

# A History of Korean Film Policies

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Film policies can be divided into three models – the control model, the promotion model and the laissez faire model. Korean film policies adopted the control model until the late 1980s. During Kim Young-sam’s presidency, when the United States pressured for market opening, the control model and the laissez faire model coexisted. The promotion model was adopted with the start of the Kim Dae-jung government on 25 February 1998.

## **From Control to Promotion**

The scope of film policies could be considerably expanded if indirect factors are taken into account. Territorial division, cold war in East Asia, Korea’s special relationship with the U.S. and Japan, economic factors in the film industry, and more affected Korean movies more than film policies. The Japanese occupation and US military government after the Second World War combined with territorial division to create film censorship that lasted until 2001. Japan’s pop culture, import of which was prohibited due to memories of the Japanese occupation of Korea, was allowed to enter Korea only after the “Korea-Japan Joint Partnership Declaration” of 7 October 1998. The Korean military government seized power in an undemocratic way and was

sponsored by the US government. Therefore, the US government was able to increase its influence over Korean films.

It is fair to say that obtaining “freedom of expression” through the abolition of censorship has made today’s film industry competitive. That is why the Kim Dae-jung government’s abolition of censorship has been the most positively received film policy ever. Korean movies are appealing to Korean audiences, because Korean movies can deal with the various experiences of the Korean people and spark social debate. It is practically impossible to boost the competitiveness of films only with financial support when creativity is lacking, and creativity is mainly driven by “freedom of expression.” The Kim Dae-jung government’s slogan for cultural policies was “provide support, but do not interfere.” Accordingly, controls such as film censorship disappeared and support for investment, production and distribution increased markedly. President Kim pledged that he would abolish censorship during his campaign in 1997, and censorship was abolished in January 2001. President Kim was able to keep his pledge only after four years, because the opposition party insisted on controls over films and delayed reform. Without the Constitutional Court’s decision of August 2001 that film censorship infringes freedom of expression as stated in the constitution of the Republic of Korea, abolition of censorship might have been delayed even further. In October 1996, the Constitutional Court found that it is unconstitutional that a review committee, to whom the government delegates its authority, can cut parts of movies. However, the ruling party at the time had pursued the control model consistently throughout the Park Cheong-hee (a.k.a. Park Chung-hee), Jeon Doo-hwan (a.k.a. Chun Doo-hwan), Roh Tae-woo, and Kim Young-sam administrations, and so they ignored the judgment. Some people from within the film industry agreed. Only when the same judgment was made by the Constitutional Court during the following administration did they have to accept the constitutional amendment.

## The Era of Control and Censorship

The “Motion Picture Law” was enacted in January 1962 and revised nine times, until it became the “Film Promotion Law” in July 1996. This process is linked to control over the film industry and censorship. After the end of the Second World War, the United States did not know much about the Korean situation. So, ironically, the U.S. had to get information about Korea from the Japanese military government. The information provided by Japan was that the Korean people were incompetent and public security would be seriously undermined without control by the Japanese military government. As a result, the US military government produced a film censorship system and the Rhee Syngman (a.k.a. Lee Seung-man) government inherited it. But the Rhee Syngman regime was defeated by the April 19 Revolution in 1960 and the democratic government was established. The “Film Ethics Provisions” announced by the democratic government spoke of “creating ideology in line with the spirit of democracy, respecting people’s rights, and denying ideology that gave priority to bureaucracy.” However, this more democratic mood only lasted from 19 April 1960 to 16 May 1961, due to the military coup. The Park Cheong-hee government that seized power through a military coup in 1961 demanded that media, publication, and news all undergo censorship. It enacted the Motion Picture Law and merged seventy-one film companies into only sixteen. Film production companies were allowed to produce films only if they had a studio, sound recording and developing facilities, and equipment including cameras, as well as full-time directors and actors and technicians. This measure followed in the footsteps of the Japanese military government’s Motion Picture Law of 1939, which attempted to “merge existing film companies and proactively guide and review film planning.” The revised Constitution of 1963 even had an article saying, “censorship of films and entertainment to defend public morals and social ethics is permissible,” which completely ignored the commonly accepted idea in democratic societies that film is part of the media, and

there can be no censorship of it. From that time on, filmmaking was censored in a three step process before, during and after the shoot.

According to first revision of the Motion Picture Law in 1963, a film company should make fifteen films a year to be recognized as a film company, and only then was it allowed to import foreign movies. Due to this harsh system, seventeen film companies had their licenses cancelled in June 1963. This unrealistic target was revised to two films in 1966, five in 1970, and four in 1973, before disappearing altogether in 1984. Meanwhile, those who could not establish film companies had to pay commissions to other registered film companies to produce movies.

When the Motion Picture Law was enacted in 1962, the government's promotion films, known as "cultural films," had to be screened before the main feature, a practice that persisted until June 1998. The history of the Grand Bell Awards illustrates the government's intervention in Korean cinema. The anti-communist film award, the security section award and the enlightenment section award were inaugurated in 1962. When the anti-communist films or films promoting government policy won the Grand Bell best film awards, the film companies received the right to import foreign movies as a reward. Film production companies lobbied strongly to obtain the right to import foreign movies, which guaranteed enormous profits. Only about thirty foreign movies were imported a year, until the import quota system was abolished with the fifth revision of the Motion Picture Law. Therefore, by importing foreign movies, one could make huge profits. And with this profit, film companies had to produce movies to meet mandatory requirements and receive further rights to import foreign movies. Against this backdrop, Korean movies could not become competitive.

## **The Enactment of the Film Promotion Law and the Launch of the Korean Film Council**

The screen quota system was introduced in the second revision of the Motion Picture Law (1966). At first, the number of mandatory screening days reserved for Korean films was more than ninety days a year, but it increased to 121 days with the fourth revision (1973) and to 146 in 1984. However, this was meaningless when there was control on the import of foreign movies. The screen quota system became effective when the sixth revision allowed direct distribution of Hollywood movies, unlimited imports of foreign movies, and unlimited numbers of prints of foreign movies from 1994. Until 1993, only sixteen prints of one film could be screened, which effectively limited the number of screens an imported film could be released on. With deregulation, the “wide release” commonly adopted for Hollywood blockbusters was introduced to Korea.

From 1986, along with people’s rising demand for democratization, film professionals consistently demanded the abolition of censorship and the development of measures to promote Korean movies, in preparation for the expansion of Hollywood movies in Korea. The Film Promotion Law was enacted in December 1995, but it was no different from the Motion Picture Law until the second revision of the Film Promotion Law in 1999, which launched the Korean Film Council (KOFIC) with the aim of respecting the freedom of the film industry and making promotion policies effective.