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RECONSTRUCTING DEMOCRATIC MEDIA GOVERNANCE AMID PLATFORM DOMINANCE IN INDONESIA

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ABSTRACT: Digital platforms have become dominant actors in shaping public discourse, political communication, and democratic participation in Indonesia. While these platforms facilitate freedom of expression and access to information, their algorithmic governance also raises concerns regarding transparency, accountability, misinformation, and democratic integrity. This study aims to analyze the challenges of democratic media governance amid platform dominance and to formulate a legal reconstruction model that balances freedom of expression with algorithmic regulation. This research employs a normative

juridical method using statutory, conceptual, and comparative approaches. Legal materials were collected through library research, including legislation, legal doctrines, academic journals, and relevant international regulatory frameworks, and were analyzed qualitatively using descriptive-analytical methods. The findings demonstrate that Indonesia's existing media regulatory framework remains inadequate in addressing the legal consequences of algorithmic control exercised by digital platforms. The absence of comprehensive standards concerning transparency, accountability, and public oversight has weakened democratic governance within the digital public sphere. This study concludes that democratic media governance in Indonesia requires a reconstructed legal framework that strengthens platform accountability, promotes algorithmic transparency, protects freedom of expression, and ensures democratic oversight in the digital era.

KEYWORDS: Democratic Media Governance, Freedom of Expression, Digital Democracy.

I. INTRODUCTION

Digital platforms have become dominant actors in contemporary information ecosystems, fundamentally transforming the ways in which citizens access information, express opinions, engage in political discourse, and participate in democratic processes.¹ Within Indonesia's rapidly expanding digital environment, social media platforms, search engines, and digital content-sharing services increasingly function as primary gateways to public communication.² The rise of platform dominance has significantly altered the traditional relationship between media institutions, the state, and society, creating new opportunities for democratic participation while simultaneously generating complex legal and regulatory challenges.³ Although digital platforms have facilitated unprecedented levels of freedom of expression and access to information, their growing reliance on algorithmic governance has raised concerns regarding transparency, accountability, misinformation, political polarization,

¹ N. Salsabila et al., "Etika AI Dalam Konteks Disinformasi Digital: Penyalahgunaan Identitas Pada Penipuan Online," ... *Jurnal Hukum, Politik* ..., no. Query date: 2026-05-19 15:01:15 (2025), <https://journal.lpkd.or.id/index.php/Progres/article/view/2747>.

² Miguel Arana-Catania et al., "Citizen Participation and Machine Learning for a Better Democracy," *Digital Government: Research and Practice* 2, no. 3 (July 2021): 1–22, <https://doi.org/10.1145/3452118>.

³ Armenia Androniceanu, "Transparency in Public Administration as a Challenge for a Good Democratic Governance," *ADMINISTRATIE SI MANAGEMENT PUBLIC*, no. 36 (May 2021): 149–64, <https://doi.org/10.24818/amp/2021.36-09>.

digital manipulation, and the concentration of communicative power in private technological corporations. Consequently, the governance of digital platforms has emerged as one of the most significant legal and democratic challenges confronting contemporary constitutional states, including Indonesia.⁴

Previous studies concerning digital platforms and media governance have generally focused on freedom of expression in online spaces, platform liability for user-generated content, misinformation regulation, and the impact of social media on democratic participation. Several scholars have examined the relationship between digital technologies and constitutional rights, particularly concerning privacy, freedom of speech, and access to information.⁵ Other studies have explored comparative regulatory approaches adopted by jurisdictions such as the European Union, the United States, and various Asian countries in addressing the growing influence of digital platforms. However, existing scholarship remains fragmented and tends to examine these issues from either a technological, communications, or regulatory perspective without comprehensively addressing the relationship between democratic media governance, algorithmic regulation, and constitutional protections of freedom of expression. Furthermore, limited attention has been devoted to developing an integrated legal framework capable of balancing platform accountability with the preservation of democratic freedoms within Indonesia's digital public sphere.⁶

This study argues that the challenges posed by platform dominance should not merely be understood as questions of technological innovation or market concentration, but rather as fundamental issues

⁴ R. Alamsyah and SA Wiraguna, "Dilema Media Massa Di Era Digital: Antara Perlindungan Data Pribadi Dan Kebebasan Pers Dalam UU PDP," *Media Hukum Indonesia (MHI)*, no. Query date: 2026-06-12 23:50:48 (2025), <https://ojs.daarulhuda.or.id/index.php/MHI/article/view/1420>.

⁵ AO Acheampong and J. Taden, "Does Social Media Penetration Enhance Democratic Institutions? Evidence from Varieties of Democracy Data," *Social Indicators Research*, no. Query date: 2026-06-12 23:51:56 (2025), <https://doi.org/10.1007/s11205-024-03329-4>.

⁶ C. Cennamo and J. Karanovic, "Are Social Media Platforms a Threat to Democracy? An Ecosystem Governance Perspective," *Journal of Management Studies*, no. Query date: 2026-06-12 23:51:56 (2025), <https://doi.org/10.1111/joms.70044>.

of democratic governance and constitutional regulation.⁷ In contemporary democracies, digital platforms increasingly exercise quasi-regulatory authority through algorithms that determine the visibility, dissemination, prioritization, and moderation of information.⁸ Such authority significantly influences public discourse, electoral processes, and the formation of public opinion. Nevertheless, these governance mechanisms frequently operate without adequate transparency, accountability, or public oversight. The absence of comprehensive legal standards governing algorithmic decision-making creates risks of arbitrary content moderation, discriminatory practices, information manipulation, and the erosion of democratic deliberation.⁹ Therefore, reconstructing democratic media governance becomes essential to ensure that the exercise of private platform power remains consistent with constitutional values, democratic principles, and the protection of fundamental rights.

The scientific novelty of this article lies in its integrative analysis of democratic media governance through the combined perspectives of media law, constitutional democracy, and algorithmic regulation. Unlike previous studies that primarily focus on freedom of expression or platform regulation as separate issues, this study conceptualizes platform dominance as a constitutional governance challenge requiring a balanced legal framework that simultaneously protects democratic participation and regulates algorithmic power.¹⁰ Moreover, this article proposes a reconstruction model aimed at strengthening platform accountability, enhancing algorithmic transparency, and safeguarding freedom of expression within

⁷ O. Huss, "The Social Construction of Anti-Corruption Technologies: Analysing the e-Participation Platform Rahvaalgatus. Ee in Estonia," *Digital Media and Grassroots Anti-Corruption*, no. Query date: 2026-03-15 20:58:23 (2024), <https://www.elgaronline.com/edcollchap-0a/book/9781802202106/book-part-9781802202106-14.xml>.

⁸ O. Krasivskyy, "Development and Evolution of European Union Policy," *Democratic Governance*, no. Query date: 2026-06-07 18:18:43 (2024), <https://d-governance.com.ua/journals/vol-17-no-2-2024/development-and-evolution-of-european-union-policy>.

⁹ Shou Yu Chong, *Choice of Law Governing a Contract Where Its Existence Is in Dispute: Clarifications from the Singapore International Commercial Court in Lew, Solomon v Kaikhushru Shiavax Nargolwala*, 2020.

¹⁰ A. Kalisz, "The Margin of Appreciation - a Safety Anchor for Constitutional Identity in Semiotic and Legal Contexts," *Constitutional Consciousness: In Search of a Remedy for the Crisis of Discourse and Democracy Deficit in the European Union*, 2023, 111–32, Scopus.

Indonesia's digital public sphere. By integrating constitutional theory, democratic governance principles, and contemporary media regulation approaches, this study seeks to contribute to the growing discourse on digital constitutionalism and democratic governance in the platform era.¹¹

Accordingly, this study aims to analyze the challenges of democratic media governance amid platform dominance in Indonesia, examine the implications of algorithmic regulation for freedom of expression and democratic participation, and formulate a reconstruction model capable of strengthening accountability and democratic oversight in digital media governance. To achieve these objectives, this article addresses two principal research questions: first, how does platform dominance affect democratic media governance and freedom of expression in Indonesia; and second, how should Indonesia reconstruct its media governance framework to balance algorithmic regulation, platform accountability, and democratic constitutional principles. Through these questions, the article intends to contribute both theoretically and practically to the development of media law, digital governance, and democratic constitutionalism in Indonesia.¹²

II. METHODS

This study employs a normative juridical research method with a descriptive-analytical approach to examine the reconstruction of democratic media governance amid the growing dominance of digital platforms in Indonesia. The research applies statutory, conceptual, comparative, and case approaches in analyzing legal frameworks, regulatory models, and constitutional principles governing freedom of expression, digital media regulation, platform accountability, and algorithmic governance.¹³ The statutory approach is utilized to examine relevant Indonesian legislation concerning electronic

¹¹ Jerry L. Mashaw, "Reasoned Administration: The European Union, the United States, and the Project of Democratic Governance," *The George Washington Law Review* 76 (2021).

¹² Acheampong and Taden, "Does Social Media Penetration Enhance Democratic Institutions? Evidence from Varieties of Democracy Data."

¹³ A. Dabirnia, M. Momen, and M. Zeraat, "Feasibility of Constitutionalism in International Arena and Establishment of Global Governance," *Quarterly Journal Of*, no. Query date: 2026-05-20 16:45:40 (2025), https://qgl.lri.ir/article_225004_en.html.

information, digital platforms, media governance, and constitutional rights, while the conceptual approach explores theories of democratic governance, digital constitutionalism, freedom of expression, and platform regulation.¹⁴ The comparative approach analyzes regulatory developments in several jurisdictions, particularly the European Union's Digital Services Act (DSA), the United States, and selected Asian countries, to identify best practices in balancing democratic values and platform accountability. Furthermore, the case approach is employed to assess contemporary challenges arising from algorithmic content moderation, misinformation, and platform dominance within Indonesia's digital public sphere.¹⁵ Primary legal materials consist of the 1945 Constitution of the Republic of Indonesia, legislation concerning digital governance and electronic information, relevant judicial decisions, and international regulatory instruments. Secondary legal materials include journal articles, books, policy reports, and scholarly works relating to media law, digital democracy, constitutional law, and platform governance.¹⁶ Legal materials were collected through library research and document analysis and subsequently analyzed qualitatively using descriptive and interpretative methods through grammatical, systematic, comparative, and teleological interpretation to formulate a comprehensive legal reconstruction model capable of strengthening democratic media governance, platform accountability, algorithmic transparency, and freedom of expression in Indonesia.¹⁷

¹⁴ L. Allezard, "Constitutional Identity, Identities and Constitutionalism in Europe," *Hungarian Journal of Legal Studies* 63, no. 1 (2022): 58–77, Scopus, <https://doi.org/10.1556/2052.2022.00391>.

¹⁵ Keith Swisher, "Algorithmic Judicial Ethics," *The University of Arizona (James E. Rogers College of Law)*, 2024, 24–19.

¹⁶ X. Liu, "Normative Construction of Platform Criminal Liability in the Governance of Deepfake Technology," *Advances in Social Behavior Research*, no. Query date: 2026-05-19 15:36:15 (2025).

¹⁷ U. Aytac, "Digital Domination: Social Media and Contestatory Democracy," *Political Studies*, no. Query date: 2026-06-12 23:51:56 (2024), <https://doi.org/10.1177/00323217221096564>.

III. PLATFORM DOMINANCE AND DEMOCRATIC MEDIA GOVERNANCE IN INDONESIA

The rapid development of digital technology has fundamentally transformed the structure of media governance and democratic participation across the world, including Indonesia.¹⁸ Traditional media institutions, which historically functioned as the primary gatekeepers of public information, have increasingly been replaced by digital platforms such as social media networks, search engines, video-sharing services, and online communication applications.¹⁹ These platforms have become the principal channels through which citizens access information, engage in political discussions, and participate in democratic processes. Consequently, media governance is no longer exclusively shaped by state regulation and conventional media institutions but is increasingly influenced by private technology corporations that exercise significant control over information dissemination through algorithmic systems. This transformation has generated profound implications for democratic governance, freedom of expression, and constitutional rights in Indonesia.²⁰

The emergence of digital platforms has altered the traditional paradigm of communication by creating a highly interconnected and decentralized information ecosystem. Unlike conventional media, which generally operate under identifiable editorial structures and are subject to national regulatory frameworks, digital platforms rely heavily on algorithmic mechanisms that determine the visibility, accessibility, prioritization, and circulation of information.²¹ These

¹⁸ M. Darma et al., “Legal Implications of Deepfake Technology Misuse in Digital Content on Social Media,” *Science of ...*, no. Query date: 2026-05-19 15:33:29 (2025), https://www.researchgate.net/profile/Najib-Gisymar/publication/394047137_Legal_Implications_of_Deepfake_Technology_Misuse_in_Digital_Content_on_Social_Media/links/6886beb1253dcb78df88aa74/Legal-Implications-of-Deepfake-Technology-Misuse-in-Digital-Content-on-Social-Media.pdf.

¹⁹ Hugues Sampasa-Kanyinga et al., “Social media use and parent–child relationship: A cross-sectional study of adolescents,” *Journal of Community Psychology* 48, no. 3 (April 2020): 793–803, <https://doi.org/10.1002/jcop.22293>.

²⁰ Klarisa Desi Ananta, Triyo Ambodo, and Agus Tohawi, “Pengaruh Media Sosial terhadap Peningkatan Kejahatan Siber di Indonesia,” *Islamic Law: Jurnal Siyasah* 9, no. 2 (2024).

²¹ Z. Arifin and EP Handayani, “Criminal Liability in Press Law and Artificial Intelligence-Generated Disinformation: Urgency of Reform in Indonesia,” *Jurist-Diction*, no. Query date: 2026-05-19 15:01:15 (2025), <https://e-journal.unair.ac.id/JD/article/download/77087/34471>.

algorithmic systems influence what information users encounter, which political narratives gain prominence, and how public discourse evolves within digital spaces. As a result, digital platforms increasingly function as powerful intermediaries that shape democratic communication without necessarily being subject to the same accountability mechanisms imposed upon traditional media institutions. This phenomenon raises important legal questions concerning the balance between technological innovation, platform autonomy, democratic governance, and constitutional protection of fundamental rights.²²

From a constitutional perspective, the increasing role of digital platforms directly affects the exercise of rights guaranteed under the Constitution of the Republic of Indonesia. Article 28E paragraph (3) of the 1945 Constitution guarantees every individual the right to freedom of association, assembly, and expression of opinion. Furthermore, Article 28F explicitly recognizes the right of every person to communicate, obtain information, seek information, possess information, store information, process information, and convey information through all available channels. These constitutional provisions establish freedom of expression and access to information as essential foundations of democratic governance and public participation. However, in the contemporary digital environment, the practical realization of these constitutional rights is increasingly mediated by private digital platforms whose algorithmic systems determine the distribution and visibility of information. Consequently, the exercise of constitutional freedoms has become partially dependent upon decisions made by private corporations rather than solely by public authorities.

The growing dominance of digital platforms also presents significant challenges for democratic accountability and public oversight. In democratic constitutional systems, institutions exercising substantial influence over public affairs are generally expected to operate within

²² T. Neff and V. Pickard, "Funding Democracy: Public Media and Democratic Health in 33 Countries," *The International Journal of Press/Politics*, no. Query date: 2026-06-12 23:51:56 (2024), <https://doi.org/10.1177/19401612211060255>.

frameworks of transparency, accountability, and legal responsibility. However, digital platforms often exercise extensive regulatory authority through content moderation policies, recommendation algorithms, and community standards that remain largely inaccessible to public scrutiny. The absence of transparency regarding how algorithmic decisions are formulated and implemented creates legal uncertainty and raises concerns regarding arbitrary restrictions on freedom of expression, discriminatory treatment of users, and unequal access to information.²³ Such concerns become increasingly relevant when digital platforms influence electoral discourse, political campaigns, public opinion formation, and broader democratic processes.

Indonesia has attempted to respond to these developments through several regulatory instruments. Law Number 11 of 2008 concerning Electronic Information and Transactions, as amended by Law Number 1 of 2024, establishes the principal legal framework governing electronic information and digital communication activities.²⁴ Additionally, Government Regulation Number 71 of 2019 concerning the Operation of Electronic Systems and Transactions regulates obligations applicable to electronic system providers, while Minister of Communication and Informatics Regulation Number 5 of 2020 concerning Private Electronic System Providers imposes various compliance obligations upon digital platforms operating within Indonesian jurisdiction. Nevertheless, these legal instruments primarily focus on electronic transactions, content management, and platform compliance rather than addressing broader constitutional questions concerning algorithmic accountability, democratic oversight, and the governance of platform power. Consequently, significant regulatory gaps remain regarding the legal regulation of algorithmic systems and their impact on democratic participation.

²³ T. Azani and L. Sugiarto, "Review of Regulatory Framework Governing Digital Tourism Information Center Program Based on Regulatory Impact Assessment," *Law Research Review Quarterly*, no. Query date: 2026-04-26 12:39:54 (2025).

²⁴ ARH Andika et al., "Perlindungan Hukum Bagi Korban Kejahatan Digital Dalam Perspektif UU ITE Dan KUHP," *Causa: Jurnal Hukum Dan ...*, no. Query date: 2026-06-03 23:12:05 (2025).

The constitutional significance of platform dominance becomes even more apparent when viewed through the framework of democratic constitutionalism.²⁵ Democratic governance requires the existence of an open public sphere in which citizens can freely exchange ideas, criticize governmental policies, and participate meaningfully in political processes. Digital platforms increasingly constitute the primary arena for such democratic engagement. However, when access to public discourse is regulated through opaque algorithmic systems controlled by private entities, concerns arise regarding the concentration of communicative power and the potential erosion of democratic pluralism.²⁶ The absence of effective legal safeguards may enable digital platforms to influence political communication, shape public narratives, and indirectly affect democratic outcomes without corresponding mechanisms of accountability.

Therefore, the transformation of media governance in the digital era requires a reassessment of existing legal and constitutional frameworks. The relationship between digital platforms, democratic governance, and freedom of expression can no longer be understood solely through traditional approaches to media regulation. Instead, it necessitates the development of a more comprehensive legal framework capable of addressing the constitutional implications of platform dominance, algorithmic governance, and digital communication infrastructures.²⁷ Such a framework should be grounded in the principles of constitutional democracy, the rule of law, transparency, accountability, and the protection of fundamental rights, thereby ensuring that technological developments continue to support rather than undermine democratic governance in Indonesia.

²⁵ R. Daidouji, "International Organisations and Contestation: Reconsidering Democratic Control in Global Constitutionalism," *International Law as Constructive Resistance towards ...*, no. Query date: 2026-05-20 16:45:40 (2024), <https://brill.com/edcollchap/book/9789004681477/BP000012.xml>.

²⁶ Faizal Adi Surya, "PLURALISME HUKUM DALAM PERSPEKTIF PANCASILA TANTANGAN DALAM ERA GLOBALISASI," *Indonesian Journal of Legality of Law* 6, no. 1 (December 2023): 207–12, <https://doi.org/10.35965/ijlf.v6i1.3931>.

²⁷ K. Baehaki, "Masa Depan Pemilu Indonesia: Implikasi Hukum Dan Politik Putusan Mahkamah Konstitusi Nomor 135/PUU-XII/2024: The Future of Elections in Indonesia: Legal and ...," *Jurnal Media Hukum*, no. Query date: 2026-06-12 23:50:48 (2025), <https://ojs.untika.ac.id/index.php/jmh/article/view/1042>.

Within democratic societies, media institutions perform an essential function as facilitators of public discourse and democratic deliberation. Democratic governance depends upon the existence of an informed citizenry capable of accessing diverse viewpoints and participating meaningfully in public affairs.²⁸ However, the emergence of dominant digital platforms has altered the traditional architecture of democratic communication. Unlike conventional media organizations that operate under identifiable editorial structures and national regulatory frameworks, digital platforms employ algorithmic systems that determine which information is visible, prioritized, promoted, or suppressed. These algorithmic mechanisms significantly influence public opinion and political behavior, often without sufficient transparency or accountability. As a result, digital platforms increasingly perform quasi-governmental functions by regulating public communication while remaining largely outside conventional democratic oversight mechanisms.

The constitutional implications of platform dominance are particularly significant in Indonesia, where freedom of expression is constitutionally protected under Article 28E paragraph (3) of the 1945 Constitution of the Republic of Indonesia, which guarantees every person's right to freedom of association, assembly, and expression of opinion. Furthermore, Article 28F guarantees the right to communicate and obtain information through all available channels. These constitutional guarantees establish freedom of expression and access to information as fundamental pillars of democratic governance. Nevertheless, the practical realization of these rights is increasingly mediated by digital platforms whose algorithmic structures determine the visibility and accessibility of information. Consequently, the exercise of constitutional rights within digital spaces is no longer solely dependent upon state action but also upon decisions made by private platform operators.²⁹

²⁸ Muklis Siregar and Elly Warnisyah Harahap, "Suprastruktur dan Infrastruktur Politik dalam Kehidupan Demokrasi," *UNES Law Review* 6, no. 4 (2024).

²⁹ A. Kochman, "Good Faith in the European Convention on Human Rights," *Gleams of Good Faith in Constitutional Law*, no. Query date: 2026-06-03 15:02:06 (2026), https://doi.org/10.1007/978-3-032-06486-8_5.

The growing concentration of digital communication power within a limited number of global technology corporations has generated concerns regarding the emergence of a new form of private governance. Platform operators possess the ability to establish community standards, moderate content, suspend user accounts, and regulate information flows affecting millions of citizens. Although such measures are frequently justified as necessary mechanisms to combat harmful content, misinformation, hate speech, and digital manipulation, they also create significant risks for freedom of expression and democratic participation. The absence of transparent algorithmic governance may result in arbitrary content moderation, unequal treatment of users, and limitations on public access to diverse viewpoints. Consequently, platform dominance presents not only economic challenges but also constitutional and democratic concerns requiring comprehensive legal attention.

TABLE 1. COMPARATIVE CHARACTERISTICS OF TRADITIONAL MEDIA AND DIGITAL PLATFORM GOVERNANCE

Aspect	Traditional Media	Digital Platforms
Regulatory Structure	Subject to national media laws and broadcasting regulations	Subject to platform policies and limited state regulation
Gatekeeping Function	Human editorial control	Algorithmic decision-making systems
Accountability	Publicly identifiable editorial responsibility	Diffuse and often opaque corporate accountability
Content Distribution	Editorially selected content	Algorithmically personalized content
Democratic Oversight	Relatively stronger public regulation	Limited transparency and oversight

Influence on Public Opinion	Significant institutionally constrained	but Extensive and data-driven influence
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Demonstrates the fundamental shift from editorial governance to algorithmic governance within contemporary media ecosystems. While traditional media institutions remain subject to national regulatory frameworks and identifiable accountability mechanisms, digital platforms exercise substantial influence through proprietary algorithms that are generally inaccessible to public scrutiny. This transition has created a governance gap in which the mechanisms shaping democratic discourse operate beyond traditional legal and regulatory frameworks.

Indonesia has attempted to address certain aspects of digital governance through various legal instruments. Law Number 11 of 2008 concerning Electronic Information and Transactions, as amended by Law Number 1 of 2024, establishes the principal legal framework governing electronic information and digital communications.³⁰ Additionally, Government Regulation Number 71 of 2019 concerning the Operation of Electronic Systems and Transactions imposes obligations upon electronic system providers regarding content management and legal compliance. Ministerial Regulation Number 5 of 2020 concerning Private Electronic System Providers further requires digital platforms to comply with governmental requests concerning unlawful content.³¹ Although these regulations provide a foundation for digital governance, they primarily focus on content control and electronic system administration rather than addressing broader questions of democratic accountability, algorithmic transparency, and platform power.

³⁰ A. Anisah et al., “Tinjauan Yuridis Dan Prosedur Penanganan Tindak Pidana Pencemaran Nama Baik Melalui Media Sosial (Studi Implementasi UU ITE No. 1 Tahun 2024),” *Media Hukum* ..., no. Query date: 2026-06-12 23:50:48 (2025), <https://ojs.daarulhuda.or.id/index.php/MHI/article/view/2624>.
³¹ IA Baihaqi and MI Asyrofuddin, “ETIKA DIGITAL DAN PERLINDUNGAN DATA PRIBADI: UPAYA MENCEGAH KEJAHATAN SIBER DI KALANGAN REMAJA BERDASARKAN PASAL 39 ...,” *Pendas: Jurnal Ilmiah Pendidikan Dasar*, no. Query date: 2026-06-03 23:12:05 (2025).

The challenge of platform dominance extends beyond questions of legality and enters the broader realm of democratic constitutionalism. Contemporary constitutional theory increasingly recognizes that private actors may exercise forms of power comparable to those traditionally associated with the state. Digital platforms influence political communication, electoral processes, public deliberation, and access to information at unprecedented scales.³² Therefore, the legal regulation of platform governance cannot be confined to conventional telecommunications or cyberlaw frameworks alone. Instead, it requires an integrated constitutional approach capable of safeguarding democratic values while ensuring that platform operators remain accountable for their growing influence over the digital public sphere.

From a comparative perspective, several jurisdictions have adopted more comprehensive regulatory approaches. The European Union's Digital Services Act (DSA) introduces obligations concerning algorithmic transparency, risk assessments, content moderation accountability, and public oversight mechanisms. These developments reflect a growing international consensus that platform governance constitutes a matter of democratic regulation rather than merely private corporate management.³³ Indonesia faces a similar imperative to develop legal mechanisms capable of addressing the constitutional and democratic consequences of platform dominance while preserving the fundamental right to freedom of expression.

Accordingly, the rise of platform dominance in Indonesia necessitates a reconsideration of existing media governance frameworks. Democratic media governance can no longer rely solely upon traditional assumptions regarding state regulation and press freedom. Instead, it must incorporate mechanisms addressing

³² A. de Franceschi and R. Schulze, *Harmonizing Digital Contract Law: The Impact of EU Directives 2019/770 and 2019/771 and the Regulation of Online Platforms*, in *Harmonizing Digit. Contract Law: The Impact of EU Dir. 2019/770 and 2019/771 and the Regul. of Online Platforms*, Harmonizing Digital Contract Law: The Impact of EU Directives 2019/770 and 2019/771 and the Regulation of Online Platforms (Nomos Verlagsgesellschaft mbH und Co KG, 2023), 768, Scopus, <https://doi.org/10.5040/9781509956036>.

³³ Carlos Patiño Gutiérrez, "The Mexican Supreme Court and Its Contributions to Democratic Transition. An Approach from Legal Philosophy," *Problema. Anuario de Filosofía y Teoría Del Derecho*, June 22, 2022, 193–227, <https://doi.org/10.22201/ijj.24487937e.2022.16.17043>.

algorithmic accountability, transparency, public participation, and constitutional oversight within digital environments. Without such reforms, the increasing concentration of communicative power within private digital platforms risks undermining democratic deliberation, weakening public accountability, and limiting the effective realization of constitutional rights in Indonesia's evolving digital democracy.

IV. LEGAL DEFICIENCIES IN REGULATING ALGORITHMIC POWER AND DIGITAL PLATFORMS

The increasing dominance of digital platforms has fundamentally altered the governance of information, public discourse, and democratic participation.³⁴ Despite the transformative influence of algorithmic systems on contemporary communication, Indonesia's existing legal framework remains largely inadequate in addressing the constitutional, democratic, and regulatory implications arising from algorithmic governance.³⁵ While current regulations provide general provisions concerning electronic systems, digital communications, and unlawful online content, they do not comprehensively regulate the operation of algorithmic decision-making systems that increasingly determine the visibility, dissemination, prioritization, and moderation of information within the digital public sphere. Consequently, a significant regulatory gap exists between the growing influence of digital platforms and the legal mechanisms available to ensure transparency, accountability, and democratic oversight.

The emergence of algorithmic governance represents a fundamental shift in the structure of power within contemporary digital societies. Traditionally, decisions regarding information dissemination were primarily made through editorial processes operated by journalists, media institutions, and public communication organizations that were subject to identifiable legal and ethical standards. In contrast, digital platforms increasingly rely on sophisticated algorithmic

³⁴ de Franceschi and Schulze, *Harmonizing Digital Contract Law: The Impact of EU Directives 2019/770 and 2019/771 and the Regulation of Online Platforms*.

³⁵ G. Sullivan, "Algorithmic Governance of 'terrorism' and 'Violent Extremism' Online," *London Review of International Law* 13, no. 1 (2025): 47–75, Scopus, <https://doi.org/10.1093/lril/lrafo05>.

systems that autonomously evaluate, rank, recommend, filter, and moderate content based on complex computational criteria. These systems influence billions of daily interactions and significantly shape the information environment encountered by users. Consequently, algorithmic systems have evolved from mere technological tools into powerful governance mechanisms capable of influencing political discourse, public opinion formation, social behavior, and democratic participation.

From a constitutional law perspective, the growing reliance on algorithmic decision-making raises serious concerns regarding the protection of fundamental rights.³⁶ The Constitution of the Republic of Indonesia guarantees freedom of expression, access to information, and participation in democratic life through Article 28E paragraph (3) and Article 28F of the 1945 Constitution.³⁷ These constitutional guarantees presume that individuals possess meaningful opportunities to access information and communicate ideas within an open public sphere. However, algorithmic systems increasingly determine which information becomes visible and which information remains marginalized. Such decisions are often made through opaque computational processes that are inaccessible to users and largely immune from public scrutiny. As a result, constitutional rights that were originally conceived as protections against state interference now face challenges arising from the growing influence of private technological actors exercising substantial control over digital communication infrastructures.

The legal inadequacy of Indonesia's regulatory framework becomes particularly evident when examining the absence of explicit provisions governing algorithmic accountability. Existing legislation, including Law Number 11 of 2008 concerning Electronic Information and Transactions as amended by Law Number 1 of 2024, Government

³⁶ T. V. Aguilar and J. Chávez-Fernández Postigo, "Power and Constitution: The Argumentation of the Doctrine of Unconstitutional Constitutional Amendments in the Peruvian Constitutional Tribunal Case-Law and Its Problems," *Derecho PUCP*, no. 93 (2024): 9–53, Scopus, <https://doi.org/10.18800/derechopucp.202402.001>.

³⁷ G. Bellenghi, "The European Parliament's Proposal for an EU State of Emergency Clause: A Comparative and Constitutional Analysis," *Croatian Yearbook of European Law & Policy*, no. Query date: 2026-05-20 16:44:07 (2024), <https://hrcak.srce.hr/clanak/473460>.

Regulation Number 71 of 2019 concerning the Operation of Electronic Systems and Transactions, and Ministerial Regulation Number 5 of 2020 concerning Private Electronic System Providers, primarily focuses on electronic transactions, content removal obligations, and platform compliance requirements. While these regulations provide important mechanisms for addressing unlawful online activities, they do not establish comprehensive obligations regarding algorithmic transparency, automated decision-making, independent auditing, or user rights against algorithmic discrimination. Consequently, platform operators continue to exercise significant algorithmic power without corresponding legal responsibilities proportional to their influence over public discourse.

The absence of algorithmic transparency presents one of the most significant deficiencies within Indonesia's digital governance framework. Transparency constitutes a fundamental principle of democratic governance and serves as an essential prerequisite for accountability.³⁸ In traditional democratic institutions, public decision-making processes are generally subject to oversight, review, and public scrutiny. However, algorithmic systems utilized by digital platforms frequently operate as proprietary technologies protected by corporate confidentiality. Users rarely receive meaningful explanations concerning why particular content is promoted, demoted, removed, or recommended. Similarly, regulators, researchers, and civil society organizations often lack access to sufficient information necessary to evaluate the societal impacts of algorithmic systems. This lack of transparency creates an environment in which decisions affecting democratic communication occur without effective mechanisms of accountability or public control.³⁹

³⁸ K. Baehaki, "Pemilihan Kepala Daerah Secara Langsung Dan Tidak Langsung Dalam Konteks Demokrasi: Direct and Indirect Election of Regional Heads in the Context of ...," *Jurnal Media Hukum*, no. Query date: 2026-06-12 23:50:48 (2025), <https://ojs.untika.ac.id/index.php/jmh/article/view/875>.

³⁹ Henry Pearce, "Online Data Transaction, Consent, and Big Data: Technological Solutions to Technological Problems?," *Westlaw, Computer and Telecommunications Law Review* 21, no. 6 (2015).

Another significant regulatory deficiency concerns the absence of legal safeguards against algorithmic bias and discriminatory outcomes. Numerous international studies have demonstrated that algorithmic systems may inadvertently reproduce existing social, political, cultural, and economic biases embedded within training data and design structures. In the context of democratic governance, such biases may influence political visibility, electoral communication, public discourse, and access to information. Without appropriate legal safeguards, algorithmic systems may disproportionately affect particular groups, viewpoints, or communities, thereby undermining principles of equality, fairness, and democratic pluralism. Yet Indonesian legislation currently provides limited procedural protections enabling individuals to challenge algorithmic decisions that adversely affect their constitutional rights and interests.

The existing regulatory framework remains largely focused on content regulation rather than structural governance. Most legal responses to digital communication challenges continue to emphasize the identification and removal of unlawful content, including misinformation, hate speech, and other prohibited forms of expression. While such measures may address certain harmful consequences of digital communication, they do not sufficiently address the underlying structural mechanisms through which algorithms amplify, prioritize, and distribute information.⁴⁰ Consequently, regulatory efforts often focus on symptoms rather than causes, leaving the broader governance architecture of digital platforms largely untouched. This limitation illustrates the inadequacy of traditional regulatory approaches in responding to the realities of algorithmically mediated communication.

Comparative legal developments further highlight the need for regulatory reform in Indonesia. Several jurisdictions have begun developing comprehensive frameworks addressing algorithmic

⁴⁰ L. G. Guntrum and V. Lasso Mena, "Unmasking Digital Threats in the Pursuit of Human Rights and Environmental Defense in La Guajira, North Colombia," *Information Communication and Society* 29, no. 1 (2026): 227–48, Scopus, <https://doi.org/10.1080/1369118X.2025.2503444>.

governance, platform accountability, and digital constitutionalism. The European Union's Digital Services Act, for example, imposes obligations relating to risk assessments, transparency reporting, algorithmic accountability, independent audits, and user rights protections.⁴¹ Similar initiatives have emerged in various democratic jurisdictions seeking to balance technological innovation with democratic governance and human rights protections. These developments reflect a growing international recognition that algorithmic power constitutes a form of governance requiring legal regulation comparable to other forms of public authority. Indonesia's existing framework has yet to fully incorporate these emerging principles, thereby creating a regulatory lag that may weaken democratic resilience in the digital era.

The persistence of legal deficiencies in regulating algorithmic power demonstrates the urgent need for a more comprehensive and constitutionally grounded regulatory framework. The growing influence of digital platforms cannot be adequately addressed through conventional approaches centered solely on content regulation and platform compliance. Instead, democratic governance in the digital age requires legal mechanisms capable of ensuring algorithmic transparency, platform accountability, procedural fairness, public oversight, and effective protection of constitutional rights. Without such reforms, the concentration of algorithmic power within private digital platforms may continue to undermine democratic participation, weaken public accountability, and challenge the constitutional foundations of Indonesia's democratic order.⁴²

Algorithmic governance refers to the use of automated computational systems that organize, recommend, prioritize, filter, and moderate digital content. These systems operate as the invisible architecture of contemporary digital communication by influencing what users see, read, discuss, and ultimately believe. Unlike traditional editorial

⁴¹ M. Dabrowski and LL Moffat, *The Changing Dynamics of the Western Balkans on the Road to European Union Membership: An Update* (econstor.eu, 2024), <https://www.econstor.eu/handle/10419/302297>.

⁴² FR Firdaus, RL Chandra, and CST Sagala, "Meaningful Participation as People's Sovereignty Form in Democratic Rule of Law State," *Jurnal Hukum Ius Quia ...*, no. Query date: 2026-05-06 12:27:26 (2024), <https://journal.uui.ac.id/IUSTUM/article/view/33009>.

processes, algorithmic decision-making is frequently characterized by opacity, complexity, and limited public scrutiny.⁴³ Platform operators rarely disclose the operational logic of their recommendation systems, content-ranking mechanisms, or moderation algorithms. As a result, citizens, regulators, researchers, and even governments often possess limited knowledge regarding how information is curated and distributed within digital environments. This lack of transparency creates substantial legal concerns because decisions that significantly affect public discourse are increasingly made by private technological systems operating beyond conventional democratic accountability structures.

From a constitutional perspective, algorithmic governance directly affects the exercise of fundamental rights guaranteed under the 1945 Constitution of the Republic of Indonesia. Article 28E paragraph (3) guarantees freedom of expression, while Article 28F protects the right to communicate and obtain information. These constitutional protections presuppose the existence of an open and accessible public sphere in which citizens can freely exchange ideas and access diverse sources of information.⁴⁴ However, algorithmic systems possess the capacity to amplify certain viewpoints while suppressing others through automated ranking and recommendation processes. Such practices may influence political participation, shape public opinion, and affect electoral behavior without adequate transparency regarding the criteria employed in algorithmic decision-making.⁴⁵ Consequently, constitutional freedoms are increasingly mediated by private technological infrastructures whose operations remain largely beyond public oversight.

⁴³ M. Bennett, "Parliamentary Scrutiny of Counter-Terrorism Targeted Killings: Democratic Accountability Challenges of, and for, the Political Constitution," *Public Law* 2024, no. 1 (2024): 45–69, Scopus.

⁴⁴ P. Surana, "The Expansion of Constitutional Protections through International Law," *Research Handbook on International Law and ...*, no. Query date: 2026-05-20 16:45:40 (2024), <https://www.elgaronline.com/edcollchap/book/9781800373167/book-part-9781800373167-19.xml>.

⁴⁵ YP Sikumbang, "Kajian Terhadap Kedaulatan Rakyat Pada Pergantian Anggota Dewan Perwakilan Rakyat Indonesia Yang Bersifat Sementara," *Milthree Law Journal*, no. Query date: 2026-04-26 18:28:12 (2024), <https://milthreelawjournal.co.id/index.php/mlj/article/view/4>.

Indonesia’s regulatory framework governing digital platforms primarily consists of Law Number 11 of 2008 concerning Electronic Information and Transactions, as amended by Law Number 1 of 2024, Government Regulation Number 71 of 2019 concerning the Operation of Electronic Systems and Transactions, and Ministerial Regulation Number 5 of 2020 concerning Private Electronic System Providers.⁴⁶ Although these instruments establish obligations related to electronic systems, digital content management, and legal compliance, they do not specifically address algorithmic accountability, algorithmic transparency, automated decision-making, or platform governance from a democratic perspective.⁴⁷ The existing framework predominantly emphasizes content control and platform compliance rather than regulating the structural power exercised by algorithms in shaping public discourse. As a result, Indonesian law continues to treat digital platforms primarily as technical intermediaries rather than powerful actors capable of influencing democratic processes.

TABLE 2. LEGAL DEFICIENCIES IN INDONESIA’S REGULATION OF DIGITAL PLATFORMS AND ALGORITHMIC GOVERNANCE

Regulatory Issue	Existing Legal Framework	Identified Deficiency
Algorithmic Transparency	Not specifically regulated	No obligation to disclose recommendation systems or ranking criteria
Automated Decision-Making	Limited regulation	Absence of legal standards governing algorithmic decisions

⁴⁶ SYRG Suka, M. Indra, and Z. Akmal, “Analisis Putusan MK Nomor 56/PUU-XX/2022 Tentang Pengujian Materiil UU Nomor 7 Tahun 2020,” *Milthree Law Journal*, no. Query date: 2026-04-26 18:28:12 (2024), <https://milthreelawjournal.co.id/index.php/mlj/article/view/10>.

⁴⁷ Cennamo and Karanovic, “Are Social Media Platforms a Threat to Democracy? An Ecosystem Governance Perspective.”

Platform Accountability	General obligations under EIT Law	Lack of democratic accountability mechanisms
Content Moderation	Regulated through platform compliance obligations	No independent oversight of moderation practices
User Rights Protection	General constitutional protection	No specific procedural safeguards against algorithmic bias
Public Oversight	Limited governmental supervision	Absence of public auditing and transparency requirements

Table 2 illustrates that Indonesia's current legal framework remains predominantly focused on regulating content and electronic systems rather than addressing the broader governance challenges associated with algorithmic power. The absence of specific legal obligations concerning algorithmic transparency, accountability, and independent oversight has created a regulatory vacuum in which significant decisions affecting public communication occur without meaningful democratic control. This situation becomes increasingly problematic as digital platforms continue to expand their influence over political communication and civic participation.

The legal deficiencies surrounding algorithmic governance are further exacerbated by the growing phenomenon of misinformation, disinformation, and computational manipulation. Digital platforms frequently utilize engagement-based algorithms that prioritize content capable of generating user interaction regardless of its accuracy or democratic value. Consequently, sensational, polarizing, and emotionally charged content often receives greater visibility than verified information. Such algorithmic incentives may contribute to political polarization, weaken public trust in democratic institutions, and undermine informed public deliberation. Although Indonesian

regulations address certain forms of unlawful content, they provide limited mechanisms for addressing the structural role of algorithms in facilitating the spread of harmful information. This regulatory limitation demonstrates the inadequacy of traditional content-based approaches in addressing contemporary digital governance challenges.

Comparative legal developments further highlight the shortcomings of Indonesia's regulatory framework. The European Union's Digital Services Act (DSA) introduces comprehensive obligations concerning algorithmic transparency, systemic risk assessment, independent auditing, user empowerment, and accountability for very large online platforms. Similarly, several jurisdictions have begun developing regulatory frameworks addressing artificial intelligence, automated decision-making, and platform governance from a human rights and democratic governance perspective. These developments reflect an emerging international recognition that algorithmic systems should be subject to legal scrutiny comparable to other forms of public power. By contrast, Indonesia has yet to establish a comprehensive legal framework capable of addressing the democratic implications of platform dominance and algorithmic governance.

The persistence of these legal deficiencies demonstrates that existing regulatory approaches remain insufficient to safeguard democratic values within the digital public sphere. The concentration of algorithmic power within private digital platforms has created a new form of governance that influences constitutional rights, public discourse, and democratic participation without corresponding accountability mechanisms. Therefore, addressing the regulatory shortcomings surrounding algorithmic governance constitutes an essential prerequisite for developing a democratic media governance framework capable of balancing technological innovation, freedom of expression, platform accountability, and constitutional democracy in Indonesia.

IV. RECONSTRUCTING DEMOCRATIC MEDIA GOVERNANCE BASED ON CONSTITUTIONAL DEMOCRACY AND FREEDOM OF EXPRESSION

The increasing concentration of communicative power within digital platforms necessitates a fundamental reconstruction of democratic media governance in Indonesia. Traditional media governance frameworks were primarily designed to regulate conventional broadcasting institutions, print media organizations, and telecommunications services operating within identifiable national jurisdictions.⁴⁸ However, the emergence of global digital platforms has transformed the architecture of public communication, creating new forms of private regulatory power that significantly influence democratic participation, political discourse, and the exercise of constitutional rights. Consequently, legal frameworks developed for traditional media environments are no longer sufficient to address the complex challenges generated by algorithmic governance, platform dominance, and digital information ecosystems.⁴⁹ A comprehensive reconstruction of democratic media governance is therefore required to ensure that technological innovation remains consistent with constitutional democracy, the rule of law, and the protection of fundamental rights.

At the constitutional level, democratic media governance must be grounded in the principles established by the 1945 Constitution of the Republic of Indonesia. Article 28E paragraph (3) guarantees every individual's right to freedom of expression, while Article 28F guarantees the right to communicate, obtain information, and utilize all available channels of communication. These constitutional guarantees establish freedom of expression as a cornerstone of democratic governance and public participation. In democratic constitutionalism, freedom of expression serves not merely as an

⁴⁸ Muhamad Irfan Al Azis and Siti Fatimah, "Implikasi Demokrasi Pilkada Serentak 2024 Dan Polarisasi Politik Islam," *Siyasah Jurnal Hukum Tatanegara* 3, no. 2 (December 2023): 234–46, <https://doi.org/10.32332/siyasah.v3i2.8227>.

⁴⁹ MA Alkrisheh and FM Gourari, "Criminal Liability for Paid Disinformation in the Digital World: A Comparative Study between UAE Law and the European Digital Services Act (DSA)," *Access to Just. E. Eur.*, no. Query date: 2026-05-19 15:00:01 (2025), https://heinonline.org/hol-cgi-bin/get_pdf.cgi?handle=hein.journals/ajee2025&ion=41.

individual liberty but also as a collective democratic right essential for public deliberation, political accountability, and citizen participation in governmental affairs.⁵⁰ Consequently, any regulatory framework governing digital platforms must prioritize the protection of expressive freedoms while simultaneously addressing the risks associated with misinformation, algorithmic manipulation, and excessive concentrations of communicative power.

The reconstruction of democratic media governance should therefore reject regulatory approaches that rely exclusively on content restriction and state intervention. Excessive governmental control over digital communication may create risks of censorship, political interference, and limitations on democratic freedoms. Conversely, an entirely *laissez-faire* approach that permits platforms to regulate public discourse without meaningful accountability may allow private corporations to exercise disproportionate influence over democratic processes. Accordingly, the appropriate legal response lies in developing a balanced governance model capable of preserving freedom of expression while ensuring that platform operators remain subject to democratic accountability, transparency obligations, and constitutional principles. Such an approach reflects the broader objectives of constitutional democracy, which seeks to prevent both governmental overreach and unchecked private power.

One of the most important components of reconstructed democratic media governance is the establishment of mandatory algorithmic transparency. Contemporary digital platforms increasingly determine the visibility and accessibility of information through complex algorithmic systems that remain largely inaccessible to public scrutiny. These systems influence political communication, shape public opinion, and affect the dissemination of information concerning elections, public policy, and governmental performance. However, users frequently possess limited knowledge regarding how algorithmic decisions are made and how content is prioritized within

⁵⁰ Violaine Autheman and Keith Henderson, *Constitutional Courts: The Contribution of Constitutional Review to Judicial Independence and Democratic Processes from a Global and Regional Comparative Perspective*, Rule of Law White Paper Series (IFES, White Paper #4, n.d.).

digital environments. The absence of transparency creates significant obstacles to democratic accountability because decisions affecting public discourse occur without adequate public oversight. Therefore, digital platforms should be required to provide meaningful disclosures regarding the operation of recommendation systems, content-ranking mechanisms, and automated moderation processes. Transparency obligations would enable regulators, researchers, civil society organizations, and users to better understand the influence of algorithms on democratic communication.

In addition to transparency, democratic media governance requires the development of robust accountability mechanisms applicable to platform operators. Traditional constitutional theory has historically focused on limiting state power.⁵¹ However, contemporary digital environments demonstrate that private corporations may also exercise forms of authority capable of affecting constitutional rights and democratic governance. Digital platforms establish rules governing online speech, determine acceptable forms of communication, and regulate access to digital public spaces utilized by millions of citizens. Given the significant influence exercised by these entities, legal frameworks should impose accountability obligations analogous to those applicable to institutions exercising public functions. Such obligations may include independent audits, transparency reporting requirements, procedural safeguards for content moderation decisions, and mechanisms enabling users to challenge platform actions that affect their rights and interests.

Furthermore, democratic media governance should incorporate meaningful public participation within digital regulatory processes. The principle of participation constitutes an essential component of democratic constitutionalism and has been repeatedly emphasized within Indonesian constitutional jurisprudence. Regulatory decisions affecting digital communication should not be exclusively determined by governmental institutions or platform operators. Instead, civil society organizations, academic institutions, journalists, digital rights

⁵¹ A. Febbrajo, "Systems Theory and Constitutionalism," *Research Handbook on Law and Systems Theory*, no. Query date: 2026-05-20 16:45:40 (2026), <https://www.elgaronline.com/abstract/book/9781035336494/chapter14.xml>.

advocates, and affected communities should be actively involved in the formulation, implementation, and evaluation of digital governance policies. Participatory governance mechanisms enhance democratic legitimacy while ensuring that regulatory frameworks remain responsive to societal needs and constitutional values. Such an approach also reflects the principle of meaningful participation increasingly recognized within contemporary constitutional democracies.

The reconstruction of democratic media governance should also be informed by international developments concerning platform regulation and digital constitutionalism. The European Union's Digital Services Act represents one of the most comprehensive contemporary efforts to regulate platform governance through obligations relating to transparency, risk management, accountability, and user rights protection. Although Indonesia possesses unique constitutional, political, and socio-cultural characteristics, comparative experiences demonstrate that democratic governance and platform accountability are not mutually exclusive objectives. Instead, effective regulation can promote innovation while simultaneously safeguarding democratic values and constitutional rights. Comparative legal experiences therefore provide valuable guidance for the development of Indonesia's future regulatory framework.⁵²

Ultimately, the reconstruction of democratic media governance must be guided by the recognition that digital platforms now constitute essential components of the contemporary public sphere. The exercise of freedom of expression, access to information, political participation, and democratic deliberation increasingly occurs within privately operated digital environments. Consequently, legal frameworks must evolve beyond traditional media regulation and embrace a constitutional governance model capable of addressing the realities of platform dominance. Such a model should strengthen algorithmic transparency, enhance platform accountability, protect

⁵² K. Mania, "Legal Protection of Revenge and Deepfake Porn Victims in the European Union: Findings from a Comparative Legal Study," *Trauma, Violence, & Abuse*, no. Query date: 2026-05-19 15:36:15 (2024), <https://doi.org/10.1177/15248380221143772>.

freedom of expression, promote democratic participation, and ensure that digital communication infrastructures operate consistently with the principles of constitutional democracy and the rule of law. Through this reconstruction, Indonesia can develop a democratic media governance framework that not only responds to contemporary technological challenges but also strengthens the constitutional foundations of its digital democracy.

V. CONCLUSION

The dominance of digital platforms has fundamentally transformed the structure of media governance and democratic participation in Indonesia, creating significant challenges for the protection of freedom of expression, democratic accountability, and constitutional rights. The findings demonstrate that existing legal frameworks remain inadequate in addressing the growing influence of algorithmic governance, particularly regarding transparency, accountability, public oversight, and the regulation of platform power within the digital public sphere. The absence of comprehensive legal standards governing algorithmic decision-making has created regulatory deficiencies that may undermine democratic deliberation and the effective exercise of constitutional freedoms. Accordingly, the reconstruction of democratic media governance should be grounded in the principles of constitutional democracy, freedom of expression, transparency, accountability, and meaningful public participation. Such reconstruction requires the development of a comprehensive legal framework that strengthens algorithmic transparency, enhances platform accountability, protects digital rights, and ensures democratic oversight of digital communication infrastructures. Through these measures, Indonesia can establish a democratic media governance model capable of balancing technological innovation, platform regulation, and constitutional freedoms while reinforcing the rule of law and democratic legitimacy in the digital era.

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The author(s) will be asked to sign this statement once the submission has been accepted.

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