

A chronicle of Malaysia's press and media regulations: From censorship to self-regulated media council

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ABSTRACT

The evolution of Malaysia's press and media regulations can be traced back to the establishment of the *The Prince of Wales Island Gazette* in 1806, which marked the birth of journalism in the region and introduced early censorship practices. Over time, Malaysia's media landscape has undergone significant transformations—from the rise of newspapers to the advent of radio before World War II, the introduction of television in the post-war era, and, more recently, the explosion of digital media and online platforms. The trajectory of media regulation in Malaysia reflects a complex interplay between press freedom and control. Initially shaped by colonial censorship, it later endured tightened restrictions, particularly during the Malayan Emergency, before progressing toward a framework of self-regulation. A key milestone in this journey is the establishment of the Malaysian Media Council—an independent, statutory body committed to safeguarding press freedom, promoting ethical journalism, and ensuring media accountability. While the Council oversees traditional and digital news media, including print, radio, television, and online news platforms, its jurisdiction does not extend to social media networks such as Facebook, Instagram, X (formerly Twitter), and TikTok, which remain governed by separate regulations. Despite the shift toward self-regulation, remnants of restrictive media laws from earlier decades still exist, some of which have been repealed while others continue to warrant review. This ongoing evolution underscores the enduring role of the press in shaping Malaysia's sociopolitical discourse while navigating the challenges of the digital age.

Keywords: *Media Council, self-regulatory, censorship, press freedom*

INTRODUCTION

The evolution of Malaysia's press and media landscape has been shaped by colonial influence, technological advancements, and shifting political dynamics. Beginning with the publication of *The Prince of Wales Island Gazette* in 1806, Malaysia's media industry has undergone significant transformations—from early print journalism catering to British East India Company (EIC) officials to a modern digital ecosystem governed by self-regulation. This article explores the historical development of Malaysia's press and media regulations, detailing the strict censorship practices under British rule, the impact of global conflicts, and the legislative measures introduced post-independence.

A key focus of the article is the regulation of press freedom, which has fluctuated over the years based on government policies and socio-political contexts. Laws such as the Printing Presses and Publications Act (PPPA) 1984, the Official Secrets Act (OSA) 1972, and various amendments have shaped media operations, often leading to government intervention in journalism. The article also highlights major events—such as *Operasi Lalang* (1987), the *May 13 Incident* (1969), and landmark cases involving journalists—that have underscored the balance between press autonomy and state control.

Recent developments, including the formation of the Malaysian Media Council (MMC) in 2025, mark a shift toward self-regulation, allowing media practitioners to oversee industry standards while maintaining ethical journalism. In addition, the rise of digital platforms and AI-generated content presents new challenges, prompting Malaysia to establish regulatory frameworks for social media platforms. With Malaysia moving up the World Press Freedom Index, the article examines whether these reforms signal genuine progress in safeguarding independent journalism or if challenges remain in achieving true press freedom.

BACKGROUND OF STUDY

The study examines the historical trajectory of press freedom and regulation in Malaysia from 1806 to 2025, beginning with the *Prince of Wales Island Gazette*—the first newspaper published in what is now Malaysia. It traces the colonial influences, censorship practices, and legislative measures that shaped press control in the Straits Settlements, British Malaya, and independent Malaya, later Malaysia. The document highlights key developments, including the introduction of press laws modelled after British India, wartime censorship during the Japanese occupation, post-

independence regulations, and the eventual establishment of the Malaysian Media Council to enhance self-regulation. With increasing digitalization and evolving media landscapes, the study underscores how press freedom has been contested and redefined over more than two centuries.

PROBLEM STATEMENT

Press freedom in Malaysia has historically been constrained by legal frameworks, government oversight, and media ownership concentration. While the introduction of the *Malaysian Media Council (MMC) Bill 2025* marks a shift toward self-regulation, questions remain regarding its effectiveness in ensuring genuine media independence. Previous legislative measures, such as the *Printing Presses and Publications Act (PPPA) 1984* and the *Official Secrets Act (OSA) 1972*, have fostered self-censorship among journalists and restricted investigative reporting. Moreover, Malaysia's improved ranking in the *World Press Freedom Index 2025* highlights progress, yet political sensitivities, digital media regulations, and the rise of AI-generated misinformation continue to challenge true press freedom. This study seeks to evaluate whether Malaysia's media landscape has genuinely evolved toward independent journalism or if regulatory constraints still hinder press autonomy.

RESEARCH OBJECTIVES

This study aims to:

1. Examine the historical progression of press freedom regulations in Malaysia from colonial times to the digital age.
2. Analyse the impact of government policies, including the PPPA and other censorship laws, on media independence.
3. Evaluate the establishment of the Malaysian Media Council and its role in fostering self-regulation.
4. Assess the challenges and effectiveness of press freedom initiatives in contemporary Malaysia.
5. Investigate the influence of digital media and social media licensing on journalism and public discourse.

THE BIRTH OF THE FIRST NEWSPAPER IN MALAYSIA

The Prince Of Wales Island Gazette (1806)

The Prince of Wales Island Gazette was the first newspaper published in what is now Malaysia. It began publication on March 1, 1806, on the island of Penang, which was then known as Prince of Wales Island under British East India Company (EIC) rule. The newspaper was owned by Andrew Burchet Bone, an entrepreneur who had previously run printing businesses in Madras, India. Bone brought his printing press to Penang and established *The Prince of Wales Island Gazette*, initially called *the Government Gazette*. His primary aim was to serve the stationery needs of the newly established presidency on Prince of Wales Island, while also catering to colonial officials and expatriates as its main readership (Mohd Safar, 1996).

Like other newspapers in EIC-controlled territories, *The Prince of Wales Island Gazette* operated under strict censorship regulations practiced in all three East Indian presidencies. Bone wrote a letter dated 23 January, 1806 requesting to set up a printing press. He wrote another letter dated 29 January, requesting to set up a newspaper which would follow the same arrangement as government newspapers in Calcutta, Madras, Bombay and Sri Lanka (Bone, 1806, 29 January). In the letter dated 23 January, 1806 he named the newspaper to be established as *The Prince of Wales Gazette* (Bone, 1806, 23 January). However, when issued on March 1, 1806 the publication was titled *The Government Gazette*, despite not being an official government outlet. Later, it adopted the name *Prince of Wales Island Gazette*, aligning itself with the colonial designation of Penang (Mohd Safar, 1996).

The following day, the government approved both his requests. As regards publishing the newspaper, the approval was given under certain restrictions and that he be accordingly granted a licence for the purpose (Pearson, H.S. 1806, 30 January). In his reply to the approval given, Bone said "Regarding what may be inserted in the gazette, I shall send a proof sheet to your office at 4 o'clock on the evening of every Friday, for the purpose of erasing any part which may be deemed improper to appear before the public" (Bone, 1806, 25 February). The weekly newspaper was published every Saturday. The last issue under Bone's management was published on April 22, 1815, just three days before his passing on April 26, 1815, leaving a wife and four children. After his death, the newspaper continued under the stewardship of B.C. Henderson (1815–1817) and William Cox (1817–1827), lasting a total of 21 years before ceasing publication on July 21, 1827 (Mohd Safar, 1996).

A. B. Bone: The Founder Of First Newspaper And Printing Press In Malaysia

Andrew B. Bone, an entrepreneur with experience in printing, played a critical role not only in the establishment of Penang's first newspaper but also the setting up of the first printing press. Prior to arriving in Penang, Bone who was from England worked as a printer for various publications in Madras, including *Hircarrah* and *Madras Gazette* (Bloomfield, 1979). Around 1793, Bone moved to Calcutta, India, where he joined master printer Joseph Cooper, initially working as a circulation manager for Cooper's library. Later, he relocated to Madras, working under Hugh Boyd's newspaper before moving to Malacca in early 1803, where he married and had two children. Eventually, he settled in Penang, recognizing the island's recent elevation to presidency status and the subsequent need for a printing press (Bloomfield, 1979).

MEDIA EVOLUTION IN MALAYSIA: FROM PRINT TO DIGITAL FRONTIERS

Malaysia's media landscape has undergone significant transformations over two centuries, shaped by colonial influences, technological advancements, and evolving societal needs. The country's media evolution began with print publications in the early 19th century, long before the advent of radio broadcasting in the 1930s, followed by television and the digital revolution.

The Rise Of Print Media In Malaya And The Straits Settlements (1806–Present)

The history of print media in Malaya and the Straits Settlements is a tale of evolution, influence, and resilience. From its early beginnings in colonial society to its pivotal role in shaping political and social discourse, newspapers have been instrumental in defining the public sphere. Through different eras—British rule, Japanese occupation, post-independence, and the digital age—each publication has carried the voices, struggles, and aspirations of its people.

The Foundations Of Print Media (1806–1941)

The journey of print media in Malaya began with the establishment of the *Prince of Wales Island Gazette* in 1806, which served the British administration and English-speaking expatriates. However, following its cessation in 1827, the emergence of indigenous and vernacular newspapers marked a significant transformation.

One of the earliest independent newspapers, the *Pinang Argus* (1867–1873), set the foundation for English-language journalism in Penang, providing local news and

commentary beyond colonial governance. This period also saw the rise of ethnic and language-based publications, such as *Jawi Peranakan* (1876) in Singapore, which became the first Malay-language weekly, catering to the Jawi reading public.

Intellectual and ideological movements found their voice in newspapers like *Al-Imam* (1906–1908), which fostered religious and intellectual discourse among Malay-Muslim communities. Similarly, *Utusan Melayu* (1907–1921) became a beacon for Malay nationalism, advocating social and economic rights for the Malay community. Tamil-language newspapers also emerged, with *Singai Warthamani* (1875) addressing social issues within the Indian community, while *Sarawak Gazette* (1870) played a foundational role in shaping press history in Sarawak.

The Japanese Occupation: A Controlled Press (1942–1945)

The Japanese Occupation (1942–1945) marked a drastic shift in media freedom as newspapers became tools of propaganda. The Domei Press Agency controlled publications, ensuring they aligned with Japanese wartime ideologies. Papers like *The Perak Times* (1942–1943), *Malai Sinpo*, *Syonan Shimbun*, and *Domei News* championed pro-Japanese sentiments, reinforcing their vision of a unified East Asia. Meanwhile, existing newspapers such as *Utusan Melayu* and *The Straits Times* were repurposed under new names (*Berita Malai* and *Syonan Times*), serving as mechanisms of controlled narratives. Despite suppression, newspapers retained their significance, albeit in a constrained form, emphasizing the influence of print media even under authoritarian rule.

Post-War Revival And Nationalism (1945–1957)

With the end of Japanese rule, press freedom re-emerged, leading to a resurgence of pre-war newspapers and the birth of new publications. *Utusan Melayu*, re-established in 1945, played a critical role in advocating Malay nationalism, influencing sociopolitical discourse. *The Straits Times*, also revived post-war, continued its dominance as a leading English-language newspaper, catering to both colonial administrators and local readers.

In 1957, *Berita Harian* was founded, bringing a fresh Malay-language daily perspective, focusing on national development and cultural identity. This period saw newspapers as vehicles of independence movements, shaping political consciousness before Malaya's eventual independence.

Post-Independence and the Evolution of Malaysian Media (1957–Present)

Following Malaysia's independence, print media diversified and expanded. *New Straits Times* (renamed in 1974) succeeded *The Straits Times*, solidifying its role as Malaysia's premier English-language daily. The emergence of *The Star* in 1971 further strengthened English-language journalism, with a more corporate and business-oriented approach.

Meanwhile, vernacular newspapers flourished. *Sin Chew Daily* (founded in 1929 but revived post-war) became a cornerstone of Chinese-language journalism, while *Tamil Nesan* (founded in 1924) continued its service to Malaysia's Indian community. In 1987, *Harakah* was introduced as the official publication linked to the Malaysian Islamic Party (PAS), adding a political dimension to the print landscape. The late 1990s witnessed the digital shift, with *MalaysiaKini* (founded in 1999) pioneering independent digital journalism, breaking away from traditional print constraints.

Modern Publications and the Digital Era (2000–2025)

The 21st century saw the emergence of niche newspapers and online platforms. Business journalism thrived with *The Edge Malaysia*, while *Sinar Harian* (founded in 2006) focused on local and national news with a grassroots approach. Digital media gained prominence with platforms like *Free Malaysia Today* (founded in 2010), offering independent and alternative viewpoints beyond mainstream press narratives. Today, the landscape of Malaysian print and digital media continues to evolve, adapting to technological advancements and societal changes. The history of newspapers in Malaya and Malaysia is more than just a timeline of publications—it is a reflection of political transformations, cultural identities, and the relentless pursuit of information. From the colonial period to the digital age, the press has played a pivotal role in shaping public discourse, advocating for freedoms, and preserving history. Despite challenges such as political influence and the shift toward digital consumption, newspapers remain indispensable sources of knowledge, ensuring that voices, narratives, and aspirations endure across generations.

BROADCASTING ERA

Early Radio and Amateur Broadcasting (1930s–1940s)

The origins of radio broadcasting in Malaysia can be traced back to amateur radio operators in the late 1920s and 1930s, who experimented with transmissions. By the

1940s, amateur radio broadcasts served as a vital communication tool, particularly during World War II.

Formal radio broadcasting began with the establishment of *Radio Malaya* on April 1, 1946, initially serving as a government-operated station providing news, public service announcements, and entertainment. Initially, it was known as Radio Malaya, serving both Singapore and the Federation of Malaya. After Malaysia was formed on 16 September 1963, it was renamed Radio Malaysia. Later, in 1969, it merged with *Televisyen Malaysia* to become Radio Televisyen Malaysia (RTM), which remains Malaysia's national public broadcaster today. In 1969, the Malaysian government consolidated its radio and television services under *Radio Televisyen Malaysia* (RTM), which remained the sole broadcaster for decades. By the 1980s, private radio stations, such as *Best FM* (1989), began emerging, offering Malaysians greater diversity in content.

Television Broadcasting and Expansion (1963–2000s)

Malaysia launched television broadcasting on December 28, 1963, with the creation of *Televisyen Malaysia*. Television quickly became a prominent entertainment medium, covering major national events and cultural programming. The first private television station, *TV3*, was launched in 1984, breaking RTM's monopoly and introducing commercialized content. The industry further expanded with the arrival of satellite and cable television, led by *Astro* in 1996, which provided Malaysians with access to international and premium content.

The Digital and Internet Media Revolution (1990s–Present)

Malaysia entered the digital age with the internet boom in the late 1990s, marked by the government's launch of the Multimedia Super Corridor (MSC Malaysia) in 1996, aimed at developing Malaysia's digital economy.

The introduction of Digital Terrestrial Television Broadcast in 2002 paved the way for digital television, officially replacing analogue transmission in 2019. The widespread adoption of smartphones, social media, and streaming services further transformed the media industry, leading to the dominance of platforms such as *YouTube*, *Netflix*, and *iFlix*. Today, Malaysia's media industry continues to evolve, integrating artificial intelligence, virtual reality, and interactive technologies to enhance content distribution and audience engagement.

FREEDOM AND CONTROL OF THE PRESS AND MEDIA (1806-2025)

The press and media—including radio, television, and digital platforms—have experienced varying degrees of freedom and control over more than 200 years, ranging from censorship to legal regulations. In the Straits Settlements and Malaya, press development was closely tied to colonial rule, socio-political transitions, and government interventions. From early newspapers serving colonial administrators to press regulations under British governance and later strict censorship during the Japanese occupation, the press played a crucial role in shaping political discourse and public opinion.

Press freedom is a fundamental pillar of democratic societies, ensuring the circulation of ideas and public accountability. However, in colonial Malaya, press freedom was subject to government oversight, reflecting colonial policies, wartime propaganda, and efforts to control political dissent. This study traces the historical trajectory of press regulation in the Straits Settlements and Malaysia from 1806 to 2025, highlighting legislative measures, key newspapers, and socio-political factors influencing press control. Since Singapore was closely linked to British Malaya for much of this period, it is considered part of the same entity.

Early Press and Colonial Influence (1806–1900)

The establishment of the press in the Straits Settlements was primarily connected to colonial governance and expatriate interests. The earliest known newspaper, the *Government Gazette*, was published in Penang in 1806 as an official bulletin for British administrators (Turnbull, 1972). It was later renamed the *Prince of Wales Island Gazette*, serving the English-speaking community in Penang. Prior to the establishment of the *Government Gazette*, no laws specifically regulated the press. However, press regulations existed in the three Indian presidencies of the British East India Company: Bengal, Madras, and Bombay, each with distinct press policies.

To understand the origins of press regulations in Malaysia, it is essential to examine their roots in British India. The Bombay presidency introduced censorship regulations in 1791, followed by Madras in the 1790s and Bengal on May 13, 1799. By June 29, 1799, censorship laws were enforced across all three presidencies (Mohd Safar Hasim, 1996).

Supreme Government in Bengal abolished these censorship laws in 1818 due to the lack of major incidents resulting from press freedom. However, when the new press regulations known as Bengal Regulations 1818 led to increased political agitation, the

British introduced the Gagging Act of 1823. This act was enforced in Bengal but faced rejection in Bombay, preventing its adoption in Madras.

The British government introduced the Gagging Act to curb the influence of Indian newspapers that opposed colonial policies. The Act aimed to prevent nationalist movements from using the press to mobilize public sentiment against British rule.

Indian Act No XI 1835 (or Metcalfe Act of 1835): A Shift Towards Press Freedom

The Metcalfe Act of 1835 repealed restrictive press regulations and abolished censorship across the three Indian presidencies—Bengal, Bombay, and Madras. This Act was also enforced in Penang, Singapore, and Malacca. The law, introduced by Sir Charles Metcalfe, marked a turning point in press freedom.

In Singapore, the introduction of the *Singapore Free Press* commemorated the abolition of all press laws under the Metcalfe Act in 1835. Despite the continued dominance of English-language publications, local voices gradually emerged. The *Jawi Peranakan*, founded in Singapore in 1876, became the first Malay-language newspaper, enabling indigenous communities to engage with broader political and cultural discussions (Milner, 2002). The earliest Chinese newspaper in Singapore was *Lat Pau*, established in 1881 by See Ewe Lay, lasting until 1932.

To control printed materials, colonial authorities enacted the Straits Settlements Book Registration Ordinance (1886), requiring publishers to submit copies for government review (Fernando, 2006). In 1920, this ordinance was combined with the Indian Press Act (1835) to create the Printers and Publishers Ordinance, reinforcing government oversight. That same year, the Straits Settlements government introduced mandatory press licensing, restricting publications critical of colonial administration (National Library Board, 1920).

World War II and Japanese Occupation (1941–1945)

The Japanese occupation of Malaya brought extreme press censorship. The Japanese administration controlled media outlets, using newspapers like the *Perak Times* to promote propaganda and military victories (Kratoska, 1998). The Domei Press Agency ensured all news aligned with Japanese interests, suppressing alternative viewpoints.

Communist Insurgency and the Road to Independence (1945–1957)

After Japan's surrender in 1945, the British returned with the *Malayan Union* proposal, later replaced by the *Federation of Malaya* in 1948. That same year, the Malayan Communist Party initiated an armed rebellion, prompting the enforcement of the *Printing Presses Ordinance 1948* and the *Sedition Ordinance 1948* to counter communist influence (Harper, 1999). When the Malayan Emergency ended in 1960, the government introduced the *Internal Security Act 1960*.

Despite colonial control, the press became a platform for advocating Malayan independence. By 1957, Malaya achieved sovereignty, with the Federal Constitution enshrining freedom of speech under Article 10, albeit with limitations on public order and security (Means, 1976). The press's transformation reflected Malaysia's evolving political landscape, setting the stage for future discussions on media regulation.

PRESS REGULATIONS POST-INDEPENDENCE (1957–2025)

Since gaining independence in 1957, Malaysia has maintained a complex relationship with press freedom, balancing between state control and gradual liberalization. While laws such as the Printing Presses and Publications Act (PPPA) 1984 and the Official Secrets Act (OSA) 1972 have historically restricted journalists, recent developments, including the Malaysian Media Council (MMC) Bill (2025), signal a shift toward self-regulation. This paper explores the legislative changes and major incidents that have shaped press regulations in Malaysia.

Printing Presses and Publications Act (PPPA) 1984

The PPPA 1984 was meant to regulate the Malaysian press, mandating all publications to obtain annual permits from the Home Ministry. Over the years, multiple amendments strengthened government control:

1987 Amendments to the PPPA

Following Operasi Lalang, the PPPA was tightened through amendments in 1987, which included:

- Introduction of the "Untrue News" Section: Criminalizing the publication of false or misleading news.

- Expanded Ministerial Powers: The Home Minister's decisions on publishing permits became absolute and could not be challenged in court.
- Annual License Renewal Requirement: Publishers were required to renew their permits annually.
- Finality of Ministerial Decisions: Judicial review of licensing decisions was eliminated.

The Printing Presses and Publications Act (PPPA) and the Prosecution of False News in Malaysia

The Printing Presses and Publications Act (PPPA) has long been a cornerstone of media regulation in Malaysia. Enacted in 1984, the law grants the government significant control over the press, including the power to revoke publishing licenses and prosecute individuals for disseminating false news. While the act was originally intended to curb misinformation and maintain public order, critics argue that it has often been used to suppress dissent and limit press freedom.

Legal Framework and Controversies

Section 8A of the PPPA criminalizes the publication of false news, stating that any person who maliciously prints, publishes, or distributes false information can face legal consequences. However, the broad interpretation of "false news" has led to concerns about selective enforcement and the suppression of critical journalism.

One of the most notable cases prosecuted under the PPPA was *Public Prosecutor v. Pung Chen Choon* (1994). Pung Chen Choon, the editor of *The Borneo Mail*, was charged with publishing false news regarding alleged corruption in Sabah. His defense argued that Section 8A of the PPPA restricted freedom of speech, violating Article 10 of the Federal Constitution. Despite these arguments, the court upheld the charge, reinforcing the government's authority to regulate media content.

Another significant case involved Irene Fernandez, a human rights activist and journalist. In 1996, she was arrested and charged with "maliciously publishing false news" after releasing a report detailing the mistreatment of migrant workers in Malaysian detention centres. Her trial lasted over seven years, culminating in a conviction in 2003. Although she was later acquitted, her case highlighted the PPPA's potential to silence investigative journalism and human rights advocacy.

Lim Guan Eng's Conviction Under the PPPA

Lim Guan Eng, a former Chief Minister of Penang and a key figure in the Democratic Action Party (DAP), was charged under the PPPA in 1998. His case stemmed from statements he made regarding allegations of statutory rape involving a high-ranking official. Lim was accused of publishing false news that allegedly misrepresented the facts of the case. The prosecution argued that his statements violated Section 8A of the PPPA, which criminalizes the publication of false news.

Despite his defence that he was advocating for justice, Lim was convicted and sentenced to 18 months in prison. His conviction led to his disqualification as a Member of Parliament, sparking widespread criticism from human rights organizations, including Amnesty International, which viewed his imprisonment as politically motivated. The case highlighted concerns about the PPPA's use in silencing political dissent and restricting freedom of speech.

Khalid Jafri's Conviction for False News

Khalid Jafri, a journalist and author, was prosecuted under the PPPA for publishing the controversial book *50 Dalil Mengapa Anwar Tidak Boleh Jadi PM (50 Reasons Why Anwar Cannot Be Prime Minister)*. The book, released in 1998, contained allegations against Anwar Ibrahim, Malaysia's then-Deputy Prime Minister. The publication was widely circulated during the UMNO General Assembly and was seen as an attempt to discredit Anwar.

Khalid was charged under Section 8A(1) of the PPPA for maliciously publishing false news. The court found that he had failed to verify the claims in his book, leading to his conviction in 2005. He was ordered to pay RM4.5 million in damages to Anwar Ibrahim in a defamation lawsuit. His case underscored the PPPA's role in regulating political narratives and the consequences of publishing unverified claims.

Implications of These Cases

Both Lim Guan Eng and Khalid Jafri's convictions illustrate the far-reaching impact of the PPPA on media freedom and political discourse in Malaysia. While the law aims to prevent misinformation, its application has raised concerns about selective enforcement and suppression of dissent. Critics argue that the PPPA has been used to target opposition figures and journalists, limiting press freedom and public debate.

In recent years, discussions about media regulation have intensified, especially with the rise of digital news platforms. While the PPPA remains in effect, calls for reform continue, advocating for greater transparency and protection of journalistic integrity.

The Role of Fake News in Modern Enforcement

In recent years, the rise of digital media has intensified concerns about misinformation. During the COVID-19 pandemic, Malaysian authorities pursued numerous cases related to false news, often invoking the PPPA alongside other laws such as the Communications and Multimedia Act (CMA) of 1998. The government justified these actions as necessary to prevent panic and misinformation, but critics viewed them as excessive and politically motivated.

2012 Amendments to the PPPA

After decades of criticism, Malaysia introduced significant amendments to the PPPA in 2012, aimed at increasing press freedoms:

- Abolition of Annual License Renewal: Newspapers and magazines were no longer required to renew their licenses annually.
- Judicial Review Restored: The Home Minister's decisions regarding publishing licenses could once again be challenged in court.
- Right to Be Heard: Publishers gained the right to appeal suspensions or revocations.
- Indefinite License Validity: Publishing licenses remained valid indefinitely, unless actively revoked.

While these reforms loosened restrictions, concerns remained over state intervention in media affairs.

Operasi Lalang (1987) and Press Suppression

In October 1987, the government launched Operasi Lalang, arresting over 100 individuals under the Internal Security Act (ISA). The operation was officially justified as a preventative measure against racial violence, though critics argued it was used to silence political dissent.

During this crackdown, the government suspended the publishing licenses of three major newspapers:

- The Star
- Sin Chew Jit Poh
- Watan

These suspensions lasted several months, instilling a culture of self-censorship among journalists upon their reinstatement in March 1988 (Operation Lalang, 1987).

May 13 Incident (1969) and Press Coverage

The May 13, 1969 racial riots marked a defining moment in Malaysian history. Triggered by ethnic tensions following the general elections, violence erupted in Kuala Lumpur, prompting the government to declare a state of emergency. Press coverage of the incident was highly controlled, with the newly formed National Operations Council (NOC) imposing strict censorship to prevent further unrest. Journalists were barred from reporting actual casualties, and publications were forced to align with government narratives (13 May Incident, 1969).

Official Secrets Act (OSA) 1972

The OSA 1972 was enacted to criminalize the unauthorized publication of government documents. Over time, amendments strengthened its penalties, particularly following press-related prosecutions. In 1985, journalist Sabri Shariff (*New Straits Times*) and James Clad (*Far Eastern Economic Review*) were convicted under the OSA for publishing classified government information. Initially, both journalists were fined, but the Malaysian government felt the penalty was insufficient.

Mandatory Custodial Sentence Amendment (1986)

Dissatisfied with the outcome of these cases, the government amended the OSA in 1986, introducing mandatory prison sentences:

- Individuals convicted under the Act were required to serve a minimum of one year in prison.
- Fines alone were no longer permitted as penalties.
- The amendments deterred investigative journalism on sensitive government affairs.

Laws and Regulations Covering Radio, Television, Communications and Multimedia Industry.

The regulation of radio and television in Malaya evolved over time, especially with the establishment of broadcasting laws. Some key laws related to radio and television include:

- Malaysian Communications and Multimedia Commission Act (1998) – Established the Malaysian Communications and Multimedia Commission (MCMC) to regulate the communications and multimedia industry.
- Communications and Multimedia Act (1998) – Governs broadcasting, telecommunications, and digital services, ensuring transparency and fair competition.
- Broadcasting Act (1988) – Regulates television and radio broadcasting, including licensing requirements and content restrictions.
- Fees (Department of Broadcasting Malaysia) (Validation) Act (2023) – Validates the collection of fees for television programs supplied by the Department of Broadcasting Malaysia between 2001 and 2022.

THE LONG ROAD TO A MEDIA COUNCIL

The proposal for a Malaysian Press Council dates back to 1973, when then-Prime Minister Tun Abdul Razak Hussein introduced the idea. Despite subsequent discussions among journalists, editors, and media organizations, concerns over government influence stalled progress. Advocates pushed for self-regulation to safeguard press freedom, urging the repeal of the Printing Presses and Publications Act, which they argued fostered self-censorship.

Successive governments preferred maintaining strict media controls, viewing press regulation as a national security matter—a stance rooted in colonial-era legislation, such as the Printing Presses Ordinance 1948 and the Sedition Ordinance 1948. Licensing laws have remained a key tool for managing press freedom, granting authorities broad powers under the Printing Presses and Publications Act (PPPA).

Momentum for reform surged in 1999 when 581 journalists signed a memorandum demanding the repeal of restrictive laws and the formation of an independent media council. Submitted to then-Home Minister Abdullah Ahmad Badawi on World Press Freedom Day, the petition was reinforced a year later with an additional 370

signatures. However, the government remained silent, assigning the Malaysian Press Institute (MPI) to review the matter.

In 2001, MPI recommended a statutory self-regulated council modeled after the Indian Press Council, submitting a formal proposal including a draft bill and a Journalism Code of Ethics. Despite consultations with industry stakeholders, no legislative action was taken, leaving media restrictions unchanged.

Historical Challenges and Political Sensitivities

Governments have long viewed the media as a tool for national security rather than independent discourse. This perspective led to repeated resistance against media council proposals, with journalists fearing that such an entity would serve government oversight rather than true self-regulation. Similar efforts in 1983, during the National Communication Policy Convention, faced rejection from media organizations wary of additional constraints on editorial independence.

The late 1990s saw renewed debate, particularly following high-profile defamation lawsuits that had a chilling effect on journalists. The Charter2000 movement, spearheaded by Aliran Kesedaran Negara (Aliran), emerged in 2000 to advocate for press freedom and fair reporting. Additionally, SUHAKAM, the Malaysian Human Rights Commission, engaged in policy discussions, exploring both press council models and a Freedom of Information Act.

In response to growing calls for reform, MPI established a committee led by Sirajuddin Rafia of Utusan Melayu Berhad to assess industry sentiment. A survey comparing voluntary self-regulation models, like Australia's Press Council, against statutory frameworks, like India's Press Council, led to a recommendation favouring a statutory self-regulated model. Although the proposal was circulated for feedback, no formal implementation followed.

Malaysian Media Council: A Shift Toward Self-Regulation

Following the 14th General Elections, which saw Pakatan Harapan form a new government after a voter-driven political shift, a second Media Council Pro-tem Committee was established. The discussions centered on media reform, particularly the feasibility of a self-regulating media council and repealing restrictive laws such as the Anti-Fake News Act and the Printing Presses and Publications Act (Ahmad, 2025).

Pakatan Harapan later reaffirmed its commitment to establishing the council and amending laws that could hinder free speech.

In line with its manifesto, the new government pursued the formation of a Media Council, an initiative previously unsupported by the former administration. A Cabinet decision on December 6, 2019, led to the creation of a pro-tem committee tasked with drafting proposed laws within two months (Teo, 2025).

The 17-member committee, chaired by Malaysiakini CEO Premesh Chandran, included representatives from various media sectors. Notable members were Chamil Wariya and Yong Soo Heong from the Malaysian Press Institute (MPI), National Press Club chairperson Ahirudin Attan, and representatives from Gerakan Media Merdeka (Geramm), Journalists Alliance, the National Union of Journalists Malaysia (NUJM), and the Foreign Correspondents Club of Malaysia (FCCM) (Syahredzan, 2025).

The Malaysian Media Council Bill 2024 was tabled in Parliament on December 12, 2024, with its second reading occurring on February 25, 2025. It was passed via voice vote on February 26, 2025, officially establishing a self-regulatory body for the media industry (Fadhli, 2025).

The MMC aims to balance ethical journalism with minimal government intervention, focusing on three key functions:

- Setting ethical standards to ensure responsible journalism and combat misinformation.
- Dispute resolution through a structured complaint mechanism.
- Reviewing legal frameworks to protect press freedom while maintaining accountability.

The council consists of 21 members (compared to 25 proposed by MPI) representing media companies, journalists' associations, independent practitioners, NGOs, and academics. The 21 member council consists of :

- A politically unaffiliated chairman
- Two government representatives (Bernama and RTM)
- Four media company representatives
- Four journalist association members

- Four non-media representatives (academics, NGOs, and the public)
- Six additional members ensuring gender, locality, and media format diversity

The establishment of Malaysian Media Council marks a historic milestone, decades after initial discussions.

Malaysia's Rise in the World Press Freedom Index (2025)

Malaysia has made progress in improving media freedom in recent years, reflected in its rise to 88th place in the 2025 World Press Freedom Index—an improvement of 19 positions. This positive shift is attributed to efforts to strengthen independent journalism, including the establishment of the Malaysian Media Council to safeguard ethical reporting and press freedom. However, significant challenges remain, particularly in terms of media ownership concentration, government influence, and self-censorship on sensitive topics related to race, religion, and royalty (3R issues). While Malaysia has moved from the “difficult” to the “problematic” category in terms of press freedom, economic and political constraints continue to limit full journalistic autonomy.

SOCIAL MEDIA LICENSING AND REGULATIONS IN MALAYSIA

While traditional media falls under the jurisdiction of the Malaysian Media Council (MMC), social media platforms such as Facebook, Instagram, WhatsApp, and TikTok are governed separately. Recognizing the risks posed by cybercrime, misinformation, and harmful AI-generated content, Malaysia launched the Social Media Licensing Framework in 2025 (Malaysian Communications and Multimedia Commission [MCMC], 2024). Under this framework:

- Platforms with eight million or more Malaysian users must obtain a legal Applications Service Provider Class License under the Communications and Multimedia Act 1998 (MCMC, 2024).
- Companies must enforce age restrictions, strengthen content moderation, and streamline user complaint mechanisms.
- Non-compliance results in fines up to RM500,000 or imprisonment up to five years.

This regulatory approach ensures digital platforms are held accountable while balancing online safety with freedom of expression (MCMC, 2024).

CHALLENGES AND FUTURE PROSPECTS

While the establishment of the Malaysian Media Council (MMC) marks a significant step forward, concerns remain regarding its independence and effectiveness. Some critics fear that the council may still be influenced by political interests, while others stress the need for clear and transparent guidelines to ensure fair and impartial media regulation. Additionally, the rise of digital media and artificial intelligence introduces new challenges, requiring the council to adapt to evolving technologies and the increasing risks of misinformation (Ahmad, 2025).

The MMC was founded to regulate and uphold ethical standards in journalism and media practices across mass media platforms, which are managed by professionals and gatekeepers. However, digital media platforms such as Meta (Facebook, Instagram), Twitter, WhatsApp, and TikTok—often operated by individuals—are not directly incorporated within the council's framework. This exclusion represents a potential vulnerability.

Currently, the council primarily focuses on traditional media, including print, broadcast, and online news outlets engaged in journalism. While digital platforms play a crucial role in information dissemination, they are categorized as technology companies rather than media organizations under the council's definition. However, as the media landscape continues to evolve, this distinction may become increasingly blurred.

To address the regulation of digital platforms, Malaysia has implemented separate policies, such as the Social Media Licensing Framework. This framework requires platforms with over eight million Malaysian users to obtain a license to operate legally (MCMC, 2024). Additionally, the Communications and Multimedia Act 1998 grants the government authority to regulate online content and combat misinformation (MCMC, 1998).

CONCLUSION

The establishment of the Malaysian Media Council marks a significant milestone in the country's pursuit of greater press freedom and self-regulation. By replacing outdated laws with a more transparent and accountable system, the council seeks to uphold journalistic integrity while addressing the evolving challenges of the digital age. However, media regulation must continuously adapt to emerging issues,

particularly the influence of digital platforms and artificial intelligence on information dissemination. While traditional media falls within the council's jurisdiction, the rapid rise of social media and online platforms introduces complex regulatory challenges. As Malaysia advances, striking a balance between freedom of expression and responsible oversight remains crucial in fostering a media landscape that is both ethical and effective.

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