



Convergence of Law and Technology Through Optimization of Pancasila

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Abstract

Based on the legal norms of the EIT Law, Pancasila is the source of all the resources needed for the technological development of the Industrial Revolution. To promote optimal use of cyberspace, we must continue to rely on Pancasila to minimize the pessimistic impact that occurs. This study focuses on examining the application of Legal and Technological Convergence in the Industrial Revolution to victims of cybercrime, in terms of the Pancasila principles. This study is worth further consideration. The method used is normative and legal. This preliminary study concludes that in the context of the convergence of law and technology in the Industrial Revolution, cyberspace and human resources must rely on Pancasila's teachings that it is the first step in the convergence of law and technology in the form of industry. I am. revolution. However, despite the EIT law, this regulation does not solve the technical problems of the Industrial Revolution. Primarily related to convergence, it leads to different forms of new virtual services and a variety of constantly evolving technical issues.

Keywords: *Convergence of Law, Technology, Pancasila*

INTRODUCTION

The development of information technology (Industrial Revolution 4.0) has spawned new ideas: information technology-based credit and credit services, or what is commonly referred to as financial technology. The rapid development of science and technology over the last five years has affected the level of human civilization and has brought about major changes in people's patterns and behaviours. Rapid advances in science have occurred, especially in the fields of telecommunications, information and computers. Especially with the fusion of telecommunications, information and computers. Based on the phenomenon of convergence, it is now called the Information Technology Revolution.¹ Currently, Financial technology is the most closely associated with the internet, also experiencing rapid development and growth dynamics. Existing laws and

¹ Djulaeka dan Ridho Jusmadi, "Perubahan paradigma Hukum sebagai Dampak Konvergensi Telematika", Prosiding Seminar Nasional: Menuju Masyarakat Madani dan Lestari, 2013

regulations are often lagging and unable to do so deal with practical matters and problems that occur in the financial technology industry. In some more developed countries, changes in the Financial technology immediately responded with adjustments to existing laws, for example by changes or adjustments to the Law and or related regulations others, whereas in some countries the law does not fully respond to industry changes, resulting in inconsistency, disharmony between regulations in the practice of organizing Financial technology businesses daily. The dynamic changes of Financial technology efforts are mainly related to the changes in the three aspects, namely technological aspects, demand aspects, and competition aspects.²

An era of fusion of communication, computers, content, and communication The community facilitates the process of globalization of telecommunications services, information. This speeds up the infinite world. The globalization of electronic technology and computer information has narrowed the territory of the world, shortened communication distances, and condensed the mobilization of people and things. The era of convergence pushes the boundaries between information, industry, investment and individual clients. The merger between the "Internet of Things and Services (IoT and IoS) and Cyber-Physical System (CPS) is a hallmark of industrial revolution 4.0. Internet of Things and Services (IoT and IoS) are all application services that can be used by all interested parties in the organization and internally, while Cyber-Physical System (CPS) is an amalgamation of the real world and the virtual world". In the era of convergence, telecommunications network companies not only provide telecommunications services but also other value-added services such as television broadcasting services, services, advertising services, sales or tool rental services, installation services, warehouse services, etc. can.³ These additional services are a unit. Integrated the main telecommunications services offered. Currently, there is already a collection of obligations of various regulations by the service government.

Article 1 paragraph (3) of the 1945 Constitution, that: "The State of Indonesia is a state based on law." Article 28 C of the 1945 Constitution, that; "Everyone has the right to develop themselves through the fulfilment of their basic needs, the right to education, and to benefit from science and technology, arts and culture to improve the quality of their lives and for the welfare of mankind." It is the philosophical foundation of Indonesia's technological development. The implementation and development of science and technology are supported and guaranteed by the country. All citizens, from a technical point of view, have the right to optimize the possibilities given by Almighty God.⁴

As mentioned above, the negative effects of the development of information technology have created a new legal system called information technology crime. This legal system is used internationally as a legal term related to crimes related to the use of technology. The field of electronic transactions.⁵ Legal issues that often arise in criminal activities related to electronic transactions related to the transmission of information, communications, or transactions by electronic means, especially those related to legal action taken through evidence and electronic systems.⁶ An electronic system is a computer system in the broadest sense, including

² Lawrence M Friedman, "American Law", (New York : WW Norton & Company, 1984)

³ Denny Setiawan, "Alokasi Frekuensi: Kebijakan dan Perencanaan Spektrum Indonesia, (Jakarta:Dirjen Pos dan Telekomunikasi Menkominfo, 2010).

⁴ Agus Pramono, "Reformasi Hukum Telekomunikasi di Indonesia dari Monopoli ke Kompetisi", (Jakarta: Universitas Indonesia dan Masyarakat Telematika Indonesia, 2014)

⁵ H. Zainuddin Ali, "Pengantar Hukum Indonesia", (Masyarakat Indonesia Baru, cetakan kedua, 2014)

⁶ Amir Efendi Siregar, "Konvergensi Regulasi Komunikasi", (Koran Kompas 12 Mei 2016)

not only computer hardware and software but also communication networks and electronic communication systems.

Based on the amendments to the Telecommunications, Broadcasting and ITE Act and the new Communications Act, Stage is enacted, followed by state regulations governing the design of convergence. The President's decision on the establishment of aid agencies; and the explanation of the law, followed by communications and IT continued by implementing ordinances such as the Ministerial Ordinance. Mention to Law no. 11 of 2008 concerning Information and Electronic Transactions as amended by Law Number 19 of 2016 (EIT Law) and Regulation of the Minister of Communication and Information Number 20 of 2016 concerning Protection of Personal Data in Electronic Systems (PM 20/2016) as well as other related laws'. The EIT Act ensures recognition and respect for the rights and freedoms of others, meets fair demands for security and public order and morals in democratic societies, and enables the achievement of justice, public order and morals and legal certainty. Determines the basic provisions of the Political and Regulatory Framework for Indonesia's telecommunications, broadcasting, information and e-commerce sectors, and the regulatory convergence framework and community.⁷

RESEARCH METHODS

This study focuses on investigating statutory adoption systems in the context of Pancasila-based states, and on the convergence of law and technology in the Industrial Revolution in the case of new patterns of criminal activity.⁸ Suggests a composite hybrid legal model. In addition to the traditional layer in which the traditional legal model in the form of sector law was claimed, a legal model issued by the layer was also introduced. The new law is the law of convergence. The convergence method is a combination of aspects. Infrastructure, resources, and services are integrated. Types of literature, including textbooks, law magazines, monographs, and other books directly related to the subject of writing this article. Tertiary legal material is legal material that provides instructions and explanations for primary and secondary legal material. The tertiary legal material consists of legal dictionaries directly related to this article. A qualitative approach was chosen to identify the purpose of this paper, the legal obstacles to reform, and to assess the extent to which these issues formed a governance structure. Qualitative research is defined as a research process that uses inductive data analysis to understand a problem.⁹

RESULT AND DISCUSSION

The placement of the law of convergence is important for instruction and use Stimulate the convergence of ICT efforts to create wealth, Justice, intelligence for the Indonesian people. Meanwhile, development Convergence must also be regulated by law so that convergence does not interfere with national defence, security and sovereignty. In this case, The state is interested in a balanced relationship between profits and possibilities Risk of convergence. Convergence drives change positively, which is part of development.

⁷ David Bumi, "Menata Industri Telekomunikasi", (Koran Bisnis Indonesia, 14 April 2016)

⁸ J.L.K. Valerine, "Metode Penelitian Hukum: Kumpulan Bahan Bacaan untuk Program S2 dan S3", (Program Pascasarjana, Fakultas Hukum Universitas Indonesia, 2014)

⁹ Sabian Utsman, "Metodologi Penelitian Hukum Progresif: Pengembangan Permasalahan Penelitian Hukum Aplikasi Mudah Membuat Proposal Penelitian Hukum", (Pustaka Pelajar, cetakan kesatu, 2014)

Therefore, legal changes are needed to ensure an orderly and orderly process of convergence of change. Something is done little by little.¹⁰ Efforts to overcome crime are carried out not only through repressive "punishing measures" (action/eradication) but also through preventive (prevention/deterrence/control) non-criminal measures (outside / outside the scope of criminal law). Will be done, the indemnity approach is primarily aimed at improving certain social conditions but indirectly has a crime-preventing effect. According to Barda Nawawi Arief, impunity-free counter-policy in criminal policy has a very strategic position and advantage and needs to be strengthened and effective. If this approach fails to implement, it is fatal to the fight against crime.¹¹

Convergence contracts are important to provide the warranty. Players (including operators, investors, suppliers, etc. involved in ICT projects). of course, The investments made and made can be used effectively Efficient, high returns and returns It's balanced. Crimes using the media of electronic systems called cyberspace can be categorized as real or virtual acts. From a legal point of view, activities in cyberspace cannot be approached with traditional legal norms or qualifications. There are too many difficulties and many escape criminal charges.¹² Pancasila, which is in the highest position in the order of legal norms, receives the validity of the norms above it. To guarantee the validity of the underlying legal norms, valid contradictions must be formed. As the basis of common law, Pancasila should not be questioned or discussed. Activities in cyberspace are virtual activities that affect, even though the evidence is electronic. Therefore, the perpetrator must also be qualified as the person who committed the legal act.

IT companies continue to evolve A company that provides system integration services (system integrator services). If the company is also involved in supporting the customer to Implement software applications and helping at the same time Integration into existing IT system. Integration of traditional legal model and layered legal model. This option suggests systematic and gradual changes. It is more appropriate because the old form is retained and there is a transition period that runs in parallel with the new law (new form) until the goal of convergence is achieved. Pancasila as a fundamental norm marks the end of the legal debate over the validity of legal usual. At the level of legal typical, the average is applied based on the legal norms that exist on them. The above legal norms are legal because they are on top of the legal norms until they remain basic. Norms as legal norms cannot justify their validity in other legal norms. The erosion of Pancasila as all legal sources means that Pancasila is no longer binding in the national legal system. the legal reality far from the corridor of the national fundamental norms meant that Indonesia's legal content and law enforcement are not clearly defined. In particular, resistance to the new order and strengthening of legal pluralism contributed to the lack of identity in the national legal system. Pancasila as a Faculty of Law eliminates the plural of the legal system. The more plural or diverse the applicable laws, the more contradictions arise between these legal systems.

Pancasila as a source of law is legally justified, but it does not yet occupy a position in the hierarchy of law and ordinance. Concerning Pancasila in the hierarchical legal system, the unproductive view that it is unethical to include it in the regulatory hierarchy has often been supported because Pancasila is the foundation of the

¹⁰ Danrivanto Budhijanto, "Hukum Telekomunikasi, Penyiaran dan Teknologi Informasi", (Refika Aditama, 2013)

¹¹ Abdul Wahid dan Mohammad Labib, "Kejahatan Mayantara (Cyber Crime)", (Refika Aditama, 2005)

¹² Susilo Bambang Yudhoyono, "Sambutan Acara Konferensi Teknologi Informasi dan Komunikasi", (3 - 4 Mei 2005)

state and the source of the legal order. However, when referring to Kelsen and Nawiasky's stufenbaut theory which requires that the top of the hierarchical norm is the basic norm or Grund norm/ Staatfundamental norm, Pancasila as the basic norm should be at the top of the order of these norms. We provide concrete and complete solutions to the legal issues facing the convergence-related industry. Because regulatory changes are shaped at the same time as the convergence test. It can be done in a more structured way and designed more thoroughly (inclusively).¹³ This causes the people concerned to want to know about the type of EIT Law in cybercrime cases, they must communicate with expert witnesses.

Limited cost and access to communication with experts on the types of EIT law in the Cybercrime Chronology text. Therefore, what we need is the technology that will help us understand the types of EIT law in cybercrime cases. Indonesia as part of world society is inseparable from the development of information technology. Convergence Regulation regulates the right to integrate telecommunications services. This change is a logical decision. This can be seen as a result of the convergence phenomenon, especially sector regulation, which previously could not directly regulate the emergence of new media services and their industries. EIT Law formed that problems arising from activities in cyberspace cannot be used using conventional legal institutions, technological aspects and social, cultural and ethical aspects. The establishment of the EIT Law is also part of the effort to provide legal certainty because, without legal certainty, the matter of using information technology is not optimal. The term sovereignty has various meanings and interpretations.

There are three models for the role of the state in convergence. Possible legal approaches: traditional regulation of top-down models where the role of the dominant state, the bottom-up regulatory model, in this case, the role of smaller states, and the Convergence of Larger and Communities involved in the Hybrid Model are a combination of the traditional regulatory model and the self-regulatory model, sharing the role of government and the role of society in implementing convergence agreements. The role of government varies from country to country and relies heavily on the legacy of existing regulations and the extent to which these countries have come together and developed. In business, run without trying to take advantage of technology And new products or services. Despite convergence Infrastructure and technology platforms used by enterprises, ICT allows these companies to offer products Or beyond core activity but a service In many cases, regulations do not allow these products or services to be integrated and sold as a common product. The term sovereignty may have a different sense in law, political science, history, philosophy and other related fields The period sovereignty may have exclusive meanings for exclusive people, every of whom has an unlike background. The period sovereignty may also have an exclusive feel in law, political science, history, philosophy and different associated fields.¹⁴ According to Black's Law Dictionary, sovereignty is defined as "the freedom of the nation has its correlate in the sovereignty of the nation. Political sovereignty is the assertion of the self-determinate will of the organic people, and in this, there is the manifestation of its freedom. It is in and through the determination of its sovereignty that the order of the nation is constituted and maintained".

Pancasila allows Indonesia to select which rule of law concept is suitable to be applied in Indonesia. For example, Indonesia is not a religious state, but religious acknowledgement is strong in Indonesia, as evidenced

¹³ Yu-li Liu, "The impact of Convergence on Telecommunications Law and Policy: A Comparison between Japan and Taiwan", (National Chengchi University, 2009)

¹⁴ Andreas M. Kaplan and Michael Haenlein, "Users of the world, unite! The challenges and opportunities of Social Media", (Business Horizons 53 (1), Elsevier, 2010)

in “Article 29 paragraph (2) of the 1945 Constitution of the Republic of Indonesia that the circumstances guarantee the independence of each resident to embrace their religion and to worship according to their religion and beliefs”. In addition, in the operation of law enforcement, Indonesia follows the principle of civil law, namely the principle of legality. Indonesia also uses the principle of common law, namely justice. Indonesia does not follow the principle of sociality legality, “Article 33 paragraph (2) of the 1945 Constitution of the Republic of Indonesia states that the production branches which are principal for the state and which affect the livelihood of many people be managed by the state. State intervention is required and regulated in the constitution for the welfare of its people”. However, in this era of globalization, Pancasila gets a test, namely when it is faced with having to continue the concept of legal pluralism with the concept of legal unification.

Legal pluralism corresponds to the dynamics of society and can be interpreted as a recognition of the existence of various unwritten laws (common law and Islamic law) whose existence is common throughout Indonesia. This can be seen in the 1945 Constitution of the Republic of Indonesia Article 18 B paragraph (2) which states that "The State recognizes and respects customary law community units and their traditional rights as long as they are still alive and under community development and the principles of the Unitary State of the Republic of Indonesia, regulated by law". Meanwhile, legal unification requires a legal concept that applies throughout Indonesia to maintain legal certainty. The United Nations (UN) Congress on The Prevention of Crime and The Treatment of Offenders mandates that preventive efforts to tackle crime can be carried out based on eliminating the causes of conditions that cause crime. Such efforts must be the basic strategy in crime prevention (the basic crime prevention strategy).

Thoughts, nature and ideas are transformed into the soul and individuality of the Indonesian country. Pancasila was born from the meeting place of multiple Indonesian nations and the national struggle for Indonesia's independence. Pancasila, the foundation of the Indonesian state of customs, culture and religious values, existed in the Indonesian state even before the establishment of the unified state of the Republic of Indonesia. These values exist, are applied and practised in everyday life as a way of life for the community. These values were formally formulated by the founder as the basis of the Indonesian national philosophy.¹⁵ Pancasila and the 1945 Constitution of the Republic of Indonesia are the philosophical foundations in the life of the nation and state (in matters of legislation, but all matters of life). Ronald Dworkin argues that moral reading is necessary to live the Constitution. The basic principles include quality values that are not shared by normal regulations. Since this legal system affects millions of people under its salvation, its meaning must be explored behind the scriptures, and the Constitution also regulates nations and their existence. However, the Constitution is not a "new scripture" that cannot be changed, and the social security law must be changed in a very rudimentary manner, which has a great impact on the lives of the nation. These changes also need to be based on the values that exist in society, not just the desires of those in power. Enforcing the law not only means enforcing the law, but it must also be socially sensitive. Laws are not only rules (logic and rules), but also other logic. The application of law alone is not enough, but criminal charges must be strengthened in the social sciences. This is a challenge for police, prosecutors, judges, lawyers, and anyone else involved in the law enforcement process to break out of the purely rigorous and analytical scope of the law. It's time for law

¹⁵ Denny Setiawan, “Indonesia 4 G Spectrum”, (Kementerian Komunikasi dan Informasi, 2011)

enforcement agencies to seek the basis for implementing true justice in Indonesia's response laws and the social realities they face in society.

The policy of turning something that was not originally a criminal offence into a criminal offence is called a criminalization policy if the policy is part of a criminal offence policy or a criminal (criminal) policy. Therefore, these guidelines are part of the proposed criminal or disciplinary action guidelines, especially those related to their development. As already mentioned, the Indonesian government's policy with the enactment of the EIT Law is the first legal basis for regulating the cyber world and cyber law. In the previous discussion, the content and scope of the EIT law were very broadly defined by discussing cyberspace regulations, such as the expansion of eDiscovery and evidence in the Code of Criminal Procedure.¹⁶ The concept of civil society implied in Pancasila and the 1945 Constitution is the social order of the state based on the principles of democracy. In short, sovereignty is in the hands of the people, and law is created by democratic mechanisms and processes. The creation of civil society is certainly not magic, nor is it a momentary process that worked overnight. The road to civil society is difficult and long, takes a lot of time and energy, and must be seen as a challenge to achieve. Similarly, the law is not without challenges in exercising its function, and the dynamics of legal affairs in society are constantly faced with obstacles and challenges.

Examples of specific convergence problems that arise in business practices are too detailed for sector and subsector permit grouping, technical requirements and available tool or equipment specifications that limit business expansion outside the corporate sector. It is legal regulation. The same service if there is a legal agreement based on a particular type of technology so that there is no technological change, restrictions on operational cooperation between operators, and the scope of providing bundled or integrated products or services are limited. We provide but treat them differently because they work differently, with different legal frameworks, different standard tool standards with different approval types. This, on the one hand, is between the cultural values of feudal legal actors and the permeation of modern Western culture that adheres to individual values derived in the form of modern and rational bureaucracy. It is the result of a struggle. In Weber's style. The battle between the above two elements creates a certain dilemma in our legal culture.

Globalization is broadly understood as the stretching of social, political and economic activities across borders so that events, decisions and zeal that take place in a place or a region have significance for society as a whole. The result of human intelligence generating technical digital signals to create their input capabilities, and at digital speeds, the system sends signals above the speed of light not found in analogue technology. Digital technology brings sophistication to communication environments that make message delivery more efficient and dynamic, undisturbed by distance, space and time. The rapid development of information technology has brought new problems to various countries including Indonesia. One of the perceived problems is the state of education in the industry 4.0 cataclysm. This now seems to be on both sides of the same coin. On the one hand, the productivity of the results and the efficiency of the educational process are of positive value.¹⁷ But, on the contrary, the Industrial Revolution also has negative value. For example, in a highly competitive world of work, there is a lot of wasted labour and technology that Indonesia has to consider. These

¹⁶ John Janka, "The Technologies, Media and Telecommunication Review", (Edisi ke 3, Law Business Research Ltd., United Kingdom, 2012)

¹⁷ Australian Communications and Media Authority, "Converged Legislative Framework: International approaches", (ACMA Report, 2011)

problems are caused by globalization and do not create boundaries of space, space and time. Globalization is a challenge to the lives of countries and nations that can undermine nationalism. The interference of Industry 4.0 left geopolitics open and categorized into various areas such as cultural, social, economic and political areas. Hopefully, all components of the country will not ignore the development of the country's resilience to dynamic geopolitical opening.

Pancasila, along with the 1945 Constitution of the Republic of Indonesia and other legislation, is one of the benchmarks for harmonizing, completing and strengthening the concept of the bill. However, this is interrupted by the word Pancasila and there is no description of the indicators and variables whose values were recorded by Pancasila. The presence of the EIT Law can be said to complement the existing Criminal Procedure Code (KUHAP), where this law regulates procedural law related to investigations by law enforcement officers such as the police and prosecutors. Procedural knowledge is knowledge about how to design, plan, and implement content-related knowledge. One of the things that makes communication worse is the lack of skills and abilities needed to bring one's motivation and knowledge to communication. Skills are repetitive in themselves and are goals that lead to action. You have to repeat it over and over because anyone can achieve it by chance, but when it no longer works, it's not a process of your abilities.

Providing legal guarantees and peace of mind is very helpful as this law provides a new paradigm for law enforcement efforts to minimize the possibility of abuse of power. To minimize the potential for power abuse, EIT Act takes into account the protection of privacy, confidentiality, smooth public services, data integrity, data integrity, and information technology and It stipulates that surveys should be conducted in the field of electronic commerce. Follow the provisions of laws and regulations. Second, the EIT Act also provides that the search and/or foreclosure of electronic systems related to criminal charges must be carried out with the consent of the head of the district court. It should be noted that in a progressive legal paradigm, a person's position is higher than regulation. However, this does not mean that positive law completely abandons positivist laws and regulations. The legislator's position in the legal community should emphasize that the progressive legal paradigm emphasizes the human element as the centre of law. In the context of law enforcement in Indonesia, returning rights to people are perfectly plausible. As is well known, law violators, especially criminals, have many loopholes and involve breaking through the status quo, escaping behind positive law that can be manipulated with appropriate personal skills. Recognizing the position of law enforcement officers does not support law enforcement.

Regulation by the state is often concept by concept. Economic analysis of a legal approach using valuation techniques to help understand the impact of the proposed convergence method from a regulatory and regulatory perspective on the distribution and distribution of wealth to industry stakeholders Regulatory Impact measures the impact of changes to the option, including the cost and benefits of each option. Convergence agreements must not be left alone, but must be governed by the state, in which case they must be represented by the government and the parties. The nation must use its power to promote convergence.¹⁸ Indonesia is easily accessible to foreign businesses via the internet network. Internet networks give operators easy access to data and information from individuals and Internet transactions. The importance of protection principles. To maintain the sovereignty of the nation, the interests of the nation are prioritized. Convergence law must be able

¹⁸ H.L.A Hart, "Konsep Hukum : The Concept of Law", (cetakan V, Nusamedia, 2013)

to stop the leakage of important information and data that could harm the interests of the country.¹⁹ The industry is plagued by a lack of structuring of convergence tests. It has not grown and is lagging behind other countries. Regulators pay attention to the rational and economic aspects. Helps companies reasonably justify their return on investment.

Due to the existence of online transactions and the use of social media in the age of convergence, legal protection of consumer personal data needs to be regulated. Personal data becomes easily accessible and can be easily misused if it is not maintained. Traffic Data forgery on the Internet (online forgery) and data piracy (data piracy). Points to note. The law must be able to protect against misuse of personal data without the consent of the user. Technology development poses new challenges to prevent fraudulent use of fake consumer data and severe penalties for forgery and piracy. Technological disruption is a phenomenon that inevitably occurs in the modern era as it is today. The rapid and significant development of technology also affects the life and social conditions in society. According to Mathias Klang, Technological disruption is a continuous thing, "Unmanageable technology is a difficult concept. It is something that occurs and re-occurs".²⁰ The technological infrastructure of society remains unchanged, and one of the key aspects of this change is that society must be aware of what is happening. Technologies in various fields have changed the patterns and lifestyles of everyday people. This is related to the rapid development of technology. The current stage of technological turmoil is the Industrial Revolution 4.0.

The law takes time to regulate the development of existing technological turmoil. A specific example is an accident that must occur between online modes of transportation, resulting in a collision between a traditional public transport driver and an online driver. Regulations for online motorcycle taxis cannot be enacted until 2019 and are still regulated only at the ministerial level. The presence of this event indicates that there are still gaps between legislation to respond to rapidly evolving technological changes. It is interesting to acquire legal relationships and technical turmoil, as there are legal barriers to catching up with technological development. (Setiyadi, 2019). The cyber-world is not given a definitive meaning in the EIT Law, other than in the explanation in the EIT Law as an activity through electronic system media. In the decision of the Constitutional Court Number 50/PUU-VI/2008 it is stated that activities in the cyber world have characters, namely: (1) easy, (2) very fast and widespread distribution that can be accessed by anyone and anywhere, and (3) can be The destructiveness of loading insulting material and/or defamation using electronic media is extraordinary because it has unlimited victimization patterns. Therefore, the main difference between interactions in the real world (real/physical world) and the virtual world is only from the point of view of the media used.

Technological disruption greatly affects social conditions and interactions in people's lives, so technological developments also result in community development. Meanwhile, concerning the law, as stated by Marcus Tullius Cicero's maxim of law, namely "Ubi societas ibi ius" (there is society, there is the law), it can be said that when society develops due to technological developments, legal developments should occur. The influence of technology on society is simply conveyed by Joseph F. Coates by stating, "Technology is the single most important factor shaping the structure of the society and economy. It is therefore central among the forces

¹⁹ Agus Raharjo, "Cyber Crime Pemahaman dan Upaya Pencegahan Kejahatan Berteknologi", (Bandung: Citra Aditya Bhakti, 2002)

²⁰ Didik M. Arif Mansur dan Elisatris Gultom, "Cyber Law Aspek Hukum Teknologi Informasi", (Bandung: Refika Aditama, 2009)

reshaping and shaped by law and the legal system.” According to Coates, technology is one of the significant factors in influencing and even shaping the development of society, so it will also influence and shape the substance and the existing legal system. Criminal liability and criminal sanctions are themselves major problems in criminal law. Several things can be used as criteria whether an act can be given a criminal threat or not. These things are In the development of national law, common law has been accepted by each country without abandoning the original law or the principles of common law. They are still valid and relevant to life in the modern world. The principle is the principle of good value, and the principle of relationship is the law. Legal principles are an element of integration. In this quality and function, the principles of law combine the rules of the legal system, parts or areas of law as a whole. This unanimous means that there is no conflict between other rules that belong to this unanimous.

The proposed legal convergence guidelines include general regulatory guidelines and other specific regulatory guidelines. General government guidelines for internet access guidelines. A particular regulatory policy is a particular legal policy and is relevant to the convergence of any corporate sector. The making of criminal law regulations needs to pay attention to the working capacity of law enforcement agencies (over blasting), which will result in the effect of a regulation being reduced. The mechanism of legal development that is generally carried out is to make changes in the legislation. Article 7 of Law no. 12 of 2011 concerning the Establishment of Laws and Regulations regulates the types and hierarchies of laws and regulations, namely: “(1) the 1945 Constitution; (2) TAP MPR; (3) Law/Perppu; (4) Government Regulation; e Presidential Regulation; f. Provincial Regulations; and g. Regency/City Regional Regulations.” So, the law which has a position after the Constitution and the TAP MPR in the hierarchy of laws and regulations, of course, has a binding force that is stronger and broader than the regulations below it. Law Number 12 of 2011 concerning the Establishment of Legislation Regulations regulates one of the content materials that affect changes in the law, namely "fulfilling legal needs in society." Of course, when there is a technological disruption that affects the conditions of community needs, ideally there will also be changes in regulations. According to the author, the availability of these laws to protect children from cyber use has not spurred the development of cybercrime that results in the victims of children. The author justifies this by stating that there are still forms of cybercrime that need to be criminalized and that appropriate forms of punishment must be formulated for cybercriminals who sacrifice their children. This is also very reasonable, as related to Ahmad Taufan Damanik's statement that: "The internet further supports the child sex tourism industry by providing patrons for the tours a means by which easily connects with like-minded others through putting the world".

CONCLUSION

In the era of convergence, network companies can stay elsewhere, or mobile operators can also organize multimedia services, for example via Internet Protocol Television. This requires a reorganization of the legal treatment of non-telecommunications services. This is a convergent derivative of the service. Law is an aspect of human life, and as the rule of law, Indonesia is determined to build a national legal system based on the values of Pancasila. Achieving national independence requires community-born reforms and Pancasila as a dynamic ideology. In its development, Pancasila needs to be optimized in terms of the convergence of law and revolutionary technology to support the paradigm of legislation. Useful for Indonesian people to think about what they are tuition, what questions to answer, how to answer them, and the rules to follow when interpreting legal issues, especially those related to criminal activity and It is a tool.

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