International Journal of Scientific Research (IJSR)
Volume 02 Issue 03 Pages 119-128. 2025
Website: https://journal.yaumil.org/index.php/ijsr/
ISSN (e): 3046-5206
DOI: 10.62894/

Reconstruction of Digital Constitutionalism in the Indonesian Constitutional System: Protection of Citizens' Constitutional Rights in the Era of Digital Platform Domination

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Abstract:
This study aims to reconstruct digital constitutionalism within the Indonesian constitutional system in response to the increasing dominance of digital platforms over citizens' constitutional rights. The study addresses the problem that freedom of expression, privacy, equality, access to information, democratic participation, and procedural fairness are increasingly exercised within privately governed digital infrastructures. This research uses a qualitative legal method with a normative-juridical approach. It applies statutory, conceptual, and comparative approaches by examining the 1945 Constitution of the Republic of Indonesia, human rights law, electronic information regulation, personal data protection law, relevant policy documents, and recent scholarly literature on digital constitutionalism, platform governance, and algorithmic accountability. The findings show that Indonesia's digital legal framework remains fragmented and has not yet formed an integrated constitutional architecture for protecting citizens from both state power and private digital platform power. Digital platforms have acquired constitutional significance because they regulate speech, data, visibility, access, and participation through content moderation, algorithmic systems, and data-driven governance. This study proposes a hybrid model of digital constitutionalism that connects constitutional rights, state obligations, platform responsibilities, algorithmic accountability, due process, and effective remedies. The contribution of this study lies in placing the Indonesian Constitution at the centre of digital rights protection and offering a rights-based framework for governing platform power in Indonesia's democratic constitutional order.

Keywords: digital constitutionalism; constitutional rights; digital platforms; Indonesia; algorithmic accountability.

1. Introduction

The expansion of digital platforms has transformed the constitutional landscape of modern states by relocating significant portions of public communication, economic activity, civic participation, and access to information into privately governed digital infrastructures. In Indonesia, this transformation is no longer merely technological; it has become a constitutional problem because citizens increasingly exercise freedom of expression, privacy, association, political participation, access to public services, and economic rights through platforms whose rules are designed, enforced, and modified by private corporations. Digital platforms now function as infrastructural intermediaries that determine the visibility of speech, the circulation of public opinion, the monetisation of personal data, and the conditions under which citizens may participate in digital society (De Gregorio & Radu, 2022; Zeng & Kaye, 2022). This condition creates a new constitutional tension: the 1945 Constitution of the Republic of Indonesia continues to bind state power, while the practical enjoyment of many constitutional rights is increasingly mediated by platform power.

This problem becomes more complex because platform domination does not operate through conventional legal commands, but through algorithmic ranking, content moderation, targeted advertising, automated profiling, recommender systems, and contractual terms of service. These mechanisms may appear neutral as technical arrangements, yet they can affect constitutional interests in deeply normative ways. Algorithmic moderation can restrict lawful expression; recommender systems can amplify disinformation or polarisation; data extraction can weaken informational self-determination; and opaque platform policies can limit access to remedy when users are deplatformed, shadow-banned, demonetised, or subjected to

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discriminatory automated decisions (Söderlund et al., 2024; Trithara, 2024; Tsamados et al., 2022). In this setting, constitutional law faces a structural challenge: rights violations in digital space may arise not only from direct state interference, but also from private governance systems that exercise quasi-public authority without equivalent duties of transparency, accountability, proportionality, and due process.

For Indonesia, the urgency of reconstructing digital constitutionalism is reinforced by the rapid growth of digital public administration, electronic commerce, financial technology, social media-based political communication, and data-driven governance. The enactment of Law No. 27 of 2022 on Personal Data Protection marked an important step toward strengthening privacy and data protection, yet the law does not fully resolve the broader constitutional question of how platform power should be situated within Indonesia's state administration and constitutional rights framework (Syailendra et al., 2024). Existing regulatory instruments tend to address fragmented issues such as personal data, electronic information, cybercrime, consumer protection, or sectoral digital services. They have not yet produced a coherent constitutional doctrine capable of limiting both state and platform power in an integrated manner. As a result, Indonesian citizens may formally possess constitutional rights while lacking effective constitutional guarantees in the digital environments where those rights are increasingly exercised.

Recent scholarship has developed digital constitutionalism as a conceptual response to the growing influence of digital technologies and private platforms over rights, democracy, and the rule of law. De Gregorio and Radu (2022) argue that internet governance is moving toward fragmentation, polarisation, and hybridisation, requiring constitutional thinking beyond state-centred models. De Gregorio (2022) further shows that the United States and the European Union have developed different constitutional responses to platform governance, reflecting divergent traditions of free speech, market regulation, and democratic accountability. Golia (2024) criticises digital constitutionalism for its excessive dependence on liberal, state-centred assumptions, while Terzis (2024) questions whether digital constitutionalism may obscure the political economy that enables corporate technological power. Muniz da Conceição (2024) examines Meta's Oversight Board as an example of platform constitutionalisation and argues that private governance mechanisms suffer from legitimacy deficits when they fail to engage with the social and political realities of users. These studies provide a strong theoretical foundation for understanding platform power as a constitutional phenomenon, rather than merely a regulatory or contractual issue.

Related works also show that the constitutional problem of digital platforms is inseparable from algorithmic governance, content moderation, data protection, and regulatory design. Zeng and Kaye (2022) demonstrate how TikTok governance has shifted from content moderation to visibility moderation, showing that platforms control not only whether speech remains online, but also whether it can be seen. Söderlund et al. (2024) analyse transparency obligations for high-reach AI under the Digital Services Act and show the importance of access to information about recommender systems. Trithara (2024) examines civil society's role in contesting platform content moderation, highlighting the need for participatory accountability. Quintais et al. (2024) discuss copyright content moderation in the European Union and reveal the risks of over-removal and automated enforcement. Tsamados et al. (2022) identify core ethical problems in algorithmic systems, including bias, opacity, responsibility gaps, and contestability. In the Indonesian context, Syailendra et al. (2024) identify implementation challenges in the Personal Data Protection Law, while Fauzan and A. (2022) discuss the emergence of digital constitutionalism in Indonesian banking law. Together, these works confirm that digital constitutionalism has become a significant field of inquiry, yet they remain largely divided between European platform regulation, global platform governance, algorithmic accountability, and sector-specific Indonesian legal analysis.

This study positions itself within that debate while offering a distinct contribution. Unlike previous works that primarily examine digital constitutionalism through European regulatory instruments, platform self-governance, or sectoral data protection, this research focuses on reconstructing digital constitutionalism within the Indonesian constitutional system. The central gap lies in the absence of a constitutional model that connects the 1945 Constitution, citizens' constitutional rights, state duties, platform responsibilities, algorithmic accountability, and effective remedies in one integrated framework. This study aims to formulate a normative reconstruction of digital constitutionalism for Indonesia by examining how constitutional principles such as human dignity, freedom of expression, privacy, equality, due process,

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democratic participation, and the rule of law should operate in the era of platform domination. The study argues that constitutional protection in the digital age must move beyond a state-versus-citizen paradigm and develop a hybrid constitutional framework capable of limiting both public authority and private digital power.

2. Methodology

This study employs a **qualitative legal research method** with a **normative-juridical approach**. The choice of a qualitative method is based on the nature of the research problem, which does not seek to measure statistical relationships or test numerical variables, but to analyse constitutional principles, legal norms, institutional responsibilities, and rights-based implications arising from the dominance of digital platforms in Indonesia. The study is normative because it examines law as a system of norms, principles, doctrines, and constitutional values. It is juridical because the analysis is grounded in positive legal instruments, constitutional provisions, statutory regulations, judicial reasoning, and relevant legal scholarship. This method is appropriate for reconstructing digital constitutionalism within the Indonesian constitutional system because the central issue concerns how constitutional rights should be protected when citizens increasingly depend on privately governed digital infrastructures.

The research applies three main legal approaches: the **statutory approach**, the **conceptual approach**, and the **comparative approach**. The statutory approach is used to examine the 1945 Constitution of the Republic of Indonesia, Law No. 39 of 1999 on Human Rights, Law No. 11 of 2008 as amended by Law No. 19 of 2016 and Law No. 1 of 2024 on Electronic Information and Transactions, Law No. 27 of 2022 on Personal Data Protection, and other relevant regulations concerning electronic systems, digital platforms, and public governance. The conceptual approach is used to analyse the doctrines of constitutionalism, digital constitutionalism, platform governance, algorithmic accountability, due process, privacy, freedom of expression, and state responsibility. The comparative approach is used selectively to compare Indonesia's constitutional and regulatory framework with emerging global models, particularly the European Union's rights-based platform regulation and broader debates on digital constitutionalism, without treating foreign models as automatically transferable to the Indonesian legal context.

This study is designed as a **constitutional case study of Indonesia**. Indonesia is selected as the case study because it represents a democratic constitutional state experiencing rapid digital transformation, strong platform penetration, expanding digital public services, and growing reliance on data-driven governance. At the same time, Indonesia still faces normative fragmentation in regulating platform power, personal data protection, online expression, and algorithmic decision-making. The Indonesian case is important because the constitutional protection of citizens' rights cannot be assessed only by examining formal constitutional guarantees; it must also consider the practical conditions under which citizens exercise those rights in digital spaces controlled by private platforms. Therefore, the case study focuses on how Indonesia's constitutional framework responds to the dominance of digital platforms in relation to freedom of expression, privacy, equality, access to information, democratic participation, and effective legal remedies.

The data used in this research consist of **primary legal materials, secondary legal materials, and tertiary legal materials**. Primary legal materials include the 1945 Constitution of the Republic of Indonesia, decisions of the Constitutional Court of Indonesia relevant to constitutional rights and digital governance, statutes and implementing regulations on electronic information, personal data protection, human rights, public administration, and electronic systems, as well as official policy documents issued by Indonesian state institutions. Secondary legal materials include peer-reviewed journal articles, scholarly books, legal commentaries, research reports, and comparative studies on digital constitutionalism, platform governance, algorithmic accountability, data protection, and constitutional rights in the digital era. Tertiary legal materials include legal dictionaries, official legal databases, institutional websites, and indexing databases used to verify terminology, legal status, and bibliographic information.

Data collection is conducted through **documentary legal research**. The study collects constitutional provisions, statutory regulations, judicial decisions, policy documents, and academic literature relevant to digital constitutionalism and platform governance. Academic sources are selected based on their relevance, credibility, publication quality, and recency, with priority given to peer-reviewed journal articles published

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within the last five years and equipped with active DOI records. The selection of sources follows purposive sampling, meaning that materials are chosen because they directly address the research problem, namely the constitutional implications of digital platform dominance and the protection of citizens' constitutional rights in Indonesia. The collected materials are then classified into several analytical themes: constitutional rights in digital space, state obligations, platform power, personal data protection, algorithmic governance, content moderation, accountability, and remedies.

The data are analysed using **qualitative legal analysis** through interpretation, systematisation, and normative reconstruction. Legal interpretation is used to examine the meaning and scope of constitutional rights affected by digital platform governance. Systematisation is used to map the relationship between constitutional norms, statutory regulations, platform responsibilities, and the institutional duties of the state. Normative reconstruction is used to formulate a more coherent model of Indonesian digital constitutionalism by integrating constitutional principles with the realities of platform-based governance. This analytical process allows the study to identify gaps in the existing legal framework and to propose a rights-based constitutional model that can limit both state power and private digital power. The validity of the analysis is strengthened through source triangulation, namely by comparing constitutional texts, statutory provisions, judicial reasoning, policy documents, and recent scholarly literature.

3. Results and Discussions

1) Fragmentation of Indonesia's Digital Constitutional Framework

The findings of this study show that Indonesia's current legal framework has not yet developed a coherent model of digital constitutionalism. The protection of citizens' constitutional rights in digital spaces remains distributed across several legal instruments, including the 1945 Constitution, the Human Rights Law, the Electronic Information and Transactions Law, the Personal Data Protection Law, and various implementing regulations concerning electronic systems and digital services. These instruments provide important normative foundations, yet they operate in a fragmented manner. Constitutional rights such as privacy, freedom of expression, access to information, equality before the law, and democratic participation are formally recognised, but their protection in platform-based environments remains institutionally and doctrinally incomplete.

From a normative-juridical perspective, this fragmentation reveals a gap between constitutional guarantees and the realities of digital governance. The 1945 Constitution protects fundamental rights, but it was not designed to address private digital infrastructures that regulate public communication, collect personal data at scale, and shape citizens' access to information. The Electronic Information and Transactions Law focuses primarily on electronic transactions, cyber conduct, and unlawful digital content, while the Personal Data Protection Law provides a more specific framework for privacy and data processing. Yet neither framework fully addresses the constitutional implications of algorithmic moderation, recommender systems, automated profiling, platform dependency, or private control over digital public spaces. This confirms the argument that digital constitutionalism requires more than the digitalisation of existing legal categories; it requires a reconstruction of constitutional principles in response to new forms of power (De Gregorio & Radu, 2022).

The Indonesian framework also shows a strong tendency to treat digital rights as sectoral regulatory issues rather than as integrated constitutional guarantees. Personal data protection is often framed as a matter of administrative compliance, electronic information governance is often approached through public order and cyber-security concerns, and platform regulation is frequently discussed in terms of intermediary responsibility or content control. This sectoral orientation creates a risk that citizens' constitutional rights will be protected only partially. For example, a user whose content is removed, whose account is suspended, or whose data is processed through opaque automated systems may not have access to a clear constitutional remedy, even though the issue affects freedom of expression, privacy, equality, and procedural fairness.

This finding is consistent with Syailendra, Lie, and Sudiro's (2024) analysis that Indonesia's Personal Data Protection Law contains both opportunities and implementation challenges. Their study emphasises that data protection reform is a significant milestone, but effective protection depends on institutional readiness, enforcement capacity, and legal clarity. This study extends that argument by showing

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that data protection should not be understood only as a privacy compliance regime. In the context of platform domination, personal data protection is also part of constitutional protection because data extraction, profiling, and algorithmic decision-making directly affect citizens' autonomy and participation in digital society.

The fragmentation of Indonesia's digital legal framework also reflects a broader global problem identified in digital constitutionalism scholarship. De Gregorio and Radu (2022) argue that internet governance is increasingly characterised by fragmentation, polarisation, and hybridisation. Indonesia's experience reflects this pattern at the domestic level. The state has adopted several digital regulations, but these regulations have not yet been systematised into a constitutional doctrine that clarifies the relationship between state duties, platform responsibilities, and citizens' rights. In this sense, Indonesia does not lack digital regulation; it lacks a constitutional architecture capable of organising digital regulation around rights, accountability, proportionality, transparency, and access to remedy.

The result of this analysis indicates that Indonesia's digital constitutionalism must be reconstructed through an integrated rights-based framework. Such a framework should connect existing constitutional rights with digital-specific obligations. Privacy should be linked with data minimisation, consent, security, and informational self-determination. Freedom of expression should be connected with transparent content moderation, proportional restriction, and appeal mechanisms. Equality should be connected with protection against algorithmic discrimination. Due process should be connected with explanation, contestation, and effective remedy in automated or platform-based decisions. Without this reconstruction, constitutional rights risk becoming formal guarantees that are weakened in practice by the architecture of digital platforms.

2) Platform Domination and the Transformation of Constitutional Rights

The second finding of this study is that digital platforms have become actors with constitutional significance, even though they are formally private entities. In Indonesia, platforms mediate communication, political participation, commerce, education, religious expression, employment, financial activity, and access to public services. This creates a new constitutional condition in which the enjoyment of fundamental rights is no longer determined only by state action, but also by platform policies, algorithmic systems, content moderation rules, and data governance models. Platform power therefore challenges the traditional assumption that constitutional law is concerned primarily with limiting public authority.

Platform domination operates through mechanisms that are difficult to capture using conventional constitutional categories. A platform may restrict expression not through a legal prohibition, but through content removal, account suspension, demonetisation, visibility reduction, or algorithmic downranking. A platform may affect privacy not only by collecting personal data, but by combining behavioural data, location data, biometric data, browsing patterns, and interaction histories to generate profiles. A platform may influence democratic participation not by directly censoring political speech, but by amplifying certain narratives, suppressing others, and shaping the informational environment through recommendation algorithms. These mechanisms show that platform governance can produce constitutional consequences without formally exercising state authority.

This finding aligns with Zeng and Kaye's (2022) study on TikTok, which explains the shift from content moderation to visibility moderation. Their analysis is important because it shows that modern platform governance is not limited to deciding whether content remains online. Platforms also decide whether content becomes visible, searchable, recommended, monetised, or marginalised. In the Indonesian context, this insight is highly relevant because citizens may experience restrictions on expression or participation without receiving a formal explanation or legal remedy. Visibility moderation can affect constitutional rights silently, making harm difficult to prove and accountability difficult to demand.

The problem becomes more serious when platform governance is combined with algorithmic opacity. Algorithms are not merely technical tools; they are normative systems that classify, rank, predict, recommend, and decide. Tsamados et al. (2022) identify several ethical problems in algorithmic systems, including opacity, bias, responsibility gaps, and limited contestability. These problems have constitutional relevance because they may affect equality, privacy, dignity, autonomy, and procedural fairness. If Indonesian citizens are subject to automated decisions by platforms or digital service providers without

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explanation and meaningful contestation, then the constitutional promise of equal protection and due process becomes weakened in digital practice.

The constitutional importance of platform power is also reflected in debates on platform accountability and civil society participation. Trithara (2024) shows that civil society can act as an agent of platform governance by contesting content moderation practices and demanding greater accountability. This insight is relevant for Indonesia, where civil society, academics, journalists, digital rights organisations, and public interest lawyers play an important role in monitoring digital regulation and defending citizens' rights. A reconstructed Indonesian digital constitutionalism should therefore not rely only on state regulation. It should also institutionalise participatory accountability by involving civil society in platform oversight, regulatory evaluation, and rights-based policy formation.

The findings further indicate that platform domination creates a hybrid rights problem. On one side, the state has a constitutional duty to respect, protect, and fulfil citizens' rights. On the other side, platforms increasingly control the infrastructure through which those rights are exercised. This means that state inaction toward harmful platform practices may itself become constitutionally problematic. When the state fails to ensure transparency, accountability, and remedies in platform governance, citizens may be left vulnerable to private digital power. This supports the argument advanced by De Gregorio (2022) that digital constitutionalism requires a rethinking of constitutional safeguards in response to the growing regulatory power of digital platforms.

At the same time, this study does not argue that platforms should simply be treated as state institutions. Such an approach would be conceptually inaccurate and practically difficult. The more appropriate reconstruction is to recognise platforms as private actors with public constitutional impact. This means that platforms should remain private entities, but their governance of rights-sensitive digital spaces must be subject to constitutional principles. These principles include transparency in content moderation, proportionality in restriction, non-discrimination in algorithmic design, accountability in data processing, and access to independent remedies. This position differs from a purely market-based approach that treats platform-user relations as contractual matters, and from a purely state-centred approach that ignores the autonomy and complexity of digital infrastructure.

3) Reconstructing Digital Constitutionalism for the Protection of Citizens' Constitutional Rights

The third finding of this study is that Indonesia needs a reconstructed model of digital constitutionalism that integrates constitutional rights, state obligations, platform responsibilities, and institutional remedies. The reconstruction proposed in this study is based on the view that constitutional protection in the digital era cannot depend solely on formal constitutional recognition. It must be operationalised through legal standards that apply to the actual environments where rights are exercised. Since many constitutional rights are now mediated by platforms, constitutionalism must move beyond the classical vertical model of state versus citizen and develop a hybrid model that can address both public and private digital power.

This reconstructed model should begin with the principle of **constitutional continuity**. Constitutional rights do not lose their force when citizens enter digital spaces. Freedom of expression remains constitutionally relevant when speech occurs on social media. Privacy remains constitutionally relevant when personal data are processed by platforms. Equality remains constitutionally relevant when algorithmic systems classify users or distribute opportunities. Democratic participation remains constitutionally relevant when political communication is shaped by platform architecture. This principle rejects the idea that digital platforms are merely private contractual spaces detached from constitutional values. Instead, digital platforms should be understood as rights-sensitive environments in which constitutional principles must be translated into operational duties.

The second principle is **state responsibility for digital rights protection**. The state has a duty not only to refrain from violating rights, but also to create legal and institutional conditions that protect citizens from rights violations by powerful private actors. In the Indonesian context, this requires stronger coordination between constitutional doctrine, statutory regulation, independent supervision, judicial remedies, and public participation. The Personal Data Protection Law is an important starting point, yet its effectiveness depends on the establishment of credible enforcement institutions, clear administrative

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procedures, and accessible remedies for citizens. Syailendra et al. (2024) rightly identify enforcement and institutional readiness as major challenges. This study adds that these challenges should be treated as constitutional problems because weak enforcement undermines the practical enjoyment of constitutional rights.

The third principle is **platform accountability**. Platforms that govern public communication and process personal data at scale should be required to meet heightened standards of transparency, explanation, accountability, and remedy. This does not mean that every moderation decision must become a constitutional lawsuit. It means that rights-sensitive platform decisions should be governed by minimum procedural guarantees. Users should be informed of the reasons for content removal, account suspension, visibility restriction, or automated decision-making. They should have access to appeal mechanisms and, in serious cases, independent review. Leerssen (2023) argues that transparency rights are central to addressing shadow banning and content curation under the Digital Services Act. Although Indonesia does not need to copy the European Union model, this insight is valuable because it shows that platform accountability must include not only content removal, but also the less visible governance of reach, ranking, and recommendation.

The fourth principle is **algorithmic constitutionalism**. Algorithmic systems that affect constitutional rights should be subject to legality, transparency, fairness, proportionality, and contestability. This principle is necessary because many forms of digital harm are produced not by individual human decisions, but by automated systems embedded in platform infrastructure. Cobbe, Veale, and Singh (2023) show that algorithmic accountability becomes more complex when decision-making is distributed across supply chains involving multiple actors, models, datasets, and service providers. This insight is important for Indonesia because digital governance increasingly involves public-private partnerships, cloud infrastructure, third-party processors, and platform-based services. Accountability should not disappear merely because responsibility is technically distributed across several actors.

The fifth principle is **participatory digital constitutionalism**. Digital constitutionalism should not be constructed only by the state or by platforms. It must involve citizens, civil society, academia, journalists, consumer organisations, digital rights advocates, and independent experts. Muniz da Conceição (2024) criticises private constitutional arrangements such as Meta's Oversight Board when they lack sufficient democratic legitimacy and social grounding. This critique is relevant for Indonesia because platform governance cannot be considered legitimate only because a platform creates internal oversight mechanisms. Legitimacy requires participation, transparency, public contestation, and institutional connection with constitutional values. Participatory digital constitutionalism would allow Indonesian citizens not only to be protected as users, but also to be recognised as constitutional subjects in digital governance.

Based on these principles, this study proposes that the reconstruction of Indonesian digital constitutionalism should be developed through four normative directions. First, Indonesia should constitutionalise digital rights interpretation by ensuring that existing constitutional rights are explicitly applied to digital environments. Second, Indonesia should strengthen institutional enforcement, especially in personal data protection, platform accountability, and algorithmic governance. Third, Indonesia should impose due process obligations on platforms whose decisions significantly affect citizens' rights. Fourth, Indonesia should develop independent and participatory mechanisms for resolving disputes involving content moderation, data misuse, algorithmic discrimination, and digital exclusion.

This proposed reconstruction contributes to existing scholarship by contextualising digital constitutionalism within the Indonesian constitutional system. De Gregorio and Radu (2022) emphasise the need to rethink constitutionalism in the new era of internet governance; this study translates that theoretical concern into the Indonesian legal context. Golia (2024) warns that digital constitutionalism may reproduce liberal constitutional assumptions without sufficiently addressing societal power; this study responds by emphasising platform domination and participatory accountability. Terzis (2024) criticises digital constitutionalism for potentially masking deeper political-economic structures of digital capitalism; this study acknowledges that concern by treating platform power not merely as a technical governance issue, but as a constitutional problem involving rights, institutional control, and democratic legitimacy.

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The overall result of this study is that Indonesia requires a hybrid constitutional model for the digital era. This model should not abandon the classical function of constitutionalism as a limitation on state power, but it must expand that function to address private digital power that has public consequences. The protection of citizens' constitutional rights in the era of platform domination requires an integrated framework in which the state acts as guarantor, platforms act as accountable rights-impacting institutions, and citizens act as constitutional subjects with enforceable rights and remedies. Without such reconstruction, Indonesia's constitutional system may remain normatively strong in formal texts but institutionally weak in digital practice.

4. Conclusion

This study concludes that the protection of constitutional rights in Indonesia's digital environment cannot be adequately secured through fragmented sectoral regulation. The findings show that Indonesia already has important legal instruments, including constitutional guarantees, human rights legislation, electronic information regulation, and personal data protection law. Yet these instruments have not been integrated into a coherent framework of digital constitutionalism. The main problem is not the total absence of digital regulation, but the absence of a constitutional architecture capable of connecting citizens' rights, state obligations, platform responsibilities, algorithmic accountability, and effective remedies in a unified normative structure.

The study further finds that digital platforms have acquired constitutional significance because they increasingly mediate the exercise of freedom of expression, privacy, equality, access to information, economic participation, and democratic engagement. Platform domination changes the traditional structure of constitutional law because rights are no longer affected only by state action, but also by private rules, automated moderation, recommender systems, visibility control, data extraction, and algorithmic profiling. This condition requires a shift from a purely vertical model of constitutional protection toward a hybrid constitutional model that limits both public authority and private digital power when they affect citizens' constitutional rights.

The novelty of this study lies in its reconstruction of digital constitutionalism within the Indonesian constitutional system. While previous studies have largely focused on European platform regulation, global internet governance, algorithmic ethics, or sectoral data protection, this study places the Indonesian Constitution at the centre of the analysis. It offers a rights-based constitutional reconstruction that treats digital platforms as private actors with public constitutional impact. This approach contributes to the development of Indonesian constitutional law by extending the meaning of constitutional protection into digital spaces where citizens now exercise many of their fundamental rights.

The findings also have implications for previous research on digital constitutionalism. Studies that emphasise platform accountability, data protection, and algorithmic transparency are strengthened by the Indonesian case, because it shows that these issues should not be treated only as regulatory or technological problems. They must also be understood as constitutional problems involving dignity, autonomy, equality, procedural fairness, and democratic participation. At the same time, this study confirms the critique that digital constitutionalism should not merely reproduce state-centred constitutional doctrine. It must account for the political, economic, and infrastructural power of platforms that shape citizens' access to rights in everyday digital life.

This study has several limitations. It is based on normative legal analysis and documentary research, so it does not measure empirically how Indonesian citizens experience platform governance in practice. It also does not conduct interviews with regulators, platform representatives, civil society organisations, or affected users. As a result, the study provides a conceptual and normative reconstruction rather than an empirical assessment of enforcement practices, institutional capacity, or user experiences. These limitations do not weaken the normative contribution of the study, but they indicate that further empirical inquiry is needed to test how the proposed framework can operate in concrete regulatory and institutional settings.

Future research should examine the practical implementation of digital constitutionalism in Indonesia through empirical and socio-legal methods. Further studies may investigate user experiences with content moderation, account suspension, data misuse, algorithmic discrimination, or the lack of effective

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remedies on digital platforms. Comparative research may also examine how Indonesia can adapt selected elements of the European Union's Digital Services Act, General Data Protection Regulation, or emerging AI governance frameworks without ignoring Indonesia's constitutional identity and institutional context. Future research may also focus on the role of the Constitutional Court, independent data protection authority, civil society, and administrative agencies in developing enforceable standards for platform accountability and digital rights protection.

In conclusion, constitutionalism in the digital era must be reconstructed as a living framework capable of responding to new forms of power. For Indonesia, this reconstruction requires the constitutionalisation of digital rights interpretation, stronger institutional enforcement, procedural obligations for platforms, algorithmic accountability, and participatory oversight. The protection of citizens' constitutional rights in the era of platform domination will depend on Indonesia's ability to transform its constitutional commitments into enforceable guarantees within digital infrastructures. A democratic constitutional state cannot allow fundamental rights to be weakened simply because they are exercised through private platforms rather than traditional public institutions.

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