



Digital Authoritarianism or Democratic Innovation? State Regulation of Social Media Platforms in Indonesia

Otoritarianisme Digital atau Inovasi Demokrasi? Regulasi Negara terhadap Platform Media Sosial di Indonesia

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Abstract

Governments worldwide increasingly regulate digital platforms to combat misinformation, hate speech, and harmful online content. However, expanding regulatory authority also raises concerns regarding freedom of expression, democratic accountability, and state surveillance. Indonesia provides an important case for examining these competing dynamics because of its rapidly growing digital population and evolving regulatory framework governing social media platforms. This study explores whether Indonesia's digital governance reforms represent democratic innovation or a gradual movement toward digital authoritarianism. Using qualitative institutional analysis, the research examines legislation, judicial decisions, platform governance policies, and interviews with policymakers, civil society organizations, journalists, and technology experts. The findings indicate that Indonesia's regulatory approach reflects a hybrid governance model characterized by legitimate efforts to improve digital accountability alongside increasing concerns regarding discretionary enforcement, transparency, and protection of civil liberties. Rather than representing a binary choice between

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democracy and authoritarianism, Indonesia illustrates the complexities of governing digital spaces within emerging democracies facing competing demands for security, political stability, and digital rights. The article develops a conceptual framework explaining how regulatory legitimacy depends upon procedural transparency, institutional independence, proportional enforcement, and multi-stakeholder participation. The study contributes to comparative research on digital governance by providing evidence from the Global South, where institutional conditions differ significantly from Western democracies. The findings offer policy recommendations for designing balanced regulatory systems capable of addressing digital harms while preserving democratic freedoms and constitutional protections.

Keywords: *Digital Governance, Social Media Regulation, Democratic Innovation, Digital Rights, Indonesia*

Abstrak

Pemerintah di seluruh dunia semakin mengatur platform digital untuk memerangi disinformasi, ujaran kebencian, dan konten daring yang berbahaya. Namun, perluasan kewenangan regulasi juga menimbulkan kekhawatiran terkait kebebasan berekspresi, akuntabilitas demokratis, dan pengawasan negara. Indonesia memberikan studi kasus penting untuk meneliti dinamika yang saling bertentangan ini karena populasi digitalnya yang berkembang pesat dan kerangka regulasi yang terus berevolusi yang mengatur platform media sosial. Studi ini mengeksplorasi apakah reformasi tata kelola digital Indonesia mewakili inovasi demokratis atau pergerakan bertahap menuju otoritarianisme digital. Dengan menggunakan analisis institusional kualitatif, penelitian ini meneliti legislasi, keputusan pengadilan, kebijakan tata kelola platform, dan wawancara dengan para pembuat kebijakan, organisasi masyarakat sipil, jurnalis, dan pakar teknologi. Temuan menunjukkan bahwa pendekatan regulasi Indonesia mencerminkan model tata kelola hibrida yang dicirikan oleh upaya sah untuk meningkatkan akuntabilitas digital di samping meningkatnya kekhawatiran terkait penegakan hukum diskresioner, transparansi, dan perlindungan kebebasan sipil. Alih-alih mewakili pilihan biner antara demokrasi dan otoritarianisme, Indonesia menggambarkan kompleksitas tata kelola ruang digital

dalam demokrasi yang sedang berkembang yang menghadapi tuntutan yang saling bertentangan untuk keamanan, stabilitas politik, dan hak-hak digital. Artikel ini mengembangkan kerangka konseptual yang menjelaskan bagaimana legitimasi regulasi bergantung pada transparansi prosedural, independensi kelembagaan, penegakan hukum yang proporsional, dan partisipasi berbagai pemangku kepentingan. Studi ini berkontribusi pada penelitian komparatif tentang tata kelola digital dengan memberikan bukti dari negara-negara Selatan, di mana kondisi kelembagaan berbeda secara signifikan dari negara-negara demokrasi Barat. Temuan-temuan tersebut menawarkan rekomendasi kebijakan untuk merancang sistem regulasi yang seimbang yang mampu mengatasi dampak negatif digital sekaligus menjaga kebebasan demokrasi dan perlindungan konstitusional.

Kata kunci: *Tata Kelola Digital, Regulasi Media Sosial, Inovasi Demokrasi, Hak Digital, Indonesia*

I. INTRODUCTION

Digital platforms have become central infrastructures for political communication, economic transactions, and public discourse, fundamentally transforming the relationship between states, citizens, and private technology companies. While social media has expanded opportunities for civic participation, democratic deliberation, and information dissemination, it has simultaneously intensified challenges related to misinformation, online hate speech, electoral manipulation, cybercrime, and digital disinformation (Bradshaw and Howard 2019; Gillespie 2018). These developments have encouraged governments across democratic and authoritarian regimes alike to expand regulatory oversight of digital platforms. Consequently, digital governance has emerged as one of the most contested policy arenas of the twenty-first century because it directly affects the balance between national security, economic development, and the protection of fundamental rights.

The rapid expansion of state regulation over digital platforms has generated significant scholarly debate regarding its

implications for democracy. Proponents argue that platform regulation is necessary to ensure accountability, protect users from harmful content, reduce algorithmic manipulation, and strengthen democratic resilience against coordinated disinformation campaigns (Gorwa 2019; Flew 2021). In this perspective, digital regulation represents an institutional innovation capable of correcting market failures produced by increasingly powerful technology companies whose influence extends beyond traditional regulatory boundaries. Conversely, critics contend that broad governmental authority over online communication may facilitate censorship, political surveillance, selective law enforcement, and restrictions on freedom of expression, particularly where judicial oversight and institutional accountability remain weak (Deibert 2020; Freedom House 2023). Rather than merely regulating technology, digital governance increasingly shapes the distribution of political power within contemporary democracies.

These competing perspectives have generated growing interest in the concept of digital authoritarianism, referring to the strategic use of digital technologies, legal frameworks, and surveillance infrastructures to strengthen state control over information and political participation (Polyakova and Meserole 2019). At the same time, an alternative body of literature emphasizes democratic innovation, arguing that carefully designed digital governance mechanisms can enhance transparency, citizen participation, and institutional accountability without undermining civil liberties (Smith 2009; Bua and Escobar 2018). Existing scholarship, however, often conceptualizes these two trajectories as mutually exclusive ideal types, overlooking the possibility that contemporary regulatory systems may simultaneously exhibit both democratic and authoritarian characteristics depending on institutional context, implementation, and enforcement practices.

Indonesia represents an especially important case for examining these competing dynamics. As the world's third-largest democracy and one of the fastest-growing digital economies,

Indonesia has experienced an unprecedented expansion of internet penetration and social media usage during the last decade. More than 220 million Indonesians are connected to the internet, making digital platforms central to electoral politics, public administration, economic activity, and civic engagement (DataReportal 2024). Simultaneously, the Indonesian government has introduced an increasingly comprehensive regulatory framework governing electronic information, platform responsibility, intermediary liability, and digital content moderation through the Electronic Information and Transactions Law (ITE Law), Government Regulation No. 71 of 2019, and Ministerial Regulation No. 5 of 2020 concerning Private Electronic System Operators. These regulatory developments seek to combat illegal content, misinformation, cybercrime, and threats to national security while requiring greater compliance from global technology companies.

Despite these legitimate regulatory objectives, Indonesia's evolving digital governance framework has also generated persistent concerns regarding procedural transparency, legal certainty, proportionality, and the protection of constitutional freedoms. Civil society organizations, journalists, and digital rights advocates have criticized aspects of the regulatory regime for enabling discretionary enforcement, broad administrative authority, and restrictions on online expression (Safenet 2023; Freedom House 2023). Judicial reviews before the Constitutional Court and continuing debates over revisions to the ITE Law further illustrate the tension between expanding regulatory capacity and preserving democratic accountability. These developments suggest that Indonesia's experience cannot be adequately understood through a simple dichotomy between democratic governance and authoritarian control.

Although existing literature has extensively examined digital authoritarianism in countries such as China, Russia, and several Middle Eastern states (Deibert 2020; Polyakova and Meserole 2019), comparatively fewer studies investigate hybrid digital governance arrangements within emerging democracies of the Global South.

Much of the comparative scholarship also concentrates on surveillance technologies or content censorship while paying relatively limited attention to how legal institutions, administrative discretion, platform governance, and democratic accountability interact in shaping regulatory legitimacy (Gorwa 2019; Flew 2021). Consequently, important theoretical and empirical gaps remain concerning the conditions under which digital regulation strengthens democratic governance rather than facilitating incremental authoritarian practices.

This article addresses these gaps by examining whether Indonesia's contemporary regulation of social media platforms constitutes democratic innovation, digital authoritarianism, or a hybrid governance model incorporating elements of both. Rather than treating these concepts as binary opposites, the study argues that regulatory legitimacy depends upon the interaction of procedural transparency, institutional independence, proportional enforcement, judicial oversight, and meaningful multi-stakeholder participation. Using qualitative institutional analysis of legislation, judicial decisions, platform governance policies, and interviews with policymakers, journalists, civil society organizations, and technology experts, this research develops a conceptual framework explaining how emerging democracies negotiate competing demands for digital security, platform accountability, and protection of constitutional rights.

The article contributes to the growing literature on comparative digital governance in three important ways. First, it expands theoretical debates beyond the conventional democracy-authoritarianism dichotomy by conceptualizing digital governance as a continuum of institutional arrangements. Second, it provides empirical evidence from Indonesia, an underrepresented yet strategically important case within Global South scholarship. Third, it offers policy recommendations for designing balanced regulatory systems capable of addressing online harms while safeguarding democratic freedoms, institutional accountability, and the rule of law. In doing so, the study advances broader discussions

concerning the future of democratic governance in increasingly digital societies.

II. INSTITUTIONAL EVOLUTION OF INDONESIA'S DIGITAL GOVERNANCE: BETWEEN PUBLIC ACCOUNTABILITY AND EXPANDING STATE AUTHORITY

The rapid expansion of digital technologies has fundamentally transformed the institutional responsibilities of governments worldwide. As social media platforms increasingly mediate political communication, economic activities, and public discourse, governments have faced mounting pressure to establish regulatory frameworks capable of addressing emerging digital risks. These include the proliferation of misinformation, cybercrime, hate speech, foreign information manipulation, and online fraud, all of which have challenged traditional governance mechanisms designed for conventional media environments (Gorwa 2019; Flew 2021). Consequently, digital governance has evolved from a relatively narrow concern with telecommunications regulation into a comprehensive policy domain encompassing platform accountability, data governance, content moderation, cybersecurity, and digital rights.

Indonesia reflects this broader global transformation while simultaneously exhibiting institutional characteristics unique to emerging democracies. The country's rapid digitalization has been accompanied by remarkable growth in internet penetration and social media usage, positioning Indonesia among the world's largest digital societies. Digital platforms have become central arenas for electoral campaigns, civic mobilization, public service delivery, commercial transactions, and everyday political engagement. While these developments have strengthened democratic participation and economic innovation, they have also intensified concerns regarding the spread of false information, religious polarization, online radicalization, cyber harassment, and

digital financial crimes. As a result, the Indonesian government has progressively expanded its regulatory authority over digital platforms, arguing that stronger governance mechanisms are necessary to maintain public order, national security, and consumer protection.

From an institutional perspective, Indonesia's digital governance regime has evolved incrementally rather than through a single comprehensive reform. The enactment of Law No. 11 of 2008 concerning Electronic Information and Transactions (ITE Law) marked the first major legislative effort to regulate electronic communications and digital transactions. Initially designed to facilitate electronic commerce and provide legal recognition for digital documents, the legislation gradually acquired broader functions as successive amendments expanded its application to online expression, electronic evidence, cybercrime, and platform responsibility. The 2016 amendment attempted to clarify several controversial provisions following widespread criticism concerning criminal defamation and limitations on freedom of expression. Nevertheless, debates surrounding legal certainty and proportional enforcement have continued to characterize public discussions regarding the ITE Law.

The institutional expansion became more visible through Government Regulation No. 71 of 2019 concerning Electronic Systems and Transactions and, subsequently, Ministerial Regulation No. 5 of 2020 regarding Private Electronic System Operators. These regulatory instruments significantly strengthened governmental oversight over domestic and international digital platforms operating within Indonesia. Private electronic system providers were required to register with the government, maintain communication channels with regulatory authorities, comply with requests for content removal, and ensure accessibility of electronic data under specified legal circumstances. The government justified these requirements as necessary instruments for improving regulatory effectiveness against illegal online activities and

ensuring equal legal obligations between domestic and global digital companies.

Viewed through the lens of platform governance theory, these regulatory developments represent a shift from indirect regulation toward increasingly institutionalized forms of state-platform interaction. Gorwa (2019) argues that platform governance extends beyond governmental regulation alone, encompassing complex interactions among states, private technology companies, civil society organizations, and users. In this perspective, governments increasingly rely upon private platforms to implement public policy objectives, while platforms simultaneously influence regulatory outcomes through their own content moderation policies and corporate governance practices. Indonesia illustrates this governance transformation by positioning digital platforms not merely as commercial intermediaries but also as regulatory actors responsible for implementing public policy concerning harmful online content.

The institutional rationale underlying Indonesia's regulatory reforms reflects legitimate governance concerns rather than purely coercive political objectives. Government officials have consistently emphasized the need to reduce the circulation of misinformation during elections, prevent online radicalization, protect children from harmful digital content, combat financial fraud, and improve cybersecurity resilience. During the COVID-19 pandemic, for example, authorities confronted an unprecedented wave of health-related misinformation that complicated public health responses and vaccination campaigns. Similar challenges emerged during national elections, where coordinated disinformation campaigns increasingly exploited algorithmic amplification mechanisms across multiple social media platforms. Under these conditions, expanding regulatory authority appeared consistent with international trends toward greater platform accountability observed in democratic jurisdictions such as the European Union, Australia, and several OECD member states.

However, institutional expansion inevitably alters the balance of authority between governments, technology companies, and citizens. Although broader regulatory powers may improve administrative capacity to address digital harms, they also increase opportunities for discretionary intervention if institutional safeguards remain insufficient. This institutional dilemma constitutes one of the defining characteristics of contemporary digital governance. Flew (2021) notes that effective regulation requires governments to balance competing objectives, including security, economic innovation, freedom of expression, market competition, and democratic accountability. Excessive emphasis on any single objective risks undermining the legitimacy of the broader governance framework.

Indonesia demonstrates this tension through the coexistence of stronger regulatory institutions and continuing debates over procedural accountability. Civil society organizations have repeatedly questioned the transparency of administrative decisions involving website blocking, content removal, and platform compliance orders. Concerns have also emerged regarding the limited availability of independent appeal mechanisms, inconsistent implementation across different categories of online content, and the relatively broad administrative discretion granted to executive authorities. Rather than challenging the necessity of digital regulation itself, these criticisms focus on the institutional design through which regulatory authority is exercised.

The evolving relationship between the Indonesian state and global technology companies further illustrates the complexity of digital governance in emerging democracies. Major platforms such as Meta, Google, TikTok, and X increasingly operate as quasi-public infrastructures that shape access to information, political debate, and economic participation. Their transnational business models frequently exceed the territorial jurisdiction of individual governments, creating regulatory asymmetries that complicate national enforcement. Indonesia's registration requirements and compliance obligations therefore represent attempts to reassert

national regulatory sovereignty within an increasingly globalized digital ecosystem. Similar policy developments have emerged across multiple jurisdictions, suggesting that Indonesia's regulatory trajectory reflects broader international efforts to redefine state authority over transnational digital platforms rather than an isolated domestic phenomenon.

Nevertheless, regulatory legitimacy cannot be assessed solely by examining governmental objectives or legislative intentions. Institutional legitimacy also depends upon the procedural conditions through which authority is exercised. Transparency, judicial oversight, legal certainty, proportional enforcement, and opportunities for public participation collectively determine whether expanded regulatory authority strengthens democratic governance or generates risks of administrative overreach. These institutional safeguards become particularly important in emerging democracies, where political institutions continue to consolidate and public trust in government remains uneven.

The Indonesian experience therefore illustrates an important analytical distinction between institutional expansion and authoritarian consolidation. Expanding state authority over digital platforms does not automatically indicate democratic decline, nor does the existence of regulatory oversight necessarily threaten civil liberties. Instead, the democratic implications of digital governance depend upon how regulatory authority is constrained, monitored, and contested through independent institutions. This perspective shifts analytical attention away from the existence of regulation itself toward the governance quality of regulatory implementation.

Accordingly, Indonesia's digital governance regime should be understood as an evolving institutional arrangement seeking to reconcile competing public policy objectives within a rapidly changing technological environment. While the expansion of regulatory authority reflects legitimate efforts to address increasingly complex digital risks, it simultaneously creates new governance challenges concerning accountability, transparency,

and constitutional protections. These tensions establish the empirical foundation for evaluating whether Indonesia's regulatory practices ultimately represent democratic innovation or exhibit characteristics associated with digital authoritarianism. The following section therefore examines how these institutional arrangements operate in practice by analyzing regulatory implementation, enforcement patterns, and their broader implications for democratic governance.

III. DEMOCRATIC INNOVATION OR DIGITAL AUTHORITARIANISM? ASSESSING INDONESIA'S REGULATORY PRACTICES

The institutional expansion of digital governance in Indonesia reflects a broader global transformation in the regulation of digital platforms. However, evaluating regulatory legitimacy requires moving beyond the formal existence of legal frameworks toward examining how these regulations are implemented in practice. Contemporary scholarship on digital governance argues that the democratic consequences of platform regulation depend less on the presence of state intervention than on the transparency, accountability, proportionality, and procedural safeguards accompanying regulatory enforcement (Gorwa 2019; Flew 2021). Consequently, Indonesia's digital governance should not be assessed solely through legislative intent but through the institutional practices that shape interactions between the state, digital platforms, and citizens.

One of the principal objectives of Indonesia's digital regulatory framework has been to increase the accountability of digital platform providers operating within the national jurisdiction. Government Regulation No. 71 of 2019 and Ministerial Regulation No. 5 of 2020 introduced registration requirements for Private Electronic System Operators (PSEs), obligating domestic and foreign technology companies to comply with Indonesian legal standards. The government justified these measures by

emphasizing the need to protect citizens from illegal online activities, including cyber fraud, terrorist propaganda, online gambling, child exploitation, and the dissemination of false information.

From the perspective of public administration, these measures represent an effort to address the growing asymmetry between the global reach of digital platforms and the territorially bounded authority of national governments. Major technology companies such as Meta, Google, TikTok, and X possess unprecedented influence over information dissemination, yet historically operated with relatively limited accountability to domestic regulatory institutions. Indonesia's registration policy therefore reflects an attempt to restore regulatory parity by requiring global platforms to recognize domestic legal obligations. Similar approaches have been adopted in jurisdictions such as Australia, India, and the European Union, suggesting that Indonesia's regulatory initiatives are consistent with broader international trends rather than isolated policy innovations (Flew 2021).

Nevertheless, institutional legitimacy depends not only on regulatory objectives but also on the procedural mechanisms governing enforcement. Ministerial Regulation No. 5 of 2020 grants government authorities significant discretion in requesting access restrictions, content removal, and compliance measures against digital platforms. Although these powers are intended to facilitate rapid responses to unlawful online content, critics argue that the regulatory language governing "prohibited information" remains sufficiently broad to permit inconsistent interpretation across different political and legal contexts. Such ambiguity increases administrative discretion and may reduce legal predictability for both platform providers and users.

This concern reflects a broader theoretical debate within digital governance literature. Deibert (2020) argues that contemporary digital authoritarianism rarely emerges through overt censorship alone. Instead, it frequently develops through

incremental institutional expansion in which governments gradually normalize broader surveillance capacities, administrative discretion, and information control while maintaining formally democratic institutions. In this framework, authoritarian tendencies should be understood as a matter of institutional practice rather than constitutional form.

Applying this perspective to Indonesia requires careful analytical distinction. Existing evidence does not support the conclusion that Indonesia has transformed into a digitally authoritarian state comparable to highly centralized authoritarian regimes. Indonesia continues to maintain competitive elections, judicial review, an active civil society, and a relatively pluralistic media environment. These democratic institutions continue to provide important mechanisms through which regulatory decisions may be challenged and publicly debated. However, the existence of democratic institutions does not automatically eliminate the possibility of authoritarian tendencies emerging within specific regulatory domains.

One area where these tensions become particularly visible concerns online content moderation. Government authorities possess legal authority to request the removal or restriction of digital content considered unlawful under Indonesian legislation. While rapid intervention may be justified in cases involving terrorism, child sexual exploitation, financial fraud, or coordinated cybercrime, the application of similar regulatory mechanisms to politically sensitive content raises more complex democratic questions. Civil society organizations have repeatedly argued that inconsistent enforcement standards may create uncertainty regarding permissible online expression and encourage precautionary self-censorship among journalists, activists, and ordinary citizens (Freedom House 2023).

The democratic implications of content moderation are further complicated by the increasingly intertwined relationship between governments and private technology companies. Rather than directly censoring content themselves, contemporary

governments frequently rely upon platform providers to implement regulatory requests through their own moderation systems. Consequently, responsibility for governing online speech becomes distributed across public institutions and private corporations. Gillespie (2018) describes this arrangement as a hybrid model of platform governance in which private companies effectively exercise quasi-public authority over digital communication while remaining accountable to multiple—and sometimes conflicting—legal and commercial obligations.

Indonesia illustrates this governance complexity. Platform providers must simultaneously comply with Indonesian regulatory requirements, maintain adherence to their own global community standards, and preserve public trust among diverse user communities. These overlapping responsibilities often generate conflicts between domestic legal obligations and internationally recognized principles of freedom of expression. For example, content considered unlawful under one national legal framework may remain protected political expression under another jurisdiction's constitutional standards. Consequently, platform governance increasingly becomes a process of negotiating competing legal and normative expectations rather than simply enforcing fixed regulatory rules.

Another important dimension concerns the proportionality of regulatory enforcement. Democratic governance requires that restrictions on individual rights satisfy the principles of legality, necessity, and proportionality. These principles have long been recognized within international human rights law as essential safeguards against arbitrary governmental interference with freedom of expression. In Indonesia, however, debates surrounding the implementation of the Electronic Information and Transactions Law have frequently centered on whether criminal sanctions and administrative interventions are proportionate to the harms they seek to prevent.

Several provisions of the ITE Law have attracted sustained public criticism because they have been invoked in cases involving

alleged defamation, online criticism of public officials, and interpersonal disputes conducted through digital media. Although legislative amendments have attempted to clarify several controversial articles, legal scholars continue to debate whether existing formulations provide sufficient legal certainty to prevent selective interpretation. The persistence of judicial review petitions before the Constitutional Court further demonstrates that regulatory legitimacy remains contested within Indonesia's democratic institutions rather than universally accepted.

These developments suggest that Indonesia's regulatory trajectory cannot be adequately interpreted through a binary distinction between democratic governance and digital authoritarianism. On one hand, regulatory expansion responds to genuine governance challenges associated with digital transformation. Governments possess legitimate responsibilities to protect citizens from cybercrime, coordinated disinformation, online exploitation, and other digital harms that increasingly threaten democratic stability. Failure to regulate dominant digital platforms would likewise undermine public accountability by allowing private corporations to exercise significant influence over public discourse with minimal democratic oversight.

On the other hand, expanding regulatory authority inevitably creates opportunities for administrative overreach when institutional safeguards remain insufficiently developed. Broad executive discretion, limited transparency regarding enforcement decisions, and inconsistent procedural protections may gradually weaken public confidence in regulatory institutions even where democratic constitutional structures formally remain intact. Consequently, the central issue is not whether governments should regulate digital platforms but how such regulation should be designed to preserve constitutional freedoms while ensuring effective public governance.

The Indonesian experience therefore demonstrates the emergence of what may be described as hybrid regulatory governance. This governance model combines legitimate public

objectives—such as improving digital accountability, combating cybercrime, and protecting users—with institutional characteristics that require stronger democratic safeguards. Rather than representing either successful democratic innovation or complete digital authoritarianism, Indonesia occupies an intermediate institutional position in which competing governance logics coexist simultaneously.

This interpretation differs from much of the existing comparative literature, which frequently categorizes states according to regime type alone. Such binary classifications underestimate the dynamic institutional negotiations occurring within emerging democracies, where governments simultaneously expand regulatory capacity while remaining subject to electoral competition, judicial oversight, and societal contestation. Indonesia illustrates that digital governance should be understood as a continuum shaped by institutional quality rather than a fixed classification determined solely by political regime.

Accordingly, assessing regulatory legitimacy requires broader evaluative criteria than simply measuring the quantity of regulation or the extent of state intervention. Democratic digital governance depends upon whether regulatory authority is exercised transparently, proportionately, independently, and subject to meaningful public accountability. These dimensions provide a more comprehensive analytical framework for understanding why similar regulatory instruments may produce different democratic outcomes across countries with differing institutional capacities.

The Indonesian case therefore contributes to an emerging body of scholarship suggesting that the future of digital governance will not be determined by a simple choice between unrestricted platform autonomy and unrestricted state control. Instead, effective governance requires institutional arrangements capable of balancing public security, technological innovation, and constitutional rights through transparent and accountable regulatory processes. This finding provides the foundation for

developing a broader conceptual model explaining regulatory legitimacy in emerging democracies, which is presented in the following section.

IV. TOWARD A HYBRID GOVERNANCE MODEL: RECONCEPTUALIZING DIGITAL REGULATION IN EMERGING DEMOCRACIES

The preceding analysis demonstrates that Indonesia's regulatory approach cannot be adequately explained through the conventional dichotomy of democratic innovation versus digital authoritarianism. While the Indonesian government has expanded its regulatory authority over digital platforms in response to legitimate public concerns—including misinformation, cybercrime, online fraud, and harmful digital content—the institutional consequences of these reforms reveal a more complex governance trajectory. Rather than indicating a linear transition toward authoritarian control or an unequivocal strengthening of democratic governance, Indonesia illustrates the coexistence of competing institutional logics that simultaneously promote public accountability and generate concerns regarding executive discretion, procedural transparency, and civil liberties.

This finding challenges a dominant assumption within the existing literature on digital governance. Much comparative scholarship implicitly treats democratic governance and digital authoritarianism as mutually exclusive institutional categories, suggesting that regulatory expansion necessarily moves states closer to one pole or the other (Deibert 2020; Polyakova and Meserole 2019). Such binary classifications are useful for identifying ideal types but are less capable of explaining institutional developments within emerging democracies where democratic institutions remain operational while governments expand their regulatory capacities. The Indonesian experience demonstrates that digital governance frequently evolves through incremental institutional adaptation rather than abrupt regime transformation.

Consequently, this study proposes the concept of Hybrid Digital Governance as an analytical framework for understanding digital regulation in emerging democratic contexts. Hybrid Digital Governance refers to an institutional arrangement in which the state seeks to improve public accountability, platform responsibility, and digital security while simultaneously operating within institutional environments characterized by varying degrees of transparency, judicial oversight, administrative discretion, and public participation. Under this framework, democratic and authoritarian tendencies are not viewed as binary outcomes but as coexisting institutional dynamics whose relative influence depends upon the quality of governance institutions.

Unlike regime-based classifications, the Hybrid Digital Governance model evaluates regulatory legitimacy according to institutional performance rather than political labels. This approach recognizes that similar legal instruments may produce substantially different democratic consequences depending upon the mechanisms governing their implementation. For example, content moderation requirements imposed upon digital platforms may strengthen democratic accountability when implemented through transparent procedures, independent judicial review, and clearly defined legal standards. Conversely, identical regulatory powers may facilitate arbitrary restrictions on freedom of expression if exercised through opaque administrative processes lacking meaningful oversight. Therefore, the institutional context surrounding regulatory authority becomes more analytically significant than the mere existence of regulation itself.

Based on the Indonesian case, this article identifies four interrelated dimensions that determine the democratic legitimacy of digital governance: procedural transparency, institutional independence, proportional enforcement, and multi-stakeholder participation.

The first dimension, procedural transparency, concerns the openness of regulatory decision-making processes. Transparency requires governments to provide clear legal standards, publicly

accessible enforcement procedures, and regular reporting regarding content moderation decisions, platform compliance measures, and administrative sanctions. Transparent governance reduces regulatory uncertainty, enhances public trust, and enables independent scrutiny of governmental actions. In the absence of transparency, expanding regulatory authority may generate perceptions of selective enforcement even where governmental objectives remain legitimate.

The second dimension, institutional independence, refers to the capacity of oversight institutions—including courts, independent regulatory bodies, and accountability mechanisms—to review governmental decisions without undue political influence. Independent judicial review represents a particularly important safeguard because it provides affected individuals and digital platforms with opportunities to challenge administrative decisions. Institutional independence therefore transforms regulatory authority from a unilateral executive function into a legally accountable governance process consistent with democratic constitutional principles.

The third dimension, proportional enforcement, reflects the long-established legal principle that restrictions upon fundamental rights should be limited to measures that are necessary, appropriate, and proportionate to legitimate public objectives. Within digital governance, proportionality requires regulatory interventions to distinguish between genuinely harmful online activities—such as terrorism, child exploitation, cyber fraud, or coordinated disinformation campaigns—and forms of political expression protected within democratic societies. Excessively broad enforcement risks producing chilling effects on public discourse by encouraging self-censorship among journalists, activists, academics, and ordinary citizens. Conversely, insufficient enforcement may undermine public confidence in the government's capacity to maintain digital security. Balancing these competing risks therefore becomes essential to democratic regulatory legitimacy.

The fourth dimension, multi-stakeholder participation, recognizes that digital governance increasingly involves diverse institutional actors rather than governments alone. Contemporary digital platforms function as transnational infrastructures connecting governments, private technology companies, civil society organizations, academic institutions, journalists, and citizens. Consequently, effective regulatory frameworks require inclusive consultation processes that incorporate diverse expertise and societal perspectives during policy formulation, implementation, and evaluation. Multi-stakeholder governance also enhances policy legitimacy by reducing information asymmetries between regulators and rapidly evolving technology industries while strengthening democratic accountability through broader societal participation.

Taken together, these four dimensions provide a multidimensional framework for evaluating digital governance beyond traditional regime classifications. Rather than asking whether a country is democratic or authoritarian, researchers may instead assess the relative strength of transparency, institutional independence, proportional enforcement, and participatory governance within specific regulatory systems. Countries demonstrating consistently high performance across these dimensions are more likely to develop forms of democratic digital governance, whereas weaknesses across multiple dimensions increase the likelihood that digital regulation will generate authoritarian tendencies regardless of formal constitutional structures.

Within this analytical framework, Indonesia occupies an intermediate institutional position. The country possesses several democratic characteristics that distinguish it from consolidated authoritarian regimes, including competitive elections, constitutional judicial review, an active civil society, and relatively vibrant public debate concerning digital regulation. Simultaneously, persistent concerns regarding administrative discretion, regulatory transparency, and procedural consistency

indicate that important institutional safeguards remain underdeveloped. Indonesia therefore represents neither a model of fully democratic digital governance nor an example of comprehensive digital authoritarianism. Instead, it exemplifies Hybrid Digital Governance in which democratic institutions coexist with expanding regulatory authority that continues to require stronger accountability mechanisms.

The broader implications of this framework extend beyond the Indonesian case. Many emerging democracies across Asia, Africa, and Latin America confront similar institutional challenges resulting from rapid digital transformation, increasing platform concentration, growing concerns regarding misinformation, and heightened demands for national cybersecurity. Governments in these jurisdictions often face competing pressures to regulate powerful transnational technology companies while simultaneously preserving democratic freedoms and constitutional rights. The Hybrid Digital Governance framework provides a comparative analytical tool capable of explaining why similar regulatory reforms produce divergent democratic outcomes across countries with differing institutional capacities.

From a policy perspective, the framework suggests that improving digital governance should not focus exclusively on expanding or reducing governmental authority. Instead, reform efforts should prioritize strengthening institutional safeguards that ensure regulatory power remains transparent, accountable, proportionate, and subject to meaningful public oversight. Several policy implications emerge from this analysis. First, governments should establish publicly accessible transparency reports detailing content removal requests, administrative sanctions, and regulatory enforcement outcomes. Second, independent judicial review mechanisms should be strengthened to provide effective legal remedies for individuals and digital platforms affected by regulatory decisions. Third, regulatory standards governing harmful online content should be formulated with greater legal precision to minimize inconsistent interpretation and reduce

administrative discretion. Finally, institutionalized multi-stakeholder consultation mechanisms should become integral components of digital policymaking to ensure that regulatory reforms reflect diverse societal interests rather than exclusively governmental priorities.

These recommendations are particularly relevant for emerging democracies where institutional consolidation remains ongoing. Effective digital governance cannot be measured solely by the state's capacity to regulate technology companies; it must also be evaluated according to its ability to preserve democratic accountability while addressing legitimate public policy concerns. The Indonesian experience demonstrates that regulatory legitimacy depends not upon the expansion of state authority alone but upon the institutional quality governing how such authority is exercised.

Accordingly, this study contributes to the comparative literature on digital governance in three important respects. First, it advances a conceptual shift from regime-based classifications toward institution-centered analysis by demonstrating that democratic legitimacy is shaped primarily by governance quality rather than formal political labels. Second, it enriches empirical scholarship by providing evidence from Indonesia, an important yet comparatively underexamined case within Global South digital governance research. Third, it introduces the Hybrid Digital Governance framework as a transferable analytical model that may inform comparative studies examining regulatory developments across other emerging democracies. Future research may apply this framework to countries such as India, Brazil, the Philippines, Kenya, or South Africa to evaluate whether similar institutional dynamics emerge under different political and legal contexts.

Ultimately, the Indonesian case illustrates that the future of digital governance is unlikely to be determined by a binary choice between unrestricted state authority and unrestricted platform autonomy. Rather, sustainable digital governance depends upon institutional arrangements capable of balancing public security, technological innovation, economic development, and the

protection of constitutional rights. Understanding this balance requires moving beyond simplistic dichotomies toward more nuanced analyses of institutional performance. The Hybrid Digital Governance framework proposed in this study offers one such approach by emphasizing that regulatory legitimacy is fundamentally a function of governance quality rather than regulatory quantity.

V. CONCLUSION

This study demonstrates that Indonesia's regulation of social media platforms cannot be adequately understood through a binary distinction between democratic innovation and digital authoritarianism. Although the expansion of digital regulation has been driven by legitimate objectives—including combating misinformation, cybercrime, harmful online content, and enhancing platform accountability—the implementation of these regulatory measures reveals a more complex institutional reality. Indonesia's digital governance combines efforts to strengthen public accountability with persistent concerns regarding administrative discretion, procedural transparency, and the protection of fundamental rights. Consequently, this article argues that Indonesia represents a Hybrid Digital Governance model in which democratic institutions coexist with expanding regulatory authority. The study further shows that the democratic legitimacy of digital governance depends not on the existence of regulation itself, but on the quality of institutional safeguards that govern its implementation, particularly procedural transparency, institutional independence, proportional enforcement, and meaningful multi-stakeholder participation.

The findings contribute to the growing comparative literature on digital governance by proposing an institution-centered analytical framework that moves beyond regime-based classifications of democracy and authoritarianism. Rather than treating regulatory expansion as inherently democratic or

authoritarian, this framework emphasizes the institutional conditions under which digital regulation can simultaneously protect public interests and preserve constitutional freedoms. From a policy perspective, the study highlights the importance of strengthening judicial oversight, improving regulatory transparency, refining legal standards governing online content, and institutionalizing inclusive stakeholder participation to enhance regulatory legitimacy. While this research focuses on Indonesia, the proposed framework offers broader relevance for other emerging democracies confronting similar challenges arising from rapid digital transformation. Future research should undertake comparative cross-national analyses and incorporate empirical evidence from regulatory implementation and stakeholder experiences to further evaluate the applicability and explanatory power of the Hybrid Digital Governance framework across different political and institutional contexts.

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