



[Print](#)

Freedom Of The Press - Malaysia (2011)

Status: Not Free
Legal Environment: 24
Political Environment: 23
Economic Environment: 17
Total Score: 64

There were growing indications of attempts by Malaysia's ruling Barisan Nasional (BN) coalition to rein in the press in 2010, presumably in an effort to secure victory in the general elections that are widely anticipated to be held in early 2011. Many of these efforts were focused on internet media in particular, which continue to hold a unique position in an otherwise tightly controlled press landscape. Book bannings, harassment and intimidation of bloggers, show cause letters, the denial and cancelation of permits, interference with radio and television organizations, and a new draft bill to regulate online media all suggested that as the elections approach, BN is aiming to tighten its political control.

The Malaysian constitution guarantees freedom of expression under Article 10, but allows for a host of limitations to this right. The Sedition Act, the Internal Security Act (ISA), and harsh criminal defamation laws are used regularly to impose restrictions on the press and other critics, and all transgressions are punishable by several years in prison—in many cases without trial. While the most notorious incident of this in recent years was the 2008 detention and arrest of *Malaysia Today* news website founder Raja Petra Kamaruddin, politicians regularly call for the use of the ISA to control political opponents. Malaysia has no federal freedom of information legislation, and officials are reluctant to share controversial data with journalists for fear of being charged under the colonial-era Official Secrets Act.

The 1984 Printing Presses and Publications Act (PPPA) requires all publishers and printing firms to obtain an annual operations permit, and gives the prime minister the authority to revoke licenses at any time without judicial review. Show cause letters may also be issued by the home minister, which require that newspapers either explain certain articles or face suspension or revocation of their permits. In February 2010, the *Star's* managing editor, P. Gunasegaram, was issued a show cause letter for an article that criticized the caning of three women for "illicit sex" under Sharia (Islamic law). The *Star* issued an apology after several police reports accused the senior editor of "insulting Islam." Also in 2010, the license of opposition party Keadilan Rakyat's newspaper *Suara Keadilan* was not renewed, and show cause letters were likewise issued to two other opposition newspapers, the *Rocket* (owned by the Democratic Action Party) and *Harakah* (affiliated with the Islamic Party of Malaysia). Each of these licenses was eventually renewed. During the year, at least 25 books were banned, seized, or detained under the PPPA, including a number of books by political cartoonist Zulkiflee Anwar Haque, popularly known as Zunar. The cartoon compilations were published by online news organization *Malaysiakini* through its subsidiary Kinibooks. In August 2010, Zunar and *Malaysiakini* filed a

legal challenge to the home ministry's ban. One month later, 66 copies of Zunar's books were seized from his office, and *Malaysiakini's* premises were searched.

The 1988 Broadcasting Act allows the Information Ministry to decide who can own a broadcast station and what type of television service is suitable for the Malaysian public, leading to considerable self-censorship among broadcast journalists. In April 2010, Joshua Wong, the senior producer of television station ntv7, resigned, citing "unreasonable restrictions" on his program. In September, Jamaluddin Ibrahim, a radio deejay at Star RFM, was dismissed after the station received complaints about his interviews with a gay pastor and with opposition politician and Penang state chief minister Lim Guan Eng. Due to the influence of the government and Muslim pressure groups, the print media also practices self-censorship. Following the show cause letter being issued in February, the *Star* withheld Marina Mahathir's March column arguing that Sharia was man-made and should be open for debate.

Physical harassment and intimidation remained less of a danger in Malaysia than arbitrary arrest or threats of legal action. The ruling coalition continued to intimidate through investigations of editors, such as the October questioning of *Malaysiakini* chief editor Steven Gan over his news organization's reporting on a speech by Prime Minister Najib Abdul Razak at the 2010 annual meeting of Razak's United Malays National Organization (UMNO) party. There were no reports of extra-legal harassment of journalists during the year. Some foreign print media were censored or banned.

Although the media industry is predominantly privately owned, the majority of both print and broadcast outlets are controlled either by political parties in the ruling coalition or by businesses with political connections. Despite the ruling coalition's insistence that mainstream newspapers are impartial, the issues of ownership are another reason for journalists' self-censorship. The largest media conglomerate is Media Prima, which owns half of the Malay and English newspapers, as well as many television channels. As a result of a merger in 2006, Huaren Management, which is associated with the Malaysian Chinese Association party, monopolizes Chinese newspapers. With decreasing readership numbers and advertising revenue, some print media outlets publish sensationalist articles to boost sales and circulation.

The internet continued to be the one bright spot in the media landscape, as the country remained formally committed to a policy of refraining from censorship of the medium, as guaranteed in Section 3(3) of the Communications and Multimedia Act (CMA) and the Multimedia Bill of Guarantees. Malaysia, with around 55 percent of the population accessing the internet in 2010, hosts many websites and blogs that offer competing points of view. Although not all of these internet news organizations were politically independent—many had shadowy affiliations with politicians from either the opposition or the ruling coalition—they nevertheless offered an array of political opinions that could not be found in the traditional media. The internet has also been a place to challenge corruption and government policies. In October 2010, a copy of a newly released book on Malaysia's leaders was posted online after the Home Ministry banned the book's print publication. Despite these developments, bloggers were

still required to tread carefully, especially in light of their ongoing harassment and prosecution if they were known to the government. In September, Irwan Abdul Rahman, better known as Hassan Skodeng, was arrested and charged with allegedly publishing false information on his blog. Although he was later released on bail, if convicted he could be fined up to RM 5,000 (approximately \$1,600), jailed up to a year, or both. Social networking sites such as Facebook continued to flourish, and contained vigorous debates on political issues, such as the government's proposed ban in January on the use of the word Allah by non-Muslims. Media observers were concerned, however, about an announcement from the Home Ministry that a new law would be introduced to govern sedition in cyberspace. Although this had not yet occurred by the end of 2010, advocacy groups such as the Centre for Independent Journalists viewed it as "a deliberate attempt to censor the internet."