

Challenges and Transformation: Legal Policy On Film Circulation In The Digital Economy Era

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DOI: [10.22178/pos.127-20](https://doi.org/10.22178/pos.127-20)

LCC Subject Category: RS1-441

Received 26.01.2026

Accepted 25.02.2026

Published online 28.02.2026

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Abstract. Technological and social developments in the law of film distribution, especially through Over-The-Top (OTT) services. The legal vacuum leaves the legal function suboptimal in controlling film distribution to maintain national values, and it harms state revenues. Film business actors profit by uploading films to OTT services without paying the censorship fees and taxes they are required to pay. The study uses a normative method with a statute approach, focusing on Challenges and Transformations: Film Distribution Legal Policy in the Digital Economy Era. The Film Censorship Institute faces technological challenges and legal vacuums in censoring content on OTT services. The need for a firm legal policy on OTT censorship arises from the crimes that occur and the state's obligation to uphold moral values. The National Independent Censorship Culture Movement (GNBSM) is an LSF initiative that invites the public to sort shows by age classification. The regulatory vacuum and cross-border differences make it difficult to achieve the goals of film law.

Keywords: Policy; Law; Distribution; Film.

INTRODUCTION

Human awareness of entertainment needs offers the film industry great opportunities to expand its business and better serve the community. The development of the film industry is a significant aspect of the country's economic movement. In some industrial countries, it becomes a spearhead of the country's economy [1]. The development of cinema, coupled with globalisation, will, to some extent, affect the patterns and lifestyles of people who access it. The presence of these new values and norms has the potential to form a new culture or change an existing one. Some of these aspects may not align with the noble values and norms already prevalent in Indonesia and passed down from generation to generation [2].

The rapid advancement of information technology, marked by the birth of the internet, has shifted the dimension of state sovereignty from territory, oceans, and airspace to cyberspace [3]. Thanks to the internet, information exchange is becoming faster and faster. The internet and its

supporting technologies seem to want and have made the world almost borderless, which gives rise to disruption and innovation [4]. Disruption is a radical innovation because the emergence of new technology suddenly makes the old disappear, and the disruption of innovation, closely tied to technology, finally forms the digital world, serving the lower middle class [5]; this is what gives rise to Over The Top (OTT) services, which are application and/or content service providers over the internet. Over The Third parties that are not affiliated with network operators provide top services; therefore, reliable internet connectivity is essential. In Indonesia, the Circular Letter of the Minister of Communication and Information Technology No. 3 of 2016 on the Provision of Application Services and/or Content Through the Internet (Over-The-Top) defines Over-The-Top (OTT) services as the provision of applications and/or content via the internet, including subscription-based platforms such as Netflix, WeTV, VIU, and Disney+ Hotstar, as well as non-

subscription platforms such as YouTube, Snack Video, and TikTok.

The films offered on the OTT service, in particular, contain pornographic scenes, gender identity issues, and uncensored violence. However, the government has implemented a positive internet policy that aims to limit internet users' access to sites with negative or unlawful content, such as pornography, gambling, and violence, by blocking website addresses listed on Kominfo's block-list. However, not all scenes contain pornography, violence, gender identity issues, only fragments of scenes that contain pornography, violence, gender identity issues which can finally still be watched on OTT services even though the government prohibits the film from circulating in the public can still be watched by the public on OTT services. One of them is *Lightyear*, a film that tells the story of Woody's best friend, Buzz Lightyear. Film critics and regulatory authorities found the film promoted LGBT themes. Filmmakers presented Noah as a musical drama based on the biblical story of the Prophet Noah and Noah's Ark, a portrayal that many Christian and Muslim communities consider highly sensitive. The film is considered highly sensitive and sparked infighting between adherents of two different religions. Then, the authorities restricted the movie *Fifty Shades of Grey* because it openly depicts many sex scenes. Then the film *Kucumbu Body Indahku* was banned after some parties felt it justified LGBT behaviour [6]; this is where it becomes clear that the government has not actively participated in upholding the nation's values in the current era.

If you look at the structure of the institution regulating the circulation of films in Indonesia [7], there is the Film Censorship Board, regulated by PP No. 18 of 2014 concerning the Film Censorship Agency, and the Indonesian Broadcasting Commission, regulated by No. 32 of 2002 concerning broadcasting. The Indonesian Broadcasting Commission (KPI), which manages the public broadcasting system, must be an independent body free from interference from investors and power interests. The difference between the duties and authorities of LSF and KPI is that KPI confirms the duties and authorities of institutions established by Broadcasting Law No. 32 of 2002 to supervise television and radio broadcasts. KPI does not have the authority to censor or ban an impression [8]. The relationship between KPI and LSF in carrying out their respective duties is also related, because films that will enter televi-

sion, which fall under KPI's domain, must first obtain a censorship pass certificate from LSF. The relationship between these two institutions is very close. Still, the existence of OTT services raises questions about the authority of LSF and KPI to monitor or censor the circulation of films on OTT platforms to protect the values of the Indonesian nation.

The substance of the law in Cinema in Indonesia is regulated by Article 32, § 1, of the Indonesian constitution, which states that the state promotes Indonesian national culture in the midst of world civilisation by guaranteeing the community's freedom to maintain and develop its cultural values. Then in Article 28B § 2 Every child has the right to survival, growth and development and the right to protection from violence and discrimination and Article 28J (2) in exercising his rights and freedoms, everyone shall be subject to restrictions established by law for the sole purpose of ensuring recognition and respect for the rights and freedoms of others and to meet just demands in accordance with moral considerations, religious, security, and public order values in a democratic society. Then Law No. 33 of 2009 concerning Film, PP No. 18 of 2014 concerning Film Censorship Institutions, Indonesian Broadcasting Commission No. 32 of 2002 concerning Broadcasting, Law No. 23 of 2002 concerning Child Protection, Law No. 11 of 2008 concerning Electronic Information and Transactions, Law No. 44 of 2008 concerning Pornography However, these rules do not clearly regulate censorship in OTT services [7].

It is hoped that LSF will issue censorship passes for films, and that KPIs overseeing broadcasting can filter out film scenes that are not suitable for public viewing in accordance with the nation's values and culture, so that these values and culture can be maintained and developed in line with the personality of the Indonesian nation. Indonesia has Pancasila as the worldview of the Indonesian nation, which has been ratified as the basis of the state, representing a complete unity of ethical or moral values. This research focuses on the second precept, namely just and civilised humanity, which means [8]. First, the mere fact that human values imply that human nature is that of a cultured and civilised being. As multicultural citizens of Indonesia, we must avoid apathy and scepticism to realise justice and advance the nation across economic actors, government, and society.

The author believes that, with today's technological and social developments, the existence of a legal vacuum prevents the legal function from working optimally, not only in controlling the circulation of films and maintaining the nation's values, but also in harming state revenue. Film business actors can easily benefit by uploading the film to OTT services without paying censorship administration fees to obtain a censorship pass certificate from the Film Censorship Board in Indonesia [9]. Then also avoid taxes such as the Sales of Luxury Goods (PPnBM) tax, imposed on the sale of luxury goods, including films [10], by domestic entrepreneurs or importers at 20% of the selling price [10]. Then VAT, a tax levied on the sale of goods and services, including services related to film production and distribution. VAT is imposed at every stage of product circulation, from production to final consumption. Then, for films imported from abroad, the government also applies an import tax that importers must pay. Therefore, this article aims to examine how current legal regulations address the challenges of film circulation in the digital economy, whether they are effective, and what legal policy changes are needed to optimise circulation in this era.

METHODS

The research method used is normative [11]. By using a statute approach related to Challenges and Transformation: Legal Policy for Film Circulation in the Digital Economy Era [12]. The statute approach is to examine legal principles, legal views and doctrines, laws and regulations related to film circulation, and accurate, accountable data on Challenges and Transformation: Legal Policy for Film Circulation in the Digital Economy Era [13]. In addition, an in-depth examination of the legal facts is undertaken to address the problems arising from the symptoms in question [14].

RESULTS AND DISCUSSION

Legal policy of film circulation in today's digital economy. The Indonesian state, in terms of safeguarding the nation's values from negative influences that are not in accordance with the nation's ideology, is clearly seen in the constitution in Article 32 § 1, the state promotes Indonesian national culture in the midst of world civilisation by guaranteeing the freedom of the community in maintaining and developing its cultural values. Then in Article 28B § 2 Every child has the right

to survival, growth and development and the right to protection from violence and discrimination and Article 28J (2) in exercising his rights and freedoms, everyone shall be subject to restrictions established by law for the sole purpose of ensuring recognition and respect for the rights and freedoms of others and to meet just demands in accordance with moral considerations, religious, security, and public order values in a democratic society, as a state of law based on Pancasila by upholding moral values, ethics, noble morals, and noble personality of the nation, having faith and fear in God Almighty, respecting diversity in the life of society, nation, and state, and protecting the dignity and dignity of every citizen.

Upholding moral values, ethics, and so on is also the purpose of the film law in Indonesia, therefore in Article 66 of Law No. 33 of 2009 concerning cinema, Indonesia has a Film Censorship Institute (LSF) which is the only institution that is a film regulator in Indonesia because of its function to protect the public from possible negative impacts arising in circulation, shows and/or screenings of films and film billboards that are not in accordance with the basis, direction and objectives of Indonesian Cinema.

The Film Censorship Board (LSF) selects which parts of a film audiences may consume, determines which scenes must be cut or omitted, and issues film censorship certificates for films broadcast or published in Indonesia. The existence of the Film Censorship Institute (LSF) is needed because of the way LSF works by censoring film scenes that are not suitable to be shown in accordance with the nation's values and culture so that they can be maintained and developed in accordance with the personality of the Indonesian nation as stated in Article 25 § 2 of PP No. 18 of 2014 concerning the Film Censorship Board. Indeed, there are some wise people; that is, the audience is valued as a producer of meaning because the media text is polysemic (has many meanings), but some people (viewers) eat what they see [15].

Article 24 § 1 of PP No. 18 of 2014 concerning the Film Censorship Board, Every film and film advertisement that will be circulated and/or shown to the general public must be censored first by LSF, due to Law No. 33 of 2009 concerning Cinema. Article 80 states that any person who intentionally distributes, sells, rents, or shows to the general public films without passing censorship,

even though it is known or reasonably suspected that their contents violate the provisions referred to in Article 6, shall be punished with a maximum imprisonment of 2 years or a maximum fine of Rp—10,000,000,000.00 (ten billion rupiah).

Although the film censorship agency has existed since the Dutch colonial era, the Dutch colonial government formally established it on March 18, 1916, through the 1916 Film Ordinance. The purpose of censorship at the time was to protect white society from the wrath of the indigenous population. The colonial government feared that the natives would realise their status as a Dutch colony if there was no film censorship. The Film Censorship Board (LSF) censored all scenes depicting violence and rebellion. Under Law No. 33 of 2009 on Cinema, the government assigned cinema affairs to the Ministry of Culture, which oversees most cultural matters. Following the cabinet reshuffle on October 11, 2011, the President added the Ministry of Tourism and Creative Economy (Kemenparekraf) to the United Indonesia Cabinet. The Ministry of National Education (Kemendiknas) is the agency responsible for the Field of Culture and is known as the Ministry of Education and Culture (Kemendikbud). Following the issuance of the Decree of the Minister of State Apparatus Empowerment and Bureaucratic Reform number B/307,1/M.PAN-RB/01/2012 concerning Organisation and Work Procedures of the Ministry of Education and Culture on January 27, 2012, LSF is domiciled in the Ministry of Education and Culture [16].

The Film Censorship Board (LSF) is an independent institution tasked with determining the distribution status of films in Indonesia and has the authority and duties [17].

1) Authority of the Film Censorship Board

- a) Fully approve a film and film billboard to be circulated, exported, shown, and/or shown to the public.
- b) Cut or remove parts of images, scenes, sounds, and subtitles from a film or movie billboard that are unfit for public viewing or display.
- c) Refuse a film and film billboard to be fully circulated, exported, shown or shown to the public.
- d) Set the age bracket of viewers.
- e) Provide a censorship pass permit for each film copy, trailer and advertising film, and a censorship pass mark affixed to the film billboard, which is declared to have passed censorship.

f) Film Censorship Board (LSF) cancels the censorship pass letter or mark for a film and its billboard when it withdraws the film from circulation under Article 31 §1 of Law No. 8 of 1992.

2) Duties of the Film Censorship Board

- a) Censorship of films and film billboards that will be circulated, exported, or shown to the public.
- b) Research the theme, images, scenes, sounds and subtitles of a film.
- c) Assess whether or not the theme, images, scenes, sound, and subtitles of a film are appropriate.

Independent state institutions are considered important for establishing democracy; therefore, they are independent in the sense that they are free from interference by any branch of government and are outside the executive, legislative, and judicial powers. But at the same time, independent state institutions have a combined function and character between the three. In the language of Funk and Seamon, independent State commissions often have quasi-legislative, quasi-executive, and quasi-judicial powers [18].

According to the institutional theory of Jimly As-shiddiqie, based on its function, state institutions can be categorised into primary organs or primary constitutional organs, and some are auxiliary state organs. The state classifies such institutions into three domains:

- a) executive or executive power (administrator, bestuurzorg);
- b) legislative power and supervisory functions;
- c) judicial power or judicial functions [19].

Executive Power. The Film Censorship Board is a non-structural independent institution. If it concerns the theory of state institutions, which holds that state institutions can be distinguished by their functions, LSF includes supporting state institutions that carry out executive functions (administrative executors), as stated in Government Regulation No. 18 of 2014. The provision explains that LSF has a duty to protect the public from negative impacts arising from the circulation and performance of films and film advertisements that do not conform to the basis, direction, and objectives of Indonesian Cinema.

Legislative Power. In relation to the functions of supervision and the exercise of legislative power, LSF performs legislative functions by censoring

films and their advertisements. LSF is one of the elements of community supervision because, in the Indonesian government system, supervision can be carried out by institutions outside government organs (external supervision) and by institutions within the government itself (internal supervision). LSF acts as an external watchdog of the government. The subject supervised by LSF is a film advertisement intended for public consumption.

Judicial Power. LSF is not included among the auxiliary state organs within the realm of judicial power, although it has law enforcement functions, particularly in film operations. However, LSF is not authorised to impose criminal or civil sanctions.

The Film Censorship Institute (LSF) is a permanent and independent institution domiciled in the Capital City of the Republic of Indonesia. In addition, LSF is under the President's responsibility through the Minister of Education and Culture. Government Regulation No. 18 of 2014 also confirms LSF's right to form representatives in the provincial capital. The Film Censorship Board (LSF) is established in accordance with the criteria it has set. Although Government Regulation No. 7 of 1994 previously governed this matter, the regulation defines LSF as a non-structural institution domiciled in the State Capital of the Republic of Indonesia.

Film Censorship Mechanism: to be censored, the film must be registered with the LSF Secretariat online and/or offline. The owner or copyright holder of the film registers it. The owner or copyright holder of the film who will apply for censorship must meet the following requirements:

- Fill out the registration form.
- Submit film material and synopsis for the film in accordance with the title and content of the story stated in the filmmaking notification letter.
- Pay sensor fees in accordance with the provisions, and attach a filmmaking notification letter for filmmaking business actors or a film import recommendation letter for film import business actors [20].
- The results of film censorship and film advertising are either passing or failing censorship.

Films and Film Ads that conform to the Censorship Criteria include the content of Films and Film Ads in terms of [20]:

- violence, gambling, narcotics, psychotropic and other addictive substances;
- pornography;
- ethnicity, race, group, and/or group;
- religion;
- law;
- human dignity and dignity;
- age of the film audience.

Films and Advertisements. When films fail to pass censorship, the censorship board returns the films and film advertisements to their owners for correction and allows resubmission up to three times. LSF opens a dialogue room with the owner of the corrected Films and Film Ads. If Films and Film Ads are declared to have passed censorship, LSF issues STLS (Surat Tanda Lulus Censorship). Then the public can report films and film advertisements that have passed censorship that cause disturbances to the security, order, peace, or harmony of public life. Report online and/or offline to LSF. Films and Advertisements: Films that have passed censorship can be withdrawn from circulation by the Minister, based on LSF's consideration, if they cause disturbances to the security, order, peace, or harmony of public life. The following is a picture of the flow of film censorship registration.



Figure 1 – The flow of film censorship registration

The Film Censorship Board, which protects the public from the negative impacts of circulating films, looks helpless in the face of the technological onslaught in the first film world, given the in-

creasingly diverse nature of film content. Second, it is easier for film creators to showcase their work on OTT services or social media without needing to obtain a statement that passes LSF censorship; this is the need for legal policies in the field of Cinema in censorship on OTT services, because:

a) Cases of crimes caused by uncensored film bunches often occur, such as cases of obscenity due to watching pornography films after watching an adult film, *Man in Tempilang West Bangka Cabuli Neighbour's Child* [21].

b) The state has an obligation to maintain the nation's moral values. In Indonesia, the state upholds Pancasila as the nation's moral foundation and must protect it from the challenges posed by current technological developments.

c) All entities must be regulated by law, including OTT service providers, considering that Indonesia is expressly in its constitution that Indonesia is a state of law.

d) Film Censorship Board (LSF) has not clearly received the authority to censor OTT services. To address the regulatory gap created by this situation in 2021, LSF drafted a declaration for the National Movement for Self-Censorship Culture (GNBSM).

This moral movement invites all people to sort and choose shows according to age classification. LSF sees the culture of self-censorship as very important, given the development of a highly digital world in which audiences can access films freely, both paid and free. The awareness of sorting and choosing tontonan needs to be instilled from an early age. LSF certainly hopes that NAM can manifest in the form of more binding rules and regulations. Therefore, collaboration from all elements of the nation is needed, not just film economic actors. LSF is still promoting the Socialisation of Self-Censorship Culture across all levels of society.

The NAM policy issued by LSF is due to technological advances that make LSF's role as a film censor in Indonesia less effective. If you look at the main role and task of LSF, the problem is none other than the mandate of Government Regulation No. 18 of 2014 concerning the Film Censorship Board, which optimizes a new paradigm in film censorship in Indonesia [22]. In this regulation, LSF now takes a dialogue approach with film producers and creators if problems are found in film content and film adver-

tisements because one of LSF's functions is to protect the public against negative impacts arising from the circulation and performance of films that are not in accordance with the basic direction and purpose of Indonesian Cinema.

The Film Censorship Board practically only provides records of the results of censorship. Of course, these records, made based on the same film content, are not in line with existing rules. For the rest, the film is back in the hands of the owner or producer; this applies equally to both national and foreign films. In the current context, LSF must continue to build collaboration with all film stakeholders in Indonesia. The spiritual atmosphere of jointly advancing national Cinema and maintaining the resilience of local culture must always be echoed. For this reason, all elements of the film industry, including players and businesses, should be optimizing as cultural warriors. The increase in film censorship and film advertising is one of the indicators LSF uses to determine the success of mandatory censorship under Article 57 of Law No. 33 of 2009 concerning Cinema, which requires that every film and film advertisement circulated and/or shown must obtain a censorship pass certificate.

The author's analysis of the revision of legal policies in the field of Cinema, in film censorship on OTT services, is because:

a) Crime cases caused by uncensored film bunches often occur, as seen from the many films that contain pornography, violence, sexual abuse and so on, which anyone, both young and old, can access.

b) The obligation of the state to maintain the moral values of the nation because this has a major impact on the morals and personality of the nation, even though Indonesia has Pancasila as the source of national personality values and the source of national law.

c) All entities must be regulated by law, including OTT service providers, because Indonesia, as a state of law, has an obligation to protect the morals and personality of the nation in Cinema that has an impact on Indonesian society.

d) Indonesia itself already has a Film Censorship Board tasked with protecting the morals and personality of the nation in films circulating in Indonesia. The government has not clearly granted the Film Censorship Board (LSF) the authority to censor OTT services. According to the theory of authority, the Film Censorship Board

under Law No. 33 of 2009 concerning Cinema is a Non-Structural Independent Institution. According to the theory of state institutions, scholars distinguish state institutions by their functions. Based on this theory, the Film Censorship Board (LSF) belongs to the category of supporting state institutions that carry out executive (administrative) functions, as stipulated in Government Regulation No. 18 of 2014.

The provision explains that LSF has a duty to protect the public from negative impacts arising from the circulation and performance of films and film advertisements that do not conform to the basis, direction, and objectives of Indonesian Cinema. However, with technological advances in the world of Cinema This led to a policy in 2021, LSF has drafted a declaration of the National Movement for Self-Censorship Culture (GNBSM) is a moral movement that invites all people to be able to sort and choose shows according to age classification, because LSF's function as censoring films circulating in Indonesia is not optimal, on films on OTT services, Finally, the circulation of films on OTT services in Indonesia does not have a censorship pass certificate issued by LSF which is not in accordance with Law No. 33 of 2009 concerning Cinema. Films circulating in Indonesia must first undergo censorship by the Film Censorship Board.

Legal policy in 5007optimising film circulation in the digital economy era. Various factors influence legal policies for optimising film circulation in the digital OTT economy. Some of these optimisation factors pose challenges and constraints that OTT service providers must address. Here are some factors for optimising film circulation in the digital economy era:

1) Laws and regulations have not clearly regulated LSF's authority to censor OTT services. The vagueness in the laws and regulations governing the Film Censorship Board's (LSF) authority to censor OTT services warrants attention. LSF's authority in this regard must be clear and in accordance with technological developments and the principles of democracy and freedom of expression. Legislators must amend or clarify the legislation to expressly establish the Film Censorship Board (LSF) 's authority to censor OTT content; the law must also define clear limits on the types of content subject to censorship, the censorship procedures, and the appeal mechanisms.

The government must carefully regulate the Film Censorship Board (LSF)'s authority to avoid impeding freedom of expression or restricting public access to diverse viewpoints and information. Likewise, its regulations should authorise LSF to censor content that is clearly illegal or potentially harmful, such as content that promotes violence, child pornography, or other criminal acts; this is where it is important to involve relevant parties, including OTT service providers, content producers, and freedom of expression advocacy groups, to ensure that the resulting regulations reflect a wide range of perspectives and interests.

2) Regulatory Differences. Different countries have different regulations regarding the censorship of media content. Regulatory differences in media content censorship refer to the rules and regulations applied by different countries or regions regarding what is considered legitimate or unauthorised content that OTT services can serve or offer. Here is a more detailed explanation of these regulatory differences:

Different Legal Provisions: Each country has unique Laws related to media and entertainment, including the broadcasting and distribution of online content; these can include regulations on issues such as violence, sexuality, abusive language, religion, and copyright. For example, one country may have strict regulations on the display of violence in the media, while another may be more tolerant.

Different Age Classification Systems: Some countries use different systems to determine who can access certain content. These systems may differ in age criteria and the labels used. For example, one country may use "PG-13" [23] as an age classification that restricts content to ages 13 and older, while another country may use a different system.

This change requires the law to reconstruct or reorganise itself by renewing it. According to Sudarto, legal reform, especially legislation, is considered urgent because it involves the first three factors: political reasons, namely that an independent country must have its own national laws for the sake of national pride. Second, sociological reasons require the law to reflect a nation's culture. Third, the practical reason is that the law in force in a country is the law in the original language of that country, not a translation of the law that originated.

3) International Content. International content in the context of Video on Demand (OTT) services refers to audiovisual content, such as movies or TV series, produced in a single country or region and distributed globally through OTT platforms. This kind of content often attracts particular attention because it faces unique challenges related to censorship and regulatory compliance across different countries.

4) Censorship Determination. Subjective censorship refers to the fact that what is considered appropriate or inappropriate in a film or show often depends on the point of view of a particular individual or group and does not always have clear, objective standards; this can generate debate and controversy about what should be censored in a piece of content. Below is a more detailed explanation of this concept:

Subjectivity of Judgment: Subjective censorship means that judgments of media content, such as scenes of violence, sexuality, abusive language, or content that violates moral values, often depend on the views of individuals or groups. Different people can have different views about what is considered appropriate or inappropriate.

Cultural Context: The cultural, social, and historical context of a society also plays an important role in determining what is considered necessary censorship. The norms and values prevailing in a particular culture or society can greatly influence the decision to censor.

The greatest difficulty in determining subjective censorship is striking the right balance between protecting people's values and sensitivities while preserving freedom of expression and the arts; this often requires in-depth debate and discussion, as well as efforts to reach a consensus acceptable to the various parties involved. This change requires the law to reconstruct or reorganise itself by renewing it. According to Sudarto, legal reform, especially legislation, is considered urgent because it involves the first three factors: political reasons, namely that an independent country must have its own national laws for the sake of national pride. Second, sociological reasons require the law to reflect a nation's culture. Third, the practical reason is that the law in force in a country is the law in the original language of that country, not a translation of the law that originated.

Social change today raises the question of how to apply the law in the era of globalisation: does the

law follow change, or must it catalyse it? According to Marx, Weber, and Durkheim, Arnold M. Rose argues that changes in law will be influenced by three factors: first, the progressive accumulation of technological discoveries; second, the existence of contact or conflict in people's lives; and third, the existence of social movements [24]. Before the era of globalisation, the law focused on maintaining order and ensuring justice in society. Along the way, it also turns out that the law is increasingly distancing itself from things that are supranational so that it is not wrong. Lawrence M. Friedman stated that in Europe very few believe in law comes from God, they consider law to be their own source, this view is called the School of Positivism which is the strongest place for legal empowerment as a tool of social change. Fritjof Capra said that the school of positivism, influenced by the Cartesian-Newtonian paradigm, contributed significantly to the problems that are prevalent in the present era [25].

For those who see law as a rule that functions as a tool of social control, the law does not need to change when other elements change; it simply adapts to changes in other sectors. Hugo Sinzheimer argued that society needed to initiate new legal changes because a gap had emerged between social circumstances, events, and relationships and the laws governing them. According to him, law cannot be separated from the social realities it regulates. When those realities change, the law must adapt to remain effective [26].

According to La Piere, the factors that drive change are not the law but increasing population, changing values, ideology, and advanced technology. If at any time society changes in accordance with the law's will, then the law is still not a factor; it is only seen as a result of that change. If it is a new emergence, it is actually the result of a prior societal change, so the law only confirms what has actually changed.

The Indonesian state and society must confront the threats and challenges posed by the Industrial Revolution 4.0 while upholding the values of Pancasila. Pancasila was born from the founders of the country as they explored the values and customs of the Indonesian homeland. In other words, Pancasila is the original value of Indonesia and emerged from many differences within the country [27]. The people of Indonesia also follow the times, so civilisation is increasingly

advanced, especially in the field of technology. In addition to technology making it easier to do its work, it can also endanger human life if people are not wise in using it, meaning that people can keep up with the times and technology, but must still increase awareness and policies for its use. It is therefore appropriate that all Indonesians uphold the values of Pancasila.

CONCLUSIONS

1) To fill the gap, LSF formed a policy in 2021, declaring the National Movement for Self-Censorship Culture (GNBSM) a moral movement that invites all people to sort and choose shows according to their own age classification; this is because LSF's function as a censor for films circulating in Indonesia is not optimal for OTT services, and ultimately, films on OTT services in Indonesia do not have a censorship pass certificate issued by LSF. Even though it is in accordance with Law No. 33 of 2009 concerning Cinema, that films circulating in Indonesia must first undergo censorship by the Film Censorship Board.

2) The Film Censorship Board is an institution that controls the negative impact of films cannot perform their functions properly in OTT services because first, the laws and regulations have not clearly regulated LSF's authority in censorship on OTT services, second, differences in regulations in terms of censorship in each country with what is considered legitimate or illegitimate in the content broadcast or offered OTT services, which is ultimately difficult to achieve the objectives of film law In Article 3 of Law No. 33 of 2009 concerning cinema.

Suggestion. First, encourage the government to draft regulations clarifying the Film Censorship Board's position on film platforms, as the Film Law allows films to be shown on television, in cinemas, and on Information Technology Networks. Second, the government, OTT service detectives, and film industry detectives in Indonesia, in cooperation, aim to achieve the mandate of Article 3 of Law No. 33 of 2009 concerning cinema.

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