

From Censorship to Rating System: Negotiations of Power in Thai Film Industry

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Abstract

This is a conceptual paper to analyze the transformation of Thai film censorship in Thailand. The study reviews literature on the history of Thai film industry and film censorship in Thailand. A brief discussion on film censorship is reviewed in the earlier part of this paper. Censorship has been perceived as an obstacle to Thai Film industry. The censorship law in Thailand was changed extensively from Film Act in 1930 to Film and Video Act in 2008. The significant change was the audiences' age restriction. In 2008, it was the first time to introduce rating system to every films distributed in Thailand. However, few films were still prohibited from Thai audiences. The paper examined case studies of contemporary banned films in historical, political, and cultural aspects. A conceptual framework is proposed to examine each film's taboo contents and their controversial issues. Conclusions are drawn that censorship is no longer a tool of absolute power but a way to compromise in order to achieve forms of consensus.

Keywords: Film, movie, film industry, cinema, censor, censorship, Thailand, rating system

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Introduction

Film is widely accepted as a medium with powerful influence among mass media. In 1895, *La Sortie des Usines Lumière (Workers Leaving the Lumière Factory)* of Auguste and Louis Lumière impressed and amazed audiences tremendously. Film as a new technology has become commercial products as well as aesthetic appeals. Consequently, film has been a popular entertainment medium for general public.

Thai film industry

Thai film industry has been passed its best era and its worst era. During 70s and 80s, it was golden days for Thai films, average number of Thai film production was more than 100 films a year. However, in the early 1990s, the domestic production dropped incredibly. From 113 films in 1990, there were only 64 films in 1993. After the introduction of multiplex theaters in 1994 and the government cutback of foregime film import tax to one-third, only 10 baht per meter, in 2001 there were more than 300 multiplex theaters in Bangkok only. Most of the show were Hollywood films, rising from 78 films in 1991 to 223 films in 1999. On the other hand, Thai films constantly decreased to 9 films in 1999. (Chaiworaporn, Anchalee and Adam Knee, 2006)

Fortunately, after reaching the bottom point, Thai film began its recovery stage. There were several factors involved, such as new directors from other media fields, new film graduated directors, government agency of film promotion, and various film festivals. Furthermore, globalization made Thai films move growingly forward to international stages and foregime markets. (Chaiworaporn, Anchalee and Adam Knee, 2006)

Thai Film Censorship

About film censorship, Thai government occasionally controlled pre- and post-production stages of films before the first Film Act in 1930. Thailand was then ruled by Monarchy and the King hold absolute power. The first film starred by Thais but directed by foregimeers was *Suvarna of Siam*. Henry A. MacRae from Universal Studios, the US, was granted permission from King Rama VI to shoot this film, with Royal Railway Department as his facilitator. There was a record of a leading actress's self-censorship. She allowed only a touch at her hands, no other parts. She even prepared a long wood stick to measure the distance during intimacy scenes. Besides, the actress never traveled alone, but she must accompanied with department's staffs and her guardian. (Jumreanluk Tanawangnoi, 2001) It reflected cultural ideologies of women in Thai society as reserving their purity. Women were treated as objects of protection that were weak and dependent in a patriarchy society.

The film *Suvarna of Siam* was censored before it was exhibited. There was a scene about death sentence by beheaded. The shooting was relatively convincing and provoking people around the shooting location. News spread and the committee was set to examine the film. The result was the cut of that scene because they were afraid that foregimeers would thought of Thais as barbarians and cruelty. *Suvarna of Siam* then was considered the first film to be censored cut before its first screening in 1923. A year after the film was shown in the US under the title *Kingdom of Heaven*. However, no record whether the controversial scene was in it or not. Consequently, this film led to censorship system later on. (Jumreanluk Tanawangnoi, 2001)

In the regime of King Rama VII, the film *Um Nat Meud* (Dark Power) was granted permission from the king to screen under the suggestions of unfavorable scenes of prostitute brothels and Chinese secret society (Ung Yee). However, Police department examined the film and then banned it from public showing. The director edited and reshot the film before changing its name to *Cha Na Pan* (Win the Wicked). Though the police did not ban, Bangkokian theaters refused to screen it. Finally, the film was shown only in some small local theaters and cost the director a fortune. (Jumreanluk Tanawangnoi, 2001)

When Thai films presented more explicit erotic scenes, it led to criticism. One of the famous case was the film *Long Tang* (Lost). The film owners sued the newspaper that criticized their movie. The defendant declared that their opinions based on public interest since the film's content offended Thai nation and contradicted Thai moral and value in its explicit love scenes. The case was then dismissed. (Jumreanluk Tanawangnoi, 2001)

The films with national political contents were frequently received particular control. The film *Sri So Phon*, was produced during Thai and Indo-China conflicts. But when it was about to screen, there was no more conflicts. The film was suggested of not compromising with peace. Then it was re-edited and renamed as *Leard Thai* (Thai Blood). (Jumreanluk Tanawangnoi, 2001) The example was very similar to the recent case of *Boundary* which presented lives along Thai-Cambodian border and touched about the conflicts between the two nations.

Film Act 1930

The thought about film control as to control the production and exhibition of films in Thailand was initiated years before Film Act 1930. The early reason was a films as a school for criminals but the newspapers tended to object this idea of censorship. Later, the opinions split into the supporters and the opponents.

The Film Act was originated in the regime of King Rama VI but issued in the regime of King Rama VII. In 1929, the movement for audience's age restriction was introduced for the first time. There were desires to forbid young children, restrict audience's age, permission with guardian's supervision, and ban baby care from theaters which were considered unhygienic. In addition, the film examination prior to screen was requested. Finally, Film Act was approved on 1930 and enacted on 1st April 1931 with the establishment of Film Censorship Board.

In 1932, Thailand was reformed from Absolute Monarchy to Democracy. During that year, Thai films were not produced. The production resumed later under Thai Film Act 1930 that endured uninterruptedly for more than 80 years. During its period, many Thai and foregime films were banned or cut. Mainstream filmmakers then avoided controversial contents and limited their films within few genres of comedy and ghost. The film act was considered an obstacle to the rising of Thai film industry.

Film Act 1930 then became outdated, especially the authorization of absolute control to a government body that was the police department. The curiosity was always about

the inconsistent standards, committees' qualifications, examination process, and challenge to citizen's right and freedom of expression and awareness.

The key interest was about the shift of censorship system to rating system which has been exercised in major western countries such as the US and the UK. Censorship system was considered directly affected imagination and creativity, limited a variety of film contents, and the ban-cut-erase method affected both film business and quality. In addition, censorship restricted the right and freedom of both filmmakers and film audiences as well as obstructed awareness and information access of individuals.

While Thai films struggled along a century, Thailand passed from the revolution of 1932 through World War II. There were several coups and 23 prime ministers. However, the movement for change of Thai Film Act had been exercised continually. Since 1990, many forums hosted by government bodies, such as Public Relation Department and Religions-Art-Culture committees, in collaboration with social groups, private and business sectors, academics, students, and general public, aimed to draft a new film act with the rating system.

Film and Video Act 2008

A new film act was official on 4th March 2008, during the government of the 24th prime minister, and enacted 90 days later, named Film and Video Act 2008. The Ministry of Culture took responsible of film examination, no more police involvement. While drafting, Thai filmmakers hoped for audience's classification to give adults an access to made-for-adult films, at the same time, to protect children from inappropriate materials. The Act classified films into 7 ratings; 1) Support meant that a film enhanced learning and audience's attendants supported, 2) For general audience, 3) Appropriate for 13 up audience, 4) Appropriate for 15 up audience, 5) Appropriate for 18 up audience, 6) No audience under 20 allowed, and 7) Ban from public showing in Thailand.

The major issues went to the first and the last rating. For films rated support, it was like two sides of a coin. One side, it may help supporting film industry to earn more revenues with rating as a promotional tool. On the other hand, rating would become a powerful and influential tool to frame public opinions, to install dominant ideology, even lead to propaganda, and to provoke nationalism against the outer, such as minority, handicapped, or homosexual. Besides, nationalism-theme films as rated support might result in racism among nations and affect international relations.

Especially ban rating, which empowered committees to order change or cut before deciding classification, was considered an heir of the old censorship system and oppose to the learning and freedom of people. In fact, the production or distribution of obscenity or offensive media contents was already forbidden under the Thai Criminal Law about obscenity and pornography or state security, with far more strict punishment, and then ruled by court.

Film examinations board hold high responsibility as a license to control right and freedom of the whole nation. During the age of Film Act 1930, police department appointed the board from police and representatives from professional bodies related

to particular film contents, film and media experts, film academics, film associations, cultural committees, and consumer committees. However, Film and Video Act 2008 stated the board's conditions of 27 persons, divided into 16 government officials tied to their position and 11 non-government officials (except university professors) - composed of 4 of film, video, and television experts and 7 juristic entity agents. The non-government committees were appointed by the Minister, a politician. The call for film examination board to become a free agency, non-government, has not yet been satisfied. The major change was that power to censor already moved from police department to ministry of culture, but nevertheless in government's hands.

Negotiations of Power

Film as a cultural product is considered a part of ideology's mechanism to install frame of thinking and giving meaning to individuals and the world surrounded. There are dominant ideology, alternative ideology and anti-dominant ideology. Some films challenged a boundary of acceptable presentation as well as dominant ideology. Audience was required symptomatic reading beyond what was presented, what was seen, and what was heard.

Saeng Sattawat (Syndromes and a Century) was a film that wrestled with film control system from one act to another act, from censorship to rating system. In 2006, *Syndromes and a Century* was premiered in Venice International Film Festival. It was selected the Best Film of 2006 by *Film Comment*, *San Francisco Bay Guardian*, and *Cinema Scope*. In April 2007 the filmmakers summited *Syndromes and a Century* to Film Control Division, Police Department, in order to ask permission to screen it in Thailand. The board demanded a cut of 4 scenes but Apichartpong the director denied. The film reels were seized and retained at the division since then. However, the filmmaker did not give up. He challenged the power of the board by holding a discussion, signing a petition, and making press conference to call for rating system to replace censorship.

After Film and Video Act 2008 was enacted, Apichartpong decided to appeal to the new film board. The result was quite disappointing when the board asked for the cut of those 4 scenes and other 2 scenes. He consented in order to get the reels back. *Syndromes and a Century* (Thailand's Edition) was screened in 10th April 2008. The director added black scratched footage in replacement of censored scenes to remind audience of the darkness with destruction network and silence. "If the censorship still exists, we shall watch the movie this way," he said. He expected further argument about right of filmmaker as well as that of audience.

Subsequently, two Thai films were banned under Film and Video Act 2008. The first film was *Insects in the Backyard* by Tanvarin Sukapisit. The story was about a transsexual father and his two teenagers. Tanvarin asked for rating of no admission for audience under 20 but the film was rated BAN. *Insects in the Backyard* composed of several taboo contents, such as third-gender, sex, ungrateful-children, drugs, and child prostitutions. The director and leading star refused to make any cut and showed the film at many universities just for "academic purpose" that was an exception according to the law.

The second film was banned titled *Shakespeare Must Die*. It was an independent film, written and directed by Samanrat Kanchanawach (Ing K). Its plot was adapted from the play *Macbeth* by William Shakespeare. The narration of the film was a play in a play, simultaneously. There were 2 parts of stage play and outer contemporary world. The main character was Mekdeth a bureaucrat who overthrown king's power and crowned himself a new king. He obsessed with power and scared of uprising. Then he killed others to uphold his power. The whole story was told through the viewpoint of Boonrod. The irony was that the film was funded by Film Grant of Culture Ministry during Abisit's government, and the film was banned by the very same ministry during Yingluck's government (later government). The board pointed that *Shakespeare Must Die*'s contents might cause disunity among Thais.

Manit the producer showed his stunning that a film about moral, greed, power obsession, and over ambitious was banned in Thailand. The movie's theme was about a power-thirst leader with injustice power was then overthrown. It was a film of political criticism that was taboo issue in Thailand at that time.

Following the ban of the film *Shakespeare Must Die*, the filmmakers filmed a documentary film *Censors Must Die* showing the battle of the filmmakers during the examination process which was full of secrets, confidential matters, and mysteries. *Censors Must Die* received a permission to screen without examination due to its factual film footage.

The last example of controversial films was *Pra Cha Tip Pa Thai (Paradoxcracy)*, by Pen-Ek Rattanareung and Passakorn Pramoolvong. This film used simple technique of interview similar to television documentary but this kind of contents have never presented on Thai television. The film outline was according to timeline from 1932 Reform, the Boverndej Rebel, World War, King Rama VIII, October 1973, May 1982, and present.

What was interesting about the film was not only its political contents which never expected to attract audience, but its presentation reflected the censorship system or film examination process. The first was to make the absence to be seen. The director showed moving images of persons' talking without sound. Besides, its English subtitles were marked black. It reflected Thai's democracy that there were still the unspeakable. The second was the jumped absence. There were a long period of time in Thai history that was opted out of the film. The third was interviewees without names. Although the film was narrated by an interview after an interview, their names were mentioned only once in the end credit. It was a diversity of opinions above conflicts. "What Thais should know the most, but know the least," repeated by the filmmakers.

Conclusion

Economically, film industry gains tremendous revenues. It was one of products and services of creative culture industry of every country, including Thailand. From case studies, directors did not take censorship or rating system for granted. They challenged power of censors as well as a boundary of acceptable presentation. While battling with the structure, they also negotiated with themselves. We can assume that

censorship is no longer a tool of absolute power. The filmmakers have begun to challenge the power of the censor gradually, even darkness or silence can deliver the messages untold. In the world of globalization, audience plays an important role to drive the change. Negotiations of power is a way to compromise the conflicts in order to achieve some forms of consensus among every party, not only in a censorship room but also inside an individual, as in self-censorship as well.

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