Singapore's domestic politics. Media censorship laws, particularly those relating to foreign publications and screen products, were enacted and quite regularly amended to control the inflow of negative foreign social, cultural and political influences (Seow, 1998).

In July 1986 for example, the Newspaper and Printing Presses Act (NPPA), the key legislation governing all forms of media publications in Singapore, was amended to enable to government to restrict sales of foreign publications deemed to be interfering with Singapore politics. Following the passage of this law, many foreign media were taken to task for their reports of unsavoury aspects of the PAP system (Chee, 2001: 173). Foreign publications falling victim to this law include the *Far Eastern Economic Review*, *The Economist*, *The Asian Wall Street Journal* and *Asiaweek* (Seow, 1998: 148). In addition, over the past 30 years, global media players including *Newsweek*, *Reuters*, *The Times* (London), *The Star* (Malaysia), *Time*, and *International Herald Tribune* have had their editors and/or journalists arraigned on charges of publishing defamatory or libellous articles.

The spirit of the NPPA's systematic muzzling of the foreign media was extended to the global broadcast media in April 2001. After a very brief debate in a one-party dominated Parliament, the SBA (Amendment) Bill 2001 was passed. Under this legislation, foreign broadcasters which meddle in 'domestic politics' – a term that only the Minister of Information, Communications and the Arts is empowered by law to define – could be slapped with restrictions on the number of households which can receive their broadcasts through cable (operated by SCV); or worse, the broadcast channel could be 'blacked-out' altogether (*The Straits Times Interactive*, Apr 23, 2001). If such an action is effected, advertising and/or subscription revenue of the broadcaster in question would be severely affected. In his parliamentary speech on the new Bill, then Minister of Information, Communications and the Arts Lee Yock Suan revealed the Singapore government's clear grasp of the political economy of the media:

This Bill makes it clear to foreign broadcasters that while they can sell their services to Singaporeans, they should not interfere with our domestic politics (Lee, cited in Latif, 2001).

Indeed, the touchstone of all commercial media is the market and as such any decision on regulatory compliance would thus be market-dictated and targeted. Undoubtedly, Singaporean law and policy-makers understand – and apply – this knowledge only too well.

The government further demonstrated its technological auto-regulatory abilities in the new media arena by tackling an online publication in August 2002. On August 4, 2002, the international news agency Bloomberg published an article by its US-based columnist Patrick Smith that described as nepotism the appointment of Ho Ching, the daughter-in-law of Senior Minister Lee Kuan Yew and wife of Prime-Minister designate Lee Hsien Loong, as Executive Director of Temasek Holdings, the powerful government-owned corporation that controls most of the government-linked companies in Singapore (Ellis, 2002: 9; *The Straits Times Interactive*, Aug 30, 2002). This article was published electronically on Bloomberg's website and terminals, and appeared in print only in Malaysia's *The New Sunday Times* on August 11, 2002. Upon knowledge of a possible defamation suit, Bloomberg retracted its article, apologised unreservedly to the Senior Minister, the Prime Minister as well as his Deputy Lee Hsien Loong, and offered damages amounting to S\$595,000. The apology and compensation were accepted and the case was settled promptly in three weeks. Bloomberg's quick settlement demonstrated a pragmatic understanding of political constraints of both media operations and Internet use in Singapore, and that the Singapore government has no intention of relinquishing its auto-regulatory control in the digital age of the Internet galaxy.

Commentators and critics on Singapore have variously argued that the real intention of restricting access to websites is ideological, a term used broadly to imply that the agenda is always political. On June 8, 2001, whilst launching the official website of the ruling People's Action Party (PAP), Deputy Prime Minister Lee Hsien Loong announced that new regulations on how political parties

may use the Internet at election time would be unveiled (Chua, 2001a: 3).⁴ It is interesting to see how the PAP government, being one of the most vociferous proponents of IT and the info-communications industry, had taken such a long time to show its ‘electronic face’ (Chadwick, 2001; see Chua, 2001b: 12). This ‘face’, however, was somewhat limited as the website at launch was more like an exercise in public relations, featuring interviews with party leaders, most of whom, as cabinet members, receive sufficient local media coverage anyway. Gomez argues that absence of a discussion forum, along with the disclaimers found in the ‘Conditions of Access’ page on the PAP website, reveals the inherent anxiety of the PAP leaders to be “out in the open and in an interactive domain policed by the very laws that it has introduced” (Gomez, 2002: 28). But for a party that has dominant control of the apparatuses of government, such rules can be easily circumvented or revamped to its advantage.

On August 13, 2001, in clear preparation for the 2001 General Elections, eventually held on November 3, 2001, the Singapore Parliament passed an amendment to the Parliamentary Elections Act to regulate Internet campaigning and advertising during election time. The new Bill was essentially an extension and further refinement to the MDA’s Class Licence scheme. Instead of leaving Internet Content Providers to self-regulate online political content, the Parliamentary Elections Act defines specifically what is allowed on political party as well as non-partisan political websites, most of which are already registered with the MDA. As a pre-emptive measure, even new communication technologies like mobile telephones, along with data and text functions like short messaging services (SMS), were brought under the purview of this new law.

According to Minister Lee Yock Suan, the amendment was designed to “keep political campaigning serious and responsible”, and it should therefore be perceived as a positive step forward in “liberalising the use of Internet” and communication technologies for political purposes and advertising (Ng, 2001; Lim, 2001). The equivocal use of terms such as ‘liberalising’ within political discourse in Singapore may seem like pernicious nonsense to some, but they remain highly constraining, especially for oppositional political figures and civil society activists, who would be prompted to curtail their online as well as offline activities. What remains most baffling – and surprisingly unquestioned – is that the amendment was passed with the complete set of Internet campaigning rules still in a draft ‘work-in-progress’ stage, something that could arguably happen only in an authoritarian or totalitarian regime. The Minister did however ‘assure’ the House that the full list of Internet features which would be allowed on these websites would be released before the election.

Minister Lee Yock Suan’s promise was made good when the rules were subsequently unveiled and made effective on October 17, 2001, just two weeks before polling day. Opposition political parties, most of which are typically under-staffed and short-handed, were forced to make necessary adjustments to their websites within the short time frame, whilst having to

⁴ *The Straits Times* reported that the PAP website took six months to put together and cost a tidy S\$50,000 for the party (Chua, 2001a: 3). The website is at: www.pap.org.sg. For further reading on the impact of the PAP website, see Chua 2001a/b).

campaign and canvass for votes.⁵ This had the effect of further weakening the already parlous state of political opposition in Singapore. As Rodan has commented:

Political competition in Singapore operates within tight strictures. Periodic refinements are meant to keep it that way and take the risk out of elections for the ruling People's Action Party (PAP). Adjustments include fine-tuning controls over electronic media. The PAP is accustomed to conducting election campaigns with media that promotes rather than question or scrutinise its message. That is not about to dramatically change (Rodan, 2001: 26).

Rodan's pessimism about the usefulness of electronic media, primarily the Internet, for political purposes in Singapore is not shared by James Gomez, a Singaporean political activist and founder of the Think Centre, a news events and self-publishing company devoted to raising awareness on political reforms within Singapore and the region. Gomez believes that there are yet frontiers of the Internet to exploit for the purposes of engaging Singaporeans (Gomez, 2002). Using the Internet to organise activities on the ground or grassroots level and openly publicising correspondences with the authorities, thus placing the authorities and their decision-making processes under public glare, the Think Centre could be seen to have brought politics to the Internet in Singapore – but only for a brief season. In October 2001, the policing authorities in the central *Panopticon* tower acted by gazetting the Think Centre as a political society. This led to the immediate suspension of funding sources, aimed at crippling its already lean operations. Not only did this blatant and widely publicised action weaken the foundation of the Think Centre, it acted as a potent and visible warning for Singaporeans to dissociate themselves from the website, and hence to apply self-censorship in an auto-regulatory manner (see Gomez, 2000). This involves staying clear of the Think Centre and other 'political' websites because one does not know when the 'supervisor' in the Central Tower may be watching (Foucault, 1977: 201).

Staying somewhat optimistic after the clampdown of the Think Centre in 2001, Gomez boldly – but erroneously – declared that:

Internet legislation in Singapore to date stands to cover websites and for election time covers political parties and organizations. It does not yet cover individuals and there has been no instance for the PAP to move against an individual (Gomez, 2002: 92).

It is evident that Gomez fails to comprehend the extensiveness of Singapore's class licensing approach to Internet policy, which has the potential to implicate all users of the Internet. More fundamentally, he fails to understand that in a panoptic and auto-regulatory environment such as Singapore, the technologies of governmentality can be readily mobilised for various social, cultural and indeed, political, ends. If Gomez's intention was to alert individuals about the

⁵ See Gomez (2002; Chapter 11) for an account of how 'The Think Centre', a non-partisan civil society organisation which disburses its information online, was systematically crippled by the amendment to the Parliamentary Election Act (2001).

possible risk of overstepping political boundaries in private Internet postings, his response came soon after.

In July 2002, the police embarked on a criminal defamation investigation on Zulfikar Mohamad Shariff, the former chief of Fateha.com, a Singapore-based Muslim rights activist website, who took the government to task in early 2002 on the rights of young Muslim girls to don their *tudung* (traditional Islamic headscarves) to schools. This racial cum religious encounter was particularly sensitive in the wake of the terror attacks on America on September 11, 2001 and the thwarting of the regional Jemaah Islamiah (JI) terrorist plot in Singapore in January 2002. Although Zulfikar ventured into a sensitive socio-political territory in Singapore, it was more likely that the investigations had more to do with political annoyance than with genuine social threat. As *The Straits Times* reported on July 4, 2002, Zulkifar was being investigated for three articles posted on his organisation's website questioning Muslim Affairs Minister Yaacob Ibrahim's standing as leader of the Malay/Muslim community and, echoing the Bloomberg's case, criticising Ho Ching's appointment as Executive Director of Temasek Holdings (Osman, 2002a).⁶ The probes intensified the next day when the police impounded the computer of another unrelated man by the name of Robert Ho for two articles that appeared in June in 'soc.culture.singapore', a popular Internet newsgroup in and on Singapore, that were suspected to have also criminally defamed government leaders and officials (Osman, 2002b).

Through this brief episode, the policing strategy of auto-regulation was applied very swiftly, effectively warning would-be online offenders to watch their 'cyber-journeys' and to avoid dabbling in politics. Tan Tarn How, a veteran journalist with *The Straits Times* 'closed' the saga with a seemingly innocuous report that the Internet community was "spooked" by these events, adding that "some users [would be] wondering if they would be targeted next" (Tan, 2002). The fear of falling victim to the widening electronic powers of the technological auto-regulation as conducted by the Singaporean authorities suggests that the regulatory net has been tightened, contrary to Gomez's (2002: 92) perception of a regulatory loophole. Tan's report also serves as a warning to all Singaporeans – especially those with anti-government tendencies – that panoptically-inscribed disciplinary mechanisms are in place to deal swiftly and decisively with offenders (Foucault, 1977: 208-9). It is evident, in analysing these cases of regulatory enforcements, that the task and function of technological auto-regulation is being rolled-out as rapidly as the uptake of new media technologies.

Conclusion

Guided by a strong, capable government, Singapore has fully embraced technological modernization as a development tool. At the same time, it is widely considered to be one of the most sophisticated authoritarian systems in history. Attempting to steer a narrow path between these two policies, the government of Singapore has tried to expand the use of the Internet

⁶ The anonymously written articles were titled "Is Yaacob Ibrahim a Hypocrite?"; "The Real Reason for Forcing Muslim Girls to Remove Hijab"; and, "The Ho Ching Miracle" (Osman, 2002b). At the time of research for this case, November 2002, all three articles were accessible on www.fateha.com

among its citizens, while retaining political control over this use by censorship service providers (Castells, 2001: 164).

With widespread fears of terrorism caused by the events of September 11, 2001, as well as online sabotages in various forms, increased threats to global and national securities are likely to enhance the regulatory role of authorities around the world (see Lyon, 2002; 2003b). This has been demonstrated around the world by increased police surveillance not just on suspicious individuals, groups and structures, but on the movements of ordinary people. Most of such policing activities have been permitted by new intelligence and public surveillance laws that were rapidly passed in the aftermath of September 11 (Lyon, 2001: 1-2). It is ironic that such authoritarian practices that used to be criticised as restrictive, anti-democratic, illiberal or plain draconian have become widely endorsed and perpetuated in liberal democratic societies. Justifications, if needed, can be put in simple terms: such pre-emptive legislations and auto-regulatory strategies protect the ‘innocent’, most of whom are responsible and have nothing to hide, and should therefore have nothing to fear.

In much the same way, as the world moves closer towards global online exchanges and widespread electronic commerce (e-commerce), it is certain that more auto-regulatory rules and strategies will be enacted to guard against uses and abuses of the Internet and other media technologies. Since regulating the media is, as James Michaels (1990: 40) puts it, mostly deciding through legal means who has access to a medium and what information may – or may not – be communicated on it, it is by design a mode of Foucauldian governmentality and a continuous exercise in auto-regulation. As Foucault makes clear:

with government it is a question not of imposing law on men, but of disposing things: that is to say, of employing tactics rather than laws, and even of using laws themselves as tactics – to arrange things in such a way that, through a certain number of means, such and such ends may be achieved (Foucault, 1978: 95).

The ‘ends’ of auto-regulation in Singapore, to extend Foucault’s point, is the cultivation of a well-disciplined, hardworking, morally-minded, technology-savvy and a self-regulated politically-complaint cultural citizen. With its well-documented ability to utilise ‘visible’ technological and legal apparatuses whilst ‘unverifiably’ conducting the social, cultural and political conducts of its citizens (Foucault, 1977: 201), Singaporean authorities have demonstrated to some extent how governmentality could be ‘disposed of’ in the digital age (Foucault, 1978: 95). Through the wielding of “centralised control” (George, 2000), along with what Foucault (1977: 137) calls “the elegance of discipline” in extracting ‘docility-utility’ from citizens via the enactment of publicly-endorsed Internet codes and, more recently, e-Government initiatives, the concept of technological auto-regulation can be applied and subsequently perfected.

Castells, in the opening quote to this concluding section, uses Singapore’s ambivalence towards the Internet media to illustrate his position that the Internet is neither an instrument of freedom and democracy nor a weapon of one-sided control and domination (Castells, 2001: 164). This in-between “narrow path” is highly reflective of the political strategy of technological auto-

regulation. It is blatant yet subtle; it is open yet surreptitious; and, it is concomitantly visible yet unverifiable. Crucially for Singapore, it is able to promote strong economic growth whilst keeping social dissent and “contentious politics” at bay (George, 2003: 12). It appears to embrace technological progress and development, whilst making sure that its regulatory control over technology remains watertight. With increasing global competition in the media industries, Singapore has in recent times come under increased pressure to ‘loosen’ monopolistic hold on the overall media sector. What has been happening instead is a gradual and further tightening of media and Internet controls, to cushion or shield the existing politically-endorsed players from genuine competition, in the name of ‘liberalisation’ (Lee and Birch, 2000).

As the government continues to fine-tune its legal cum regulatory structures in preparation for the mainstreaming of e-Government and wider e-commerce applications, the discursive application of technological auto-regulation for the continued conduct of citizens’ conduct looks set to intensify – whether one realises it or not. As Foucault puts it in his *panoptic* terms, “surveillance is permanent in its effects, even if it is discontinuous in its action” (Foucault, 1977: 201).

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