

Supervision Polemics of Indonesian Broadcasting Commission (KPI) on Internet Content

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Abstract—Internet users in Indonesia reached 171.17 million in 2019. Data on Spring 2014 Global Attitudes mentioned that in developing countries the impact of the internet has given bad influence. It prompted the Indonesian Broadcasting Commission (KPI) to supervise the internet. However, it received disagreement from part of community by delivering the petition to reject KPI plan through www.change.org. This research aims to find out the pros and cons of KPI in supervising Netflix and YouTube content. The study used critical discourse analysis. The results revealed the polemic due to differences in interpreting the Broadcasting Law 32 of 2002, especially regarding 'other media' whether it includes the internet or not; whether Netflix and YouTube are included television broadcasting or video on demand (VOD) cable television identification; or whether KPI has been given the authority to supervise them. In the context perspective, KPI conveyed that the discourse was in line with the phenomenon where the creativity of internet users increased and television programs quality were below the standard. KPI should convey these issues to the Indonesian Parliament. The KPI supervision must have clear legal basis first, and do not obstruct internet users' creativity.

Keywords: *polemic, internet, supervision, Indonesian Broadcasting Commission*

I. INTRODUCTION

The increasing number of internet users is in line with the entertainment needs. A study by Stuart Cuninham and David Craig entitled *Online Entertainment: A New Wave of Media Globalization?* stated that it considers the phenomena of global online screen entertainment platforms in the context of enduring debates in communication and media studies concerning media globalization. While the relatively frictionless globality of such phenomena demands attention, we stress the differences between such platforms and the system of national broadcasting, film, and DVD release and licensing by windowing and territory.

The widespread use of smartphones in some countries has affected the increasing number of people accessing the internet. This contributed to various fields, ranging from education, personal relations to economy. However, from a moral standpoint, the internet is actually considered to have a negative impact. That was the result of a Pew Research Centre study entitled *Spring 2014 Global Attitudes*. In a survey conducted in 32 countries, it showed that the internet had a

good effect on education, personal relationships, and economy of 64%, 53%, 52%, respectively.

As quoted by the official PEW Global website, quite a lot of people in developing countries consider that the internet has a bad influence on morality, 29% of which see the internet as a positive influence, and the remaining 42% think that the internet has a bad impact. Meanwhile, in the political sphere, the good and bad effects are equally balanced, i.e. 36% and 30%, respectively. This survey also shows that the activity most frequently carried out by internet users in developing countries is socializing.

Surfing on the internet for hours for entertainment and online games is not related to learning. Using social media, playing online games, surfing on the internet with high intensity are not related to the use of the internet for learning [1].

The discourse that has become a polemic and a trending topic is the supervision of new media by the Indonesian Broadcasting Commission since August 10, 2019. The Indonesian Broadcasting Commission (KPI) is preparing to oversee broadcasts on internet-based broadcast media such as YouTube and Netflix. This plan does not appear by itself; it comes for reasons of complaints from the public covering many things such as child protection, pornography, and violence. Therefore, KPI took an initiative to start watching broadcasts in these media. The contents to be monitored by KPI are mainly new media instead of all social media, in this case, YouTube and Netflix.

More than ten thousand netizens have signed the petition of *Tolak KPI Awasi YouTube, Facebook, Netflix* (Reject KPI Monitor YouTube, Facebook, Netflix) published on Change.org. This petition emerged after the Chairperson of the Indonesian Broadcasting Commission (KPI), Agung Supario, said that his agency plans to oversee new digital media contents [2]. This rejection was also made through the petition of *Tolak KPI Awasi Netflix dan YouTube* (Reject KPI Monitor Netflix and YouTube) on www.change.org which have collected more than 114,928 signatures. The petition of *Reject KPI Watching YouTube, Facebook, Netflix* was firstly initiated by Dara Nasution and addressed to the Indonesian Broadcasting Commission, Commission I of the Indonesian

Parliament and the Minister of Communication and Information.

This petition argued that KPI's plan to monitor Netflix and YouTube contents was problematic because it has damaged the mandate of the establishment of KPI as stipulated in the Law No. 32/2002 on Broadcasting [3]. The law regulates KPI overseeing conventional media such as television and radio, instead of digital media and contents. The rejection was conveyed because KPI is not a censor institution. KPI is considered having only the authority to compile and supervise the implementation of the Broadcasting Behaviour Guidelines and Broadcast Program Standards (P3SPS). Another reason for rejection was that Netflix and YouTube are referred to as an alternative to public viewing, because KPI's supervision of television shows is considered poor. For example, KPI ignores talk shows which are full of theatrical, rude and sexist jokes. Netflix broadcasts are free for consumption by those who pay subscription. It is also stated that KPI as a state institution does not need to interfere in the people's personal choices. In the petition, KPI is recommended to evaluate themselves first.

KPI considers that the legal umbrella of the current surveillance activity is the Law No. 32/2002 on Broadcasting. However, Article 1 states that, "Broadcasting is the activity of broadcasting broadcasts by means of broadcasting and/or means of transmission on land, at sea or in space by using radio frequency spectrum through air, cable, and/or other media to be received in a manner simultaneously by the community with the broadcast receiver [3]."

This other media term is considered to be the basis of YouTube and Netflix monitoring, even though it uses internet, instead of radio frequency. But at this time, Agung said that there were two interpretations of the law. The first interpretation mentions that other media can be included on media such as YouTube and Netflix. Meanwhile, the second interpretation considers both of them cannot be categorized as other media. For this reason, KPI held a Focus Group Discussion (FGD) after August 17, 2019 discussing the matter of differing legal views. On the other hand, Agung referred to the activities of the Press Council which verifies online media [4].

The polemic, also due to the fact that private television shows have not shown good quality and improvement, makes the audience turn to online media. Of course, this should also be an evaluation material. KPI really should be more transparent related to the results of the annual evaluation. The public has the right to know the evaluation of TV station commitments that are directly related to the public interest. Regarding public interests in broadcasting, we are also waiting for the completion of the revision of the Broadcasting Law. The completion and discussion of the draft law looks very tough and time consuming. In that process, we can see there is a struggle of three interests, namely: the interests of capital owners, political interests, and public interests.

Technological, communication and information developments are part of democratization, but it must be mutually beneficial and empowering. The media and democracy can work well. Television talk show could be seen as a mechanism to promote the idea of public sphere [5]. In

Malaysia, the television talk show is fast becoming a popular television genre and has an important place in television scheduling.

II. METHOD

This study examined the polemics of the Indonesian Broadcasting Commission (KPI) on Netflix and YouTube Contents that occur in the social media space discussing the pros and cons, normative reasons, textual arguments and contexts. Therefore, this research method used text analysis of critical discourse on the polemic. With a focus on KPI's normative authority text emphasis on the internet (new media), Netflix and YouTube platforms, broadcast and Video on demand (VOD), argumentation of rejection, context and public social cognition.

Critical discourse analysis (CDA) is type of discourse analytical research that primarily studies the social power abuse, dominance and inequality are enacted, reproduced, and resisted by text and talk in the social and political context. With such dissident research, critical discourse analysts take explicit position, and thus want to understand, expose and ultimately resist social inequality [6].

Van Dijk's discourse has three dimensions, namely text, social cognition and social context. In the text dimension, what is examined is the structure of the text and the discourse strategy used to emphasize a particular theme. According to van Dijk, even though it consists of various elements, all of these elements are one entity, interconnected and supporting each other. The global meaning of a text (theme) is supported by the text framework and ultimately the choice of words and sentences used.

Between the parts of the text in the van Dijk model are seen as mutually supporting, containing coherent meanings to each other [7]. This is because all texts considered by van Dijk have one rule that can be seen as a pyramid. The global meaning of a text is supported by the words, sentences, and propositions used. Statements/themes at the general level are supported by a choice of words, sentences, or certain rhetoric. This principle helps researchers to observe how a text is built up through smaller elements.

III. FINDINGS AND DISCUSSION

The results of this study reveal and explain several aspects related to the polemics of the Indonesian Broadcasting Commission (KPI) on Netflix and YouTube Contents that occur in the social media.

A. *Discourse on KPI Monitoring Arguments for Netflix and YouTube*

The Indonesian Broadcasting Commission (KPI) plans to create a legal basis for monitoring YouTube, Facebook, Netflix contents, etc. KPI argues that the monitoring of content in digital media aims to make the content worth watching and has educational value, as well as to keep the public away from low quality content.

TABLE I. THE ARGUMENT OF KPI MONITORING

Number	List of Reasoning Arguments
1	the monitoring plans for Netflix and YouTube has firstly emerged since the previous period of KPI commissioners
2	There are a lot of hoaxes in new media
3	There are public complaints
4	Digital literacy to create content creators

Source: Research Result

The monitoring plans for Netflix and YouTube has firstly emerged since the previous period of KPI commissioners. Chairperson of the Indonesian Broadcasting Commission (KPI), Agung Suprio, who wants to oversee non-conventional or new media content, Netflix and YouTube, reveals the reasons as follows:

“I would tell you the chronology that the discourse to regulate new media has become a program of KPI since three years ago,” said Agung in Jakarta, Thursday (8/22/2019) ... “based on the results of his survey and others said that the current millennial generation has switched from the conventional media to non-conventional one. The longer the duration spent by the young generation is increasing on the digital platform.” The question is that who is watching this media.

There are a lot of hoaxes in new media. One of KPI’s duties is to monitor television and radio focusing on the spread of hoaxes. On the other hand, pornography, hoaxes, hate speech, racial intolerance, radicalism and terrorism issues have shifted to new media. Therefore, KPI plans to monitor the new media, as the Chair of KPI said that,

“At the time when the hoax on TV was considered to be dismissed, the negative contents appear in new media. This reason is one of the underlying KPI to monitor Netflix and YouTube later. Well, how about new media that broadcast? Indeed, so far, the public is watching, the public can complain to the Ministry of Communication and Information, for example, if they do not like the contents on Netflix and YouTube, or KPI can complain about an agency and the agency reports to the platform.” Therefore, Agung said that the above problems need to be considered jointly and not only conducted by KPI.

There are public complaints. Agung said this plan did not just appear without reasons, and KPI received complaints from the public about this new media, involving many issues such as child protection, pornography, and violence. Thus, KPI took the initiative to start monitoring broadcasts in these media.

Digital literacy to create content creators. KPI will not only monitor the shows in new media such as YouTube and Netflix. More than that, KPI has a goal to expand digital literacy to students in Indonesia. KPI does not want Indonesian children to only be the object of shows on YouTube and Netflix, being ‘viewers and likers.’ Therefore, KPI wants these children to become content creators of positive contents to build a lot of content creators from Indonesia.

B. Argument Discourse of Reject KPI Monitoring Netflix and YouTube

The Indonesian Broadcasting Commission (KPI) has become the main topic at almost all social media. The reason is that KPI plans to monitor shows on Netflix and YouTube. This received mixed responses from netizens stating pros and cons of this policy plan; thus, it has become an interesting discussion. It is stated that the rejection of KPI monitor Netflix and YouTube is because this plan is problematic due to several reasons:

TABLE II. ARGUMENT DISCOURSE OF REJECT KPI MONITORING

Number	List of Reasoning Arguments
1	It violates the mandate of establishing KPI
2	KPI is not a censor institution
3	Netflix and YouTube are alternatives to public viewing because of KPI’s poor performance in monitoring television shows
4	People pay subscription to access Netflix
5	Parental control protection has already existed
6	KPI should focus monitoring radio and television

Source: Research Result

It violates the mandate of establishing KPI. According to the Law No. 32/2002 on Broadcasting, the purpose of KPI is to monitor television and radio broadcasts using public frequencies. KPI’s authority is limited to regulating television broadcasting and within the range of the radio frequency spectrum, instead of in the area of digital media and contents. KPI itself acknowledges this.

KPI is not a censor institution. In the Broadcasting Law, KPI does not have the authority to censor a broadcast and prohibit it. KPI is only authorized to compile and oversee the implementation of the Broadcasting Code and Code of Conduct and Broadcast Program Standards (P3SPS).

Netflix and YouTube are alternatives to public viewing because of KPI’s poor performance in monitoring television shows. KPI has never cracked down on television broadcasting soap operas with silly and non-educational scenes, talk shows that are full of theatrical and sensationalism, and comedy that jokes each other with crude and sexist jokes. Finally, people are looking for other shows outside television with better quality. The large number of people turning to digital content has become an evidence of KPI’s failure to curb broadcasting institutions. In this case, KPI should evaluate themselves.

People pay subscription to access Netflix, meaning that Netflix is consumer goods that are free to be used by the consumers. KPI as a state institution does not need to interfere in the personal choices of its citizens. KPI’s plan to monitor YouTube, Facebook, Netflix, or similar content is clearly problematic and violating. KPI should improve its performance to curb television shows to improve quality, not to force it to widen authority with a disappointing track record. In addition, the government also needs to create programs to strengthen media literacy. This will provide a concrete and long-term oriented solution to the public.

Parental control protection has already existed. New media that KPI wants to monitor such as Netflix and YouTube are

already equipped with protection features such as parental control. Parental control is a feature embedded in digital TV services, video games, computer applications, and mobile devices that allows parents to limit or close access to contents for their children. Emmanouil Magnos in “Parental Control and Children’s Internet Safety: The Good, the Bad and the Ugly,” explains the role of parental control is: “to enable the control, filtering, monitoring of information, such as irresponsible content contained in applications, sites, microphones, to the camera.”

KPI should focus monitoring radio and television. The quality of television shows is still low, referring to KPI’s own research in which television shows are still not good. Therefore, KPI should focus on overseeing free to air television to have better quality for its programs.

C. Different Interpretation of the Regulation

There are different textual interpretations of the articles within the Broadcasting Law, namely:

TABLE III. ARGUMENT DISCOURSE OF REJECT KPI MONITORING

Number	List of Reasoning Arguments
1	The difference in interpretation of the phrase ‘other media
2	The analogy of online media monitoring by the Press Council
3	Differences in interpretation of the ‘broadcasting and frequency spectrum’ phrase
4	Differences in interpretation of KPI’s duties on broadcasting
5	Differences in interpretation of Broadcast and Video on demand (VOD) activities on Netflix and YouTube
6	Differences in interpretation of the channels on the internet are the same as cable TV
7	differences in interpretation of the content provider

Source: Research Result

The difference in interpretation of the phrase ‘other media’. Article 1 Paragraph 2 of the Law No. 32/2002 states that, “Broadcasting is the activity of broadcasting broadcasts by means of broadcasting and/or means of transmission on land, at sea or in space by using radio frequency spectrum through air, cable, and/or other media to be received in a manner simultaneously by the community with the broadcast receiver.”

According to the interpretation of KPI, this other media term is considered to be the basis of YouTube and Netflix monitoring, even though it uses the internet, instead of the radio frequency. In addition, when this Law was issued, the internet was not yet vibrant. But there are two opposing interpretations of the law. The first interpretation mentions this other media can be included on media such as YouTube and Netflix. Meanwhile, the second interpretation assesses Netflix and YouTube cannot be categorized as other media.

The analogy of online media monitoring by the Press Council. KPI analogizes online media monitoring conducted by the Press Council, referring to the monitoring activities of the Press Council which verifies online media. The Press Council also uses the ‘other media’ term in the Press Law to oversee online media. Therefore, these analogies and comparisons have

shown the monitoring of online media by a press council interpreting the Press Law.

Differences in interpretation of the ‘broadcasting and frequency spectrum’ phrase. According to KPI, the dissemination of contents carried out by Netflix and YouTube can be categorized the same as broadcasting media via frequency. Another interpretation is that internet-based broadcasting services are not a domain that should be regulated by KPI because their broadcasts are not frequency based, and it is said that the broadcasting stated in the law is intended for free to air broadcasting.

Differences in interpretation of KPI’s duties on broadcasting. According to KPI, if the internet media can be categorized as ‘other media’, even though it is weak in regulation, KPI only provides recommendations on the results of supervision to the Ministry of Communication and Information Technology. Another interpretation is that the Law No. 32/2002 on broadcasting does not mention that the KPI’s function to monitor YouTube and Netflix contents.

Differences in interpretation of Broadcast and Video on demand (VOD) activities on Netflix and YouTube. Netflix, YouTube, and similar applications and cable TV distribute the contents through production processes such as paid broadcasting institutions on cable TV. The activity is through a subscription process or Video on demand (VOD) such as cable TV. Another interpretation is that the process of broadcasting production and video on demand (VOD) on Netflix and YouTube is different from the subscription TV.

Differences in interpretation of the channels on the internet are the same as cable TV. According to KPI, the process of channels in cable TV through fibre optic networks can see many choices of channels and that is broadcasting. In this case, fibre optic networks are also used in internet channels. Another interpretation states that internet is different from cable TV channels, and KPI has no right to monitor the internet.

Differences in interpretation of the content provider. According to KPI, Netflix and YouTube are similar to the pay TV broadcasting activities. Another interpretation states that Netflix and YouTube are network and content provider not a broadcasting institution, just like a production house, an agency in terrestrial television.

IV. CONCLUSION

Globalization and the development of digital technology is a necessity, but consequently the overflow of foreign content will increase. Contents from abroad or foreign broadcasts need to be monitored whether there are good and bad. The monitoring planned by KPI needs to be based on clear and definite regulations. Supervision needs to be done wisely, carefully and proportionally, so as not to obstruct the developing digital creativity.

Internet is a necessity for the public. While, Netflix and YouTube are content providers that are still dominated by foreigners, and it must be in line with education, identity and national culture. Digital literacy is important to create positive and intelligent content stories.

This research has the significance to provide concrete and factual input on the importance of revising the broadcasting law which takes into account comprehensively the digitalization of broadcasting especially the duties and authority of the KPI on new media or internet. However, the rules and authority must be proposed and placed wisely and preventively, instead of oppressively and repressively.

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