Malaysian Film Censorship Board (LPF) in the Globalization Era: Towards Transformation and Innovation

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ABSTRACT

This paper discusses the present position of the Film Censorship Board (LPF), in the onslaught of globalization as it strives to interpret and meet the government's transformation program on the one hand, while urged in a different direction by the will and the voice of the people on the other. To continue moving forward, the LPF should be looking back for a moment, and in order to learn from history. Lessons from almost a century ago should be the guiding framework and institution building to strengthen the LPF for the next 100 years. The paper outlines several measures toward the transformation and innovation of the LPF. Despite the gratifying achievements in the past, the LPF should execute further transformation and innovation in order to ensure the Board's survival and relevance.

Keywords: film censorship, censorship policy, Film Censorship Board, transformation and innovation

Introduction

In the early 20th century, a favorite pass-time of watching movies was considered a form of popular culture or mass culture that came into existence in Malaysia, when films began to replace *bangsawan* and theater as a source of entertainment, especially in big cities. British colonialists who came to Malaya then, equally brought their culture and their pass-time of patronizing English theater. Having introduced films, the culture of cinema-going expanded. Films were said to be the most effective media and capable of spanning all walks of life compared to other mass media (Ginsburg & Roberts 1958). Film-watching in popular culture is considered more prominent than other media forms as acceptance of the film is more easily absorbed by the pluralistic society with a variety of backgrounds, whether natives or immigrants (Desjardin 1995).

In the early stages, when film came to Malaya, the British had yet to impose strict regulations on cinema operators and film distributors. However, over time, the rules and the new laws were gradually introduced to the audience and film producers. This influence, whether positive or negative, was absorbed into the system, and made censorship policy difficult to remove even when Malaya gained independence from Britain. The beginning of the film censorship system and policies emerged from the efforts of the government, which wanted to control any form of entertainment that was shown to the people. From controlling and determining what can and cannot be performed by the *bangsawan*, *wayang kulit* and *Mendu* theater, these efforts were ongoing in the form of censorship when film arrived in Malaya.

Further discussion will trace the history of censorship in Malaysia, with the emphasis on legislation and related policies. Following this, we discuss how these past experiences and lessons can be learnt as we move towards LPF's transformation and innovation in line with the planned and implemented innovation and transformation by the government today.

Looking back

Malaysia is one of the few countries in the world currently practicing film censorship. Malaysia's censorship policy has gone through a long evolutionary process which began indirectly from the theater, *bangsawan* and Chinese *Mendu* performances (Wan Amizah 2008). The *Theatres Act* 1895 was enacted more to ensure the safety and stage handling, but early censorship policies began to be applied when all stage performances were required to obtain a license or permit for the performance. Films were originally brought to Malaya as a form of entertainment for British colonial officers and administrators. The earliest legislation relating to the content of film and its negative impact on the audience was the *Theater Ordinance 1908 (Amendment) Act No. II* of 1912 (Straits Settlements). Under this ordinance, the police were empowered to determine what was appropriate for public showing, and they also raided and seized any unauthorized films.

Appointment of film censors

The first legislation with a provision for the appointment of film censors under the operation of the Police Department was the *Theater Ordinance 1908 (Amendment) Act No. 22* of 1917 (Straits Settlements) and the *Theatre Ordinance 1908 (Amendment) Act No. 1 of 1919* (Straits Settlements). Film censors were specifically appointed to censor and cut any film prior to a public show. Promulgation of this appointment was found in the *Straits Settlement Government Gazette* dated 28 September 1917.

Here began the career of a Malayan film censor, by the name of Captain T. M. Hussey, a former British soldier who took office at the age of 31, in February 3, 1920, earning £400 a year and for a three-year contract only. However, the contract was subsequently continued until his retirement age of 50 on March 11, 1938, but he appealed to continue working until the Second World War. Hence, the policies and system of film censorship in Malaya in many ways were affected by the contribution of Capt. Hussey as a film censor for over 20 years.

Pre-independence censorship

The first law which dealt specifically with aspects of film control and content was the *Cinematograph Films Ordinance* enacted in 1924 for the Straits Settlements. It was followed by the enactment of the *Cinematograph Films (Control) No. 3* of 1927 for the Federated Malay States and Johore. On 18 September, 1926, *The Times* published an article by Sir Hesketh Bell entitled "The Cinema in the East: Factor in the Spread of Communism." It caught the attention of King George V, the grandfather of Queen Elizabeth II, who ruled Britain and the colonies. It soon became a catalyst for change in the censorship system and policy in Malaya. The King was concerned that "perhaps things [had] gone too far for intervention to be of any avail (CO 273/533/18384); nonetheless, he ordered that the Colonial Office investigate the allegations that films tarnished the image of the West. The government in Singapore denied the allegations, but insisted that the regulations were very strict and even received complaints from the British film industry, but a clear message had been sent.

The film censorship scenario was continued by the British in accordance with the principles and framework of British philosophy, but at the outbreak of World War II and the Japanese Occupation of Malaya and Singapore, all rules were at a standstill. Instead, Japan brought their principles and rules of their own: all movies from the West were totally banned and only Japanese films and a few Asian films were allowed. Furthermore, all cinemas were taken over by

Japanese companies and turned into Japanese government agency headquarters. In fact, due to the Japanese Occupation, all Malay film productions were also stopped, and only resumed productions after the Japanese were defeated and the British returned to rule.

The establishment of the film censorship board

The first Act that was enacted specifically to address aspects of film censorship in Malaya was the *Cinematograph Films Ordinance of 1952*. The Film Censorship Board (LPF) was established in 1954, by a committee in Singapore for the Straits Settlements, and a committee in Kuala Lumpur for Malaya (Federated Malay States and the Unfederated Malay States). Censorship was no longer done by a single censor, but by a committee of three members. The enforcement of film censorship also transferred from the jurisdiction of the Police Inspector General to the Minister of Home Affairs in 1952.

Film classification was introduced in 1953, which allocated films into one of two categoroes: for Adults Only and for General Viewing. The withdrawal of Singapore from Malaysia in 1965 created an impact too because all this while, the headquarters of the film censors was based in Singapore. The name *Cinematograph Films Ordinance of 1952* was then changed to the *Cinematograph Films Act* in 1966. Later, the Malaysian Film Censorship Board was established in 1966 to implement policies and censorship system for the whole of Malaysia, including Sabah and Sarawak.

Liberalization of the censorship policy

The year 1971 was another historic moment in film censorship when, for the first time, classification of films for Adults, or sex films, was introduced in all cinemas. This angered the people and, on the recommendation of the Select Parliamentary Committee on Questionable Films in 1972, all X-rated films were banned. A classification system was amended in 1996 to include programs and movies broadcast on television and video. At the turn of the century, a new act was introduced, the *Film Censorship Act 2002*, to address more specifically the control and censorship of increasingly sophisticated and challenging technology tools.

According to Ernst and Seagle (1969), a perfect film censor does not exist in this world. Each person is bound by knowledge and experiences that are not visible to the naked eye. Decision making and personal philosophies are inevitable because, whether a film is approved with cuts or banned, everything dependes on their socio-cultural values. Censors made personal decisions despite given certain guidelines.

Transformation

Prime Minister Najib Tun Razak introduced the Government Transformation Plan (GTP) in April 2009. Under this plan, the entire government machinery has to be transformed to meet two main objectives: firstly, to be more effective in service delivery through several key result areas, and secondly to drive Malaysia towards a progressive, integrated and equitable society with a high standard of living for all. These objectives are consistent with the national mission of achieving Vision 2020, i.e. making Malaysia a fully developed country by the year 2020. Thus, six National Key Result Areas (NKRA) have been identified to move towards the transformation of government, namely:

       a)   Reducing crime
       b)   Combating corruption
       c)   Improving student outcomes
       d)   Raising living standards of low income households
       e)   Improving basic rural infrastructure
       f)   Improving urban public transport

In this case, the LPF, under the jurisdiction of the Ministry of Home Affairs, may be associated indirectly with only one NKRA, i.e. reducing crime. The essence of the Ministry's effort is to fight crime, including the reduction of crime index with a focus on street crime, to improve public perception of safety, and to enhance the performance of the justice system.

Therefore, the duties and responsibilities of the LPF are not associated directly with NKRA. If there is any indirect connection, it may be to the first NKRA, i.e. reducing crime; however, this can only be ascertained if further studies prove that uncensored film lead to street crime or other acts of violence.

Transformation at the Film Censorship Board (LPF) level

The LPF, however, may attempt a transformation at the organization level. The transformation should be done in a holistic and integrated manner, and there must be some steps or process related to it. Transformation is usually done when there is a specific trigger or a compelling need to make the transformation. For example, when there are instructions from superiors who want a reform to be put in place. However, at present, there are no specific instructions for the LPF; so, no proposed transformation is yet a major one.

Rebranding of the Film Censorship Board (LPF)

This paper proposes the first transformation to be done by the LPF is rebranding by changing the name of the Board. The first censor was appointed in 1917, thus by 2017, it would be 100 years of film censorship in Malaysia. However, the task of film censorship has its ups and downs. In any country in the world, the words "censor" and "censorship" are no longer accepted positively. Even in Malaysia, there are those who view LPF with the connotation of a savage or a scary monster.

Therefore, the proposed rebranding exercise here is that the name of the Film Censorship Board to be changed to the Film Classification Council or the Board of Film Classification. Conceptually, the task of the LPF is to classify films, thus the censoring function is still being done, though not reflected in the name. In fact, many countries, such as Britain, the United States, Australia, Canada and Ireland, use Board of Film Classification to name the organization with this function.

Adjusting the Membership Composition

The membership composition of the LPF is currently very much skewed towards male domination and an older age group. Out of 74 current LPF members, only 10 or 13.5% are female, (as at 30[th]June 2011). The composition according to age group is also high, that is, above 60 years old, and a large majority of the members are government pensioners from various

departments and agencies. This paper proposes that the composition should be at least 30 to 40% female and at least 50% of the members should be younger than 50 years of age.

Innovation

Innovation has been given many operational definitions (Glor 2008). In the context of this paper, innovation is defined as the introduction and implementation of any new policy, process or program by any organization. Thus, given the proposed transformation above, the paper proposes that the LPF should be more proactive and innovative in implementing new strategies, as discussed below.

Censorship Board Members are skilled human capital

An early approach in the innovation strategy is to view Censorship Board members from the perspective of the skilled human capital who take apply a sense of integrity to their responsibilities. Thus, this will change the public perception that members of the Censorship Board are merely "moral police" (Murat, 2006). The task of the LPF in censoring films requires a specialized skill. In the application form to be a member of LPF, the main characteristics required are:

a) Extensive experience in areas such as administration, management, teaching, religious, enforcement, military, broadcasting and other appropriate fields;

b) Skills in various languages;

c) Ability to write reports in good Malay;

d) Knowledge of the film and entertainment industry;

e) The right attitude toward the duties of office, an open mind and the high analytical skills.

Hence, the duties and responsibilities of a new member of the LPF require multiskilling and special personality as a prerequisite.

Creating Key Performance Indicator (KPI) for LPF as a Group and an Individual

Although members of the LPF are not permanent civil servants, their duties and functions are in line with the aspirations and needs of the government. Thus, the LPF can build a set of KPIs that can be applied internally, including assessment and evaluation as a group and as an individual member.

In the GTP for Phase 3 (2015-2020), Malaysia plans to reduce the size of government as part of Gross Domestic Product, and to increase the role of the private sector in providing public services. Therefore, it is possible that one day the LPF will have its status changed from the current policy as an institution or agency that is under the jurisdiction of the Ministry of Home Affairs, to a private entity, but providing the same services to the Ministry.

Collaborating Efforts of Media Literacy with Film Control Division, MOHA

The Film Censorship Control and Enforcement Division (BKF) of the Ministry of Home Affairs (MOHA), which is the secretariat and trustworthy associate to the LPF over the years, is stepping up efforts to promote prevention education programs at all levels of society. In fact, the BKF launched a prevention education program at the Ministry of Home Affairs Complex, Ayer Keroh Melaka on December 10, 2010. A series of lectures for schools, campaigns, road shows and media appearances are being held in this program. The LPF also works together to give lectures to the public. This effort is commendable and should be continued in the future.

Prevention education, however, is part of media literacy. Media literacy is defined as skills to access, appreciate, interpret, analyze, produce and evaluate a message in all its forms and formats of media, whether print or digital media (National Communication Association, 1998). Therefore, media literacy in terms of film censorship is the skill to watch a film and be able to interpret, analyze and evaluate media messages critically as well as the ability to choose content which is "good" or otherwise.

Therefore, media literacy is much more than just prevention. An example that can be compared to preventive education is to teach children to choose books based on its cover. If there are no specific labels on the cover, do not buy. However, for media literacy, we do not simply teach children to read books, but we encourage them to think whether the content of the book is suitable for them. In some countries, there are media literacy education modules for children, e.g., one module for primary schools and one for secondary schools.

Using social media to inform and receive feedback

Another innovation which could be easily implemented is using social media to inform and receive feedback from the film community or audiences. Among the most popular social media in Malaysia are Facebook and Twitter, which even Prime Minister Najib Tun Razak widely uses in his daily routine.

Social media for the government sector generally has a three-pronged approach: to inform about policies to target stakeholders, to gather feedback regarding any proposed or implemented policies and to assess reactions of stakeholder opinions (Lampe et al. 2011). However, Lampe et al. (2011) also cautioned that "social media projects designed to interact with the public can be initiated with reasonable expectations, yet be hard to implement due to a range of limitations imposed by social, technical and task dependencies".

Supporting grassroots initiatives to promote research and development

The Film Censorship Control and Enforcement Division of the Ministry of Home Affairs and LPF should be partners in supporting research and development. Useful input as well as cooperation and support from members of the LPF are required to build the resources of literature in film censorship, either from social aspects or technical aspects. Indeed, there is gap in the fields of censorship studies in Malaysia and any help from LPF is much needed, especially for university researchers. Any grassroots-level initiatives and bottom-up efforts, in this case the application for research, should be supported to ensure the success of the application (Antal 2010).

Aligning strategies to support the National Key Results Area (NKRA) of Ministry of Home Affairs

With the launch of the Government Transformation Program, each ministry and the Minister have their own KPIs to be met and reported responsibly. In the NKRA Report announced in March 2011, the Home Ministry's NKRA is subjected to the duties and powers of the Royal Malaysian Police Force, i.e. the prevention of crime. However, the LPF may devise appropriate strategies as a preparation to support the Ministry's NKRA in the near future.

Benefitting from globalization and technological advancement

This strategy is also consistent with the Strategic Thrust of the Home Ministry's 2010 Integrity Plan which wants to expand the use of ICT. One example of software development which is now used by the LPF is the E-Filem portal featuring LPF censorship decisions. These are innovative and creative efforts. This service is currently used by the Ministry officials, and film-related television staff.

The information-seeking process can be aided too by advances in ICT. For example, if there is confusion concerning a terminology or slang word, the Internet can be used as reference to ensure that the meaning of the word is not against any film censorship guidelines.

Film censorship as a basic social contract and a tool of integration

In the Malaysian context, the social contract is a mutual agreement among the leaders of the various races in determining the direction of the country during the era of independence. It is seen as a sincere collaboration that involves racial tolerance. The drafting of the Federation of Malaya Constitution in 1957 took into account the tolerance and cooperation between people of different races. This social contract consists of two elements, first, the acceptance of the Malays against the non-Malay populations as citizens *'jus soli'* for the newly independent country and, second, the acceptance of non-Malays against the recognition of special rights and interests of the Malays in the country.

Nevertheless, the social contract is often manipulated by politicians for their own political survival. Such actions have created a number of problems which are complex and often lead to strained relations between the races. Thus the social contract is still ensconced in all sorts of controversy due to a pattern of racial politics that is too constricted. According to John Locke (1960), there are three parties in a social contract, i.e., the trustor, the trustee and the beneficiary. In this case, film as a platform reflecting the reality of society and culture can play a role in the context of unity in Malaysia. Films which can confuse the unity of the people must be censored to prevent tension in a plural society like Malaysia.

Conclusion

In Malaysia, film is considered the arm of government, and therefore it must function in accordance with government requirements (Kartini & Alauddin 2003). Should the film be found to contradict or oppose the policies and aspirations of the current government, then the film should be censored or banned for public display. In this paper, historical recollection of censorship policies is used as the guiding framework for future policy considerations. It further outlines several transformation and innovation programs for the Film Censorship Board and the Malaysian Government to ensure the survival and relevancy of the Board.

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