

## FILM CENSORSHIP IN MALAYSIA: IS IT STILL RELEVANT?

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### ABSTRACT

*Films are considered as a powerful and effective communication tool which could reach out to various facets of the society. Their ability to convey both positive and negative messages to the public necessitated for film censorship to be imposed. In Malaysia, film censorship was initiated by the British administration about a century ago allowing audience to enjoy entertainment while at the same time insulated from potential threats. Initially, the paper narrates the legislative requirement and prevailing practice of film censorship in Malaysia. Subsequently, the paper attempts to discuss as to whether film censorship is still relevant and much needed relating it to the quest of maintaining security and public order as a basis towards achieving national harmony. The paper also argues that it is imperative for film censorship to be undertaken as a means of fulfilling the Maqasid Syariah framework in Malaysia. A comparison between the censorship practice undertaken by the Film Censorship Board (LPF) and those by the British administrators during the pre-independence era is also made. The paper has also observed the relationship between censorship made by LPF and the ultimate performance of the films in the market. Consequently, the paper proposes how could LPF revitalise itself to remain significant in the near future.*

**Keywords:** *films, film censorship, legislative requirement.*

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## **INTRODUCTION**

The objective of this paper is to discuss and shed some light, on pertinent issues concerning film censorship and whether its practice is still relevant in Malaysia.

The film industry has been in existence in Malaysia since its pre-independence era. Initially, film viewing as a form of entertainment was only privy to the then British citizens, including the administrators and planters, as well as locals in the upper class of the society. Among the first film shown was a documentary on the Queen Victoria Diamond Jubilee celebration in 1897 (Lent 1978; Jamil Sulong 1990; Wan Amizah et al 2014). In 1920s, film cinemas began to come into existence in major towns, the pioneer being the Coliseum in Kuala Lumpur. Over time, particularly after the country gained its independence in 1957, more and more people especially those living in the urban would have the opportunities to watch films as entertainment. As for those in rural areas, they were occasionally entertained by mobile cinemas (*wayang pacak*) organised by the Information Department as part and parcel of efforts to disseminate information on the Government's programmes to the people.

The introduction of television broadcasting in the country in 1963, started off as terrestrial and then followed by satellite, had also proliferated film viewing among Malaysians. In the early days, most of the films shown were imported from the west, particularly from Hollywood. Subsequently, films shown would include those from India and Hong Kong. In 1930s, companies such as the Shaw Brothers and Cathay Kris began to produce local Malay films in Singapore often directed by Indian directors. Such development had given rise to the mushrooming of Malay film production especially in the 1960s spearheaded by talented local film actors including the late P. Ramlee and Nordin Ahmad.

## **LEGISLATIVE REQUIREMENT ON FILM CENSORSHIP**

Besides providing entertainment, films are considered as a powerful broadcasting and communication medium to the public. In fact, films are regarded as the most effective tool which could reach out to various facets of the society compared to other mass media (Ginsburg & Roberts 1958; Wan Amizah et al 2014). They could also act as a double-edge sword, providing both positive

and negative elements to the audience, depending on one's interpretation. Hence, it is imperative for a film to undergo a kind of review or censorship prior to its release to the public as a measure to avoid any complication in the society. Perhaps, following the similar argument, the British administration had formed the first film censor authority administratively in Malaya in 1917 under the purview of the police personnel. In this regard, film censorship can also be considered as a necessary balancing act to allow audience to enjoy entertainment while at the same time insulating them from potential threats (Wan Amizah et al 2014). Subsequently, Film Censorship Board or *Lembaga Penapis Filem* (LPF) was established legally in 1954 under the Cinematograph Films Ordinance 1952.

At present, it is a mandatory requirement in Malaysia under the Film Censorship Act (2002) for any film to be assessed and approved by LPF prior to its release to the public. Films submitted to LPF for censorship comprise fiction films for cinema show, television programmes, trailers and advertising commercials as well as duplicate copies of films. Having reviewed the submitted films, LPF may either decide to give unconditional approvals, approval with alteration or refusal to approve the film for exhibition. Apart from censoring film, LPF may classify the film as a means to indicate the audience suitability. There are currently three film classification categories as the following:

- i. U (*Umum*) or General – suitable for all categories of audience;
- ii. P13 – suitable for all viewers. However, viewers under the age of 13 years old must be accompanied by their parents or guardian for guidance; and
- iii. 18 – suitable for viewers aged 18 and above

The owner of the film who is aggrieved by LPF's decision may within 30 days submit an appeal to the Appeal Committee in which is a body separated from LPF. The 19 members of the committee including a Chairman, are appointed by the Minister of Home Affairs. They represent, among others, the Ministry of Education, Ministry of Communication and Multimedia, Royal Malaysian Police as well as the local film industry.

The main sections of the Film Censorship Act (2002) are highlighted as follows:

**Table 1 : Main Sections of the Film Censorship Act (2002)**

No.	Section	Content
i.	Section 4	Establishment of the Film Censorship Board (LPF)
ii.	Section 5	Offence for possessing obscene film
iii.	Section 6	Offence for possessing unapproved film
iv.	Section 9	Submission of film for censorship
iv.	Section 15	Classification of Film
v.	Section 23	Power of the Appeal Committee

Source : Film Censorship Act (2002)

## THE PREVAILING CENSORSHIP PRACTICE

Similar to the Appeal Committee, members of LPF are also appointed by the Minister of Home Affairs and comprise mainly the retired public servants. Preference would be given to those with expertise and experience in areas related to security, education and broadcasting. Presently, the LPF members are stationed at several locations namely the Ministry of Home Affairs, Radio and Television Malaysia (RTM), TV Al-Hijrah and UnifiTV. Television stations under the ASTRO and Media Prima groups respectively had been given exemption under Section 28 of the Film Censorship Act (2002) and are allowed to undertake their own censorship of films except for the advertising commercials. However, in undertaking self-censorship, both ASTRO and Media Prima entities are obliged to abide by the guidelines and requirements provided for by LPF.

Given the fact that Malaysia is a multi-racial, multi-religious and multi-cultural nation, continuous efforts of enhancing the national harmony and integration are of paramount importance. Hence, in terms of film censorship, LPF strives for sensitivities of all ethnic groups be considered and taken care of so as to ensure the social fabric, within the community are kept intact. Therefore to some extent, the Film Censorship Act (2002) is enacted as a preventive law to avoid any potential and unnecessary threats to the society. In assessing any film, a panel of LPF members would view the whole film and look into the themes, story lines, scenes and dialogues. Due consideration would be given to four underlying aspects as follows:

- i. Security and public order;
- ii. Religion;
- iii. Socio-culture; and
- iv. Decorum and morality.

Basically, the four aspects above are also integral and important building blocks in maintaining and sustaining national security in the country. If any of the building block is affected and compromised, certainly the national harmony and integration efforts of the nation would also be at risk. The four censorship aspects are detailed out and further elaborated in the Film Censorship Guidelines which were prepared in collaboration with various stakeholders, including the film industry, in 2010.

In performing its responsibility, LPF has also adopted an inclusive approach whereby engagement activities with the stakeholders, including the various sections of the film industry in Malaysia, are undertaken. Dialogue and briefing sessions are regularly being held to disseminate information as well as to enhance closer working relationship between LPF and the industry. In addition, LPF has also constantly participated in outreach programmes involving the young generation, particularly advocating and promoting the safe and crime-free lifestyle.

**Table 2: Statistics on Unapproved Films**

Year	Total No. of Films Submitted for Censorship	Total No. of Unapproved Films	Percentage of Unapproved Films
<b>1921-1938</b>	<b>29,963</b>	<b>1,788</b>	<b>5.96</b>
2013	1,341	5	0.37
2014	1,361	10	0.73
2015	2,145	11	0.51
2016	1,874	10	0.53
2017	1,986	8	0.40
<b>2013-2017</b>	<b>8,707</b>	<b>44</b>	<b>0.51</b>

Source : LPF; Annual Report on the Administration of the Straits Settlements Police Force 1921 – 1938; Wan Amizah et al 2014

Table 2 presents the comparative statistics on unapproved films vis-à-vis number of film submitted for censorship between two different periods. For the period 2013 – 2017, LPF received a total of 8,707 films for censorship. The highest number of submission was 2,145 films in 2015, followed by 1,986 in 2017. During the five-year period, a total of 44 films or 0.51% was not approved. On the contrary, during the pre-independence period of 1921 – 1938, out of 29,963 films submitted for censorship, a total of 1,788 films or 5.96% was not approved by the authority then (Annual Report on the Administration of the Straits Settlements Police Force 1921 - 1938; Wan Amizah et al 2014). The high percentage of unapproved films of more than 10 times during the 1921 – 1938 period, strongly indicates that the present film censorship practice under the ambit of LPF is definitely less stringent and more accommodating compared to those undertaken by the British administration.

### **FILM CENSORSHIP: NO LONGER A NECESSITY?**

One of the pertinent issues being faced by LPF is the differing views that film censorship is no longer necessary and should not be practiced in the country. Such school of thought argues that one should be allowed the liberty to think and choose for themselves which film is good to watch or otherwise. In the pretext of exercising human rights of individuals, it is argued that there is no necessity for LPF to censor films, let alone to act as a moral guardian for the whole society. Furthermore, it is also opined that what LPF is currently doing in reviewing films before it is shown by the conventional media is merely an act of futility as uncensored films are easily accessible on the internet.

Contrary to the belief that film censorship is no longer required and should be done away with, one should be mindful of the fact that it is the Government's prerogative and responsibility to maintain security and public order in the country at all times. Considering film can also be manipulated to pose potential threats to security as mentioned earlier, it is certainly very risky if any film could be shown in the country without any censorship. In hindsight, the wisdom and farsightedness of our forefathers and architects of our independence should be commended as censorship has been included and is clearly mentioned in the Federal List (List 1), Ninth Schedule of the Federal Constitution.

Furthermore, being a Muslim majority nation where Islam is the official religion of the Federation, it is also imperative for film censorship efforts to be undertaken as a means of fulfilling the *Maqasid Syariah* framework in Malaysia. The

implementation of *Maqasid Syariah* which literally means “the purpose of the Islamic law” is to ensure the well-being of human kind. Three forms of well-being or *maslahah* protected by the Islamic laws are *daruriyat* (essential and extremely important), *hajiyyat* (complementary needs) and *tahsiniyat* (embellishments - nice to have). In terms of *daruriyat*, five important human aspects that are required to be safeguarded and sustained at all times are namely religion/faith, life, intellect/mind, lineage and property (JAKIM 2016). All the five aspects of *daruriyat* needs to be protected zealously and cannot be compromised what so ever. Therefore, any element which could potentially taint and harm any of the five aspects should be addressed and dealt with accordingly albeit in the form of a fiction film.

Hence, it is only natural and justified for LPF in performing its responsibilities to exercise greater scrutiny over films which contain sensitive elements pertaining to religion or faith. In this regard, apart from the normal practice, additional efforts made by LPF include conducting a second review on a particular film of concern with the participation of relevant religious bodies. If the film involves Islamic religious issues, LPF would normally engage the Department of Islamic Development Malaysia (JAKIM) for feedback. Similarly, LPF would seek the opinions of other religious bodies including the Malaysia Hindu Sangam, the Christian Society, the Malaysian Buddhist Association, where ever necessary and relevant. In the same context, considering liquor, drugs or any other hazardous products for that matter would do more harm than good to human’s life and mind, it is certainly logical that excessive scenes depicting consumption of those items in a film should be reviewed and censored as they may influence the audience.

Failure to review films which contain sensitive elements pertaining to religion accordingly prior to its release would certainly result in unnecessary and adverse consequences. The affected party would certainly be the first to raise the alarm and may also be garnering support from others. If not contained properly, the situation may worsen and perhaps could lead to a more chaotic atmosphere, including religious conflict and racial riot. A case in point is the film *Vishwaroopam* which was initially approved by LPF in 2013 and allowed to be shown to the public. Nevertheless, soon after the film was shown in the cinemas, a number of groups had raised their displeasure and disappointment as the film had not been sensitive to their belief. Subsequently, the film was reviewed as not approved by LPF in order to prevent the issue from escalating further.

## CENSORSHIP AND CREATIVITY

There are also some adverse comments that censorship undertaken by LPF hampers creativity and subsequently affects the performance of the locally produced films. There are also views that the proposed review and alteration by LPF would not only affect the quality of the film as an art work but also resulted in precious effort, time and money of the production team to go down the drain.

Nonetheless, such a view is rather myopic and does not really represent the true picture. Malaysia, being a sovereign country, has its own national principles and aspirations to uphold to particularly the *Rukun Negara* as follows:

- i. Belief in God;
- ii. Loyalty to King and Country;
- iii. The Supremacy of the Constitution;
- iv. The Rule of Law; and
- v. Courtesy and Morality.

As mentioned earlier on, any censor or alteration proposed by LPF is always based on the Film Censorship Guidelines which is available publicly. Similar to the main aspects of censorship, the guidelines has also incorporated the principles of *Rukun Negara*. Hence, any alteration proposed by LPF on any film would certainly not have been done without any basis but to maintain security and public order. Had all local film producers subsumed to the principles of *Rukun Negara*, made reference and adhered to the guidelines prior to their production diligently, they certainly would not have to court with any controversy.

It is also pertinent to understand that a film's performance does not necessarily dependent on censorship or alteration made by LPF only. Other factors that would affect a film's performance include the genre, story line, actors and actresses employed as well as advertising and promotion expenditure incurred. In this context, a modest analysis of the effect of LPF's alteration on film financial performance has been undertaken.

The National Film Development Corporation Malaysia (FINAS) has reported that a total of 59 Malaysian-produced films were shown in the cinemas in 2017.



Analysis on the films’ censorship by LPF and ticket sales performance is presented in Table 3 below. Out of the 59 films, 29 or 59% were approved unconditionally (zero cut) by LPF. On the other hand, 21 films or 35% were approved conditionally with 1 to 3 cuts whilst 9 films or 16% were approved with 4 cuts or more respectively. In terms of ticket sales, 9 films managed to garner collection of more than RM1.0 million each whilst 6 films collected between RM500,001 – RM1 million. On the contrary, 44 films or 75% had only managed to generate ticket sales of RM500,000 or less.

Further analysis on the low performing films with ticket sales of RM500,000 and less clearly shows that 20 or 34% of the films shown in 2017 were actually approved unconditionally by LPF. In other words, although these films were spared the LPF’s cut or alteration, yet they were not well received by cinemagoers and ultimately did not perform creditably well financially. Hence, it can be deduced that isolated views judging censorship by LPF is affecting creativity and performance of films financially are certainly unfounded.

**Table 3: Statistics on Ticket Sales and Alteration by LPF on Malaysian Films Shown in 2017**

No.	Ticket Sales (RM)	No. of Alteration/Cuts by LPF	No. of Films Involved	Percentage
1.	More than RM1.0 million	0	6	10%
		1-3	3	5%
		4 and above	0	0%
2.	RM500,001 – RM1.0 million	0	3	5%
		1-3	2	3%
		4 and above	1	2%
3.	RM500,000 and less	0	20	34%
		1-3	16	27%
		4 and above	8	14%
<b>TOTAL</b>			<b>59</b>	<b>100%</b>

Source: National Film Development Corporation Malaysia (FINAS) and LPF

## WAY FORWARD

Considering Malaysia's social uniqueness and complexity, the focus on maintaining security and public order as a means towards enhancing the national harmony and integration would remain a priority. Thus, preventive measures that would facilitate the accomplishment of such objective, including policy on film censorship, is expected to prevail and remain relevant for a foreseeable future. Such a viewpoint is certainly not isolated and alien as it is also reflected in a research finding undertaken by the Universiti Kebangsaan Malaysia (UKM) in 2014. In the survey entitled Impact Study on Film Control and Censorship, the vast majority of the respondents (93%) agrees that the role of LPF in film censorship should be continued (Wan Amizah et al 2014).

Whilst its role would still be required and deemed as important, LPF cannot afford to remain complacent and just be resting on its laurel. Greater efforts should be explored and undertaken to enhance its role as well as the present eco-system concerning film censorship. Among the measures that could be considered to be undertaken by LPF include:

- i. enhancing service delivery system to the stakeholders through adoption of new technology such as introducing new and on-line film censorship system;
- ii. deepening engagement with relevant stakeholders, including non-governmental organisations and industry associations, with a focus on enhancing capacity and mutual understanding;
- iii. reviewing guidelines and regulations on film censorship to be more up-to-date and business friendly;
- iv. promoting self-censorship, for example, to prepare and allow more television stations apart from ASTRO and Media Prima to implement such initiative; and
- v. intensifying outreach programmes involving the young generation to advocate and promote safe and crime-free lifestyle.

## CONCLUSION

In conclusion, film censorship has been implemented in Malaysia for about 100 years since the British administration era. Its preventive role of insulating the public from potential threats and negative elements that could be portrayed by films of which is a very powerful mass media was considered relevant then and is still very much relevant now. Hence, against the backdrop of a complex and intricate social fabric, film censorship is expected to continue to be practiced as one of the means to ensure maintenance of security and public order in the country. It is also imperative for film censorship to be undertaken as an effort to fulfil the implementation of *Maqasid Syariah* framework in Malaysia. Last but certainly not the least, considering film censorship is highly likely to stay in the country thus the onus is rather on LPF to shoulder and discharge its duty with greater wisdom, more forthcoming approach and improved efficiency.

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