

***Critical Discourse Analysis of Thailand's Film Acts (B.E. 2473 and B.E.2551)***

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**Abstract**

Critical discourse analysis of Thailand's Film Acts was studied by using the Critical discourse analysis of Norman Fairclough as an important system to analyze the authority and ideology of Thailand's Film Acts, especially in film control laws, which are Film Act, B.E. 2473 and Film and Video Act, B.E. 2551. According to this study, King' sovereignty in B.E. 2473 Act was as the supreme governor and occupied all rights of determination. However, after the government revolution from Absolute Monarchy to democratic form of government with the King as Head of State in B.E. 2475, the King's authority in determining the laws has to be only under advises and agreements of the National legislatures.

In addition, the Film Act, B.E. 2473 indicated that boards of Film Act who are authorized in investigating films and enforcing the use of laws are only related to government structural positions without considering any other qualifications that affect the understanding in film investigation, whereas, in B.E. 2551 Film and Video Act indicated that the authority of film investigation is not only related to the government structural position but other proper characteristics are also specified for authorize inquiry official. The point related to ideologies indicated that, from the past to the present, ideologies that have been used in controlling film content are composed of the ideologies in royal institution, religion, morality, culture, tradition, politics, gender and nationality.

Keywords: Critical Discourse Analysis, Film Acts, Ideology

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## Introduction

Considering the historical timeline of the birth and development of mass media that were collected by Frederick Williams in 1982. In the late 19th century or in 1895, the film was born in time when there were mass media like publications, journals and newspapers. The film came to social media during that period. The film media provided with distinction and attention as Richard S. Randall (1968, p. 9 - 10) had discussed the features of the film that can present an image of a fantasy that has never been done before because media images appeared motionlessly. Moreover, the basic techniques of film draw the audience closer to visual reality. The film itself is a medium that attracts creative minds not only an illusion of reality only but also a large communication process that can be easily understood by itself. Viewers do not need to have any knowledge or intelligence, they can watch and understand the movie with features and capabilities of media to create amazing movies. Contain substances that attract people like this. As a result, religious and moral, as well as politicians have always believed that. Film influential result people can change ideas, beliefs, politics morality (Krisada Kerdee, 2005, p. 11), the movie has been watched since its inception in early either. From women's, civic, welfare, and religious groups have worried about the effect of movies upon children, upon the mentally, emotionally, or morally retarded, and the whole society (Ruth A. Inglis, 1947, p.21), especially, in the moral and culture dimension. Film is seen as an important part of the stimuli that cause the impact of such changes on people in society, especially, about sex. These anxiety and fear is called "The moral panic" by sociologists which Cohen (2004, cited in David Garland, 2008, P. 10) discussed the moral panic that the circumstances caused by a person or group of people were defined or already believed to be a threat to good values and the overall interests of society. Normally, the natures of these threats are often presented in the form of modern media and those who took action to eliminate these things consist of editors, journalists, politicians, religious leaders, who have been socially accepted as an expert in detecting and solving problems of society. Therefore, concerns of the film about its influences are the main reasons that cause the film censorship before being released in several countries, including Thailand. The United States was the first country to launch such an operation.

For Thailand to carry out the film by law from film Act 2473 by which the bill refers to beliefs about the content of films that will affect the society at mimicking the action or the film may be a cause of action against improper influence in culture and morality. The Film and Video Act 2551 refers to obsolescence of the 2473 Film Act that is out of date for the changing circumstances in society, the leap development of technology and overlapping of agencies that act in consideration, including the need to support the film industry as economic revenue for the country. However, the central theme and still the basis belief in both two film acts is the film must be controlled of the content due to the belief in the influence of the film that can be a prototype of society unpleasant behaviors or may be bad role models in society. Which can be seen from the evidence of the content restrictions shown or presented in both film acts, in spite of over 80 years difference in time of their proposed.

The process of film censorship carried out by state authorities and who are involved with the films that have been selected and appointed by the state. This is a form of control that section of political control which measures the political, administrative authority of the person or government official who is the arbiter. There was a study

case about the mass media consideration; there were also government laws and regulations to support that power. While the legal measures used legal principles, civil and criminal justice from the judiciary as judge panel. (Surapongse Sotanasathien, 1990, p. 268-269), The film control law is considered as a state support tool for the prohibition of identifying and appointing a person who considers the film and also a requirement that the social acceptance of compliance. Considered the law used to control the film in two dimensions which are administrative state dimension and the dimension of content restrictions to appear in the film. Film Act B.E. 2473 and Film and video Act B.E. 2551 concur with the concept "Ideology State Apparatus" and "reproduction" of Althusser

Althusser (1970) discussed the mechanism used in the control of the state was composed of "Repressive State Apparatus" with state government organization; military police, courts, prisons. This is a mechanism that implies in terms of using violence to control society. While the Ideology State Apparatus consists of various social institutions, such as religion, education, family, law, politics. The legal institutions are both the Repressive State Apparatus and the Ideology State Apparatus. Althusser stated about "Reproduction" that it is working through the legal system of the state and carrying out the Repressive State Apparatus and the Ideology State Apparatus concurrently. If there is no reproduction, ideology is not able to exist. Therefore, the content of Film Act B.E. 2473 and Film and Video Act B.E. 2551 that both specify the restrictions of content appeared in a film as to reproduce the Repressive State Apparatus and the Ideology State Apparatus. According to Althusser's concept, the researchers have been focused on the reproduction of unique ideology that turns into content prohibition presented in films. The approach for the interest of this issue is Critical Discourse Analysis as a course of study that focuses on the discussion of the law structure, the stability cause, the legitimacy, the reproduction and the relationship challenging between power and domination in society. (Van Dijk, 2001, P. 353).

### **Research Objectives**

1. To study the power that embeds in the Film Act
2. To study the ideology that appears in the Film Act

### **Approach**

Fairclough's Critical Discourse Analysis was used to study Film Act, which Fairclough (1995) stated that in the current social democratic, power comes from consents over the use of force and also expanded the relationship between power and discourse. In a democratic society that renders the resulting acquiescence, the authoritarians in society discourse to convey meaning, values, ideals, practices and identity to benefit the parties, so that an analysis of the critical debate explores the relationship between discourse, ideology and power.

### **The study on the issue of power**

The results of studies on both film acts in the issue of power resulted in the changes of power as follows. 1. Changes in power because of the government revolution; Film Act B.E.2473 was drafted and adopted in the era of absolutism monarchy regime. The

king is the sovereignty with power and authority in the administration and the law in order to control society and has to decide for himself. But when the change came into democratic rule with the King as Head of State in B.E. 2475, the power of kings has been reduced under constitutional laws. That he is not in position of sovereignty, including the inability to no longer determine the law as it seems fit. The decision on the law will be subjected to the advices and consents of the National Assembly only. So, the power of the king depicted in the Film and video Act B.E. 2551, which controls current films, is only the prerogative as he deems appropriate to the enactment of this Act, not power up in total. Political changes resulted in the concept of rights and freedoms; the main component of democracy and widely extended to the masses, whether they are intellectuals, students and media, in particular, the newspaper that, in the past, have contributed greatly to the fight against the state and driven to attempt to acquire the rights and freedom of expression in politics. The Film Censorship was controlled by Film Act 2473 continue to conduct intensively. Committee of the films can order cutbacks, blurring, audio blocking, including order not to allow screening of the film. Although the rights and freedom of communication was identified as a significant part of the Constitutional law, but also Film and Video Act B.E. 2551 schedules restriction in order to maintain the stability of the state, to keep the peace order or public morality and to prevent or stop the deterioration of mental or public health. These provisions have been adopted as the basis for determining appropriate levels of content based on the age of the audience, which is consider the film in a start since the year 2551 (B.E.) to the present.

### **The power shift in Thailand's Film Act**

The power shift in this case is to change the absolute right to be in control of a group of state officials to authorize the government to regulate increasingly diverse. The legal principles govern the law as a tool to empower and assign duties to the person who will become the guardian or the legal authority. These individuals will not take power without the support of the relevant legislation, including the scope and responsibilities are clearly individuals who have the authority to require the authority to achieve the objectives of the law. Film Act B.E.2473 empowers the Minister of Interior to act implementation of this Film Act and have the authority to issue rules and fee rates in order to comply with this law. It also has given to the Chief of Police the authority to appoint officials who consider the film. The Council considered that the film consists of police officers and other persons that the chief of police discretion.

The Film and Video Act B.E.2551 providing more power distribution networks are the responsibility of the National Film and Video. Prime Minister and Minister of Tourism, Culture and Sports vice president are responsible for strategic promotion of the film industry and appeal an order of the Registrar and the Board of Directors for the film cases of disputes arising from the consideration of the film. Committee for film and video are composed of experts in foreign affairs Film, arts, culture, journalism, or the environment, which is not affiliated with the movie business and is responsible for granting permission to establish a foreign film in the Kingdom of Thailand. To consider and determine the type of film that will be released in exchange for rent or sale in the Kingdom of Thailand.

Considering that the legislation must empower the individual to take over the duty to apply the law in Film Act B.E.2473, the power to control the film is based on the Ministry of Interior and the Police Department. During that period, the police

department is also part of the Ministry of Interior and the power to appoint officials who consider the film and the Council of the film under the conditions under which the chief of police discretion. This means that the law does not determine who is qualified to consider to the film clearly. It allows the chief of police with the ability to determine the properties of the appropriate authorities, because the law is allowed to take power. Although according to the law, the scope of the term "appropriate", who received this power, must conduct a reasonable review of their own. The objective of this law are to control the content of the film, to offer content that violates the peace or contrary to good morals but in practice it is found. Council considered the film that operates under the Film Act B.E.2473 to control the content of films strictly by the proportion of the expertise in media and film participants to consider a less than those who have been appointment came from other government agencies. The Film and Video Act B.E.2551 are allocated in such a way that the clear division of responsibilities between the strategic development of the film industry with the specific interventions to consider and determine the filmmakers and the film. The Act requires that the responsible authorities in line with the changing economic situation and the film industry can generate income for the country in terms of tourism and foreign filmmakers come into the Kingdom of Thailand as well as to export Thai cultural commodities industries to the world stage.

Although these requirements to make films have been regarded as more socially useful than in the past was regarded film as a medium that could cause impact on the mind and promote socially negative behaviors. But these concerns have also been concurrently developing the film industry in Film and Video Act B.E.2551 which contributed and controlled films in order to consider the appropriateness of the content. The age of the audience that are consistent from board films and videos that have been inducted into action by ministers within the framework of the properties that are defined in the text of the law, such as experts in the film, T.V., arts, culture, etc. In addition, the proportion of qualified films come from state agencies, no more than four people, and the law also allowed the agents who specialize in film from the private sector to the Board, the film not over 3 person, a ratio of 4: 3 is not very much different advantages. It can be said that Film and Video Act 2551 will empower and assign responsibilities to the relevant person and has a more extensive set of features that will serve them well. Moreover, the opportunity is also provided for the private sector to participate in the consideration of the appropriateness of the film as well.

### **The study on the issue of ideology**

This ideology found as a result of analyzing the law that prohibited content presented in the film. Since publishing the first version of Film Act until the present Film and Video Act that the restrictions are very similar, moreover, was regarded as the ideological reproduction. It was found that the ideology that has been reproduced comprising the monarch, moral, religious, cultural, traditional and political ideologies, including ideologies about gender and ethnicity.

Ideology about the monarchy is tied to the belief since ancient times that he is a fictional deity, and he has the power to govern regarded as sovereignty in the region. He used his authority to rule the people with the Virtues or principle 10 of the occupying power. Especially, in the ancient need to fight with these neighboring countries to protect, salvage and preserve national independence or to expand the kingdom given. King will have an extremely important role as a leader in the battle.

Upon entering the era of colonization in the reign of King Rama V although Thailand would lose territory to foreign colonialism, but with his ability in diplomacy, so take the country to escape from a dependency. Until the rule change in the reign of King Rama VII, he can still play a role in supporting democracy. He will relinquish the prerogative of God to the people of Thailand. Today, the monarchy will not have any authority to reign supreme in the past already. The monarchy still has a close relationship with the people of Thailand. Since King Rama IX has made the task of caring for suffering and happiness of his subjects closely. Conceived and developed projects Thy people can see a substantial throughout the country. Therefore, revered monarchy in Thailand is not concerned just about belief in God as a hypothetical only but also due to the complementary relationship of sacrifice and compassion to the people of Thailand received from this institution.

Ideological, religious, moral and cultural traditions that were prohibited under the Act include prohibiting film in offering content that is cynical. A disgrace to religion, the disrespect for the precursor material, bethel doctrine that is contrary to public order, morality or decency cultural traditions for Thailand; these are closely linked together seamlessly. The foundation of Buddhism is the state with Thailand since the Sukhothai period. The role of the Buddha's teachings inherited and spread out by the priest becomes the base idea of people from the past, it is because the role of the monastery and the monks were not limited to religious places, people and religious heritage but also as a source of collective knowledge. The course is open to all schools as well as the source of morality, goodness valid. It can be said that in the past the temple in Thailand is a major hub of the community, a center anchor for the soul and is an important area in the religious establishment. The tradition of Thailand will be linked to the religion by a priest as a leader who made a complete composition as Songkran tradition. Although there are other institutions came and replaced temples and monks as the place of learning and teaching in schools, the role of the measure and the clergy of the source of the religious establishment preaching, teaching as a psychological anchor and as important as tradition would continue with these characteristics. Religion has a role to link the moral culture and people in the community together under the faith in purity. And the teachings of every religion that focuses on the presentation of any image, however, the destruction of the movie Critical Beliefs and goodness of religion, morality, culture and traditions cannot be presented in the film.

Prohibited content that will not be allowed to appear in the copy of the film's political ideology; ideologies about gender and ethnicity content with sexual intercourse, genital orgasm or with other content that affect international relations, cynical disdain or humiliation, and content that affect the democratic regime of government with the King as the Head of State. These limits are continuously displayed. Issues related to gender or sex in Thailand were seen as a taboo subject. Embarrassing to be ineligible to receive communication or dialogue without which it will become a culture. But in fact, the other side will find information about sexual communication in literature offered in the proposal that are qualified to have sex with poetry. Visual presentation of the coupling depicted as a small part of the frescoes in the Buddhist temple to communicate the emotion of the artist's paintings. Until the reign of King Rama 4 started with a surge of Victorian culture, with a focus on sexual secrets must be controlled because it is dirty. The Authority will be set up practice or expression of gender to have sex with operating characteristics shameful and dirty like natural. But

in fact, was created to take control over people in society by defining the concept through the legal system.

In general, the operations of the world will have to rely on each other in terms of stability of the country and the international economy in both neighboring countries and further away. These actions require a good relationship between the countries linked together and each country needs to maintain good relations if there are any errors or problems arise. In addition to the conflict to take place by then may reduce the level of relations between the countries and help. Especially, if the conflict between neighboring countries or countries with territory adjoining the problem also results in the country. People along the border of the parties would have come out with. So it is reproduced ideologically to the state security in terms of preventing international issues that may arise. As well as the determination not to offer content that affect the democratic regime of government with the King as the head, which maintain order to prevent conflicts from happening in the country. These ideals can control the thoughts of people in society with a framework of good accurate reasons. It is undeniable that the benefits arising from these securities ultimately will directly affect the smooth to maintain the stability of the leaders in the country itself.

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