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LEGAL AND INSTITUTIONAL CHALLENGES : EVALUATING PERSONAL DATA GOVERNANCE IN THE ERA OF INDONESIAN GOVERNMENT ALGORITHMIC GOVERNANCE

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Abstract

The development of Artificial Intelligence (AI) in Indonesia has seen significant growth in recent years, particularly in the government and public service sectors. The use of AI- based technology It has begun to be applied in digital administration systems, population data analysis, health services, education, and public policy oversight to improve bureaucratic effectiveness and the quality of public services. However, the implementation of algorithmic governance also raises various legal and institutional issues, particularly related to personal data protection, algorithm transparency, accountability for automated decision-making, and weak digital oversight mechanisms. This study uses a literature review method by examining various recent national and international journals from 2022–2026 that discuss Artificial Intelligence governance , personal data protection, Artificial Intelligence ethics , and digital governance in Indonesia. The results of the study indicate that the implementation of Artificial Intelligence While digital governance has significant potential to support public administration efficiency, it still faces challenges such as unprepared technical regulations, low institutional capacity, the risk of personal data leaks, and the suboptimal implementation of Law Number 27 of 2022 concerning Personal Data Protection. Furthermore, digital leadership is a crucial factor in building transparent, adaptive, and rights-oriented digital governance in the era of digital government transformation.

Keywords: *Artificial Intelligence , personal data protection, algorithmic governance, ethics Artificial Intelligence , digital governance , public services.*

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INTRODUCTION

Digital transformation has has become an important part of the development of modern governance in various countries, including Indonesia. The development of Artificial Intelligence technology driving major changes in public administration systems, data-driven decision-making, and public service mechanisms. Artificial Intelligence is no longer viewed merely as a supporting technology, but has evolved into a strategic instrument in creating a more responsive, effective, and efficient government (Dwivedi et al., 2022). In Indonesia, the government has begun to encourage the use of Artificial Intelligence through various national digitalization programs, such as the implementation of the Electronic-Based Government System (SPBE), the development of smart cities , and the transformation of digital public services in the population administration, health, education, and taxation sectors (Ministry of Administrative and Bureaucratic Reform, 2023). These developments demonstrate that Artificial Intelligence (AI) is has an important position in supporting the bureaucratic modernization process in the era of society 5.0.

The use of Artificial Intelligence in the public sector offers various benefits for the effectiveness of bureaucracy and public services. Artificial Intelligence technology can help the government process large amounts of data quickly and accurately, improve the efficiency of administrative services, reduce human error , and support data-driven decision-making (Sun & Medaglia, 2022). The use of public service chatbots, digital monitoring systems, predictive analysis, and even the automation of administrative documents are concrete examples of the implementation of Artificial Intelligence in modern governance. Furthermore, the application of Artificial Intelligence is considered capable of accelerating the process of serving the public, thereby creating public services that are more transparent and adaptive to the needs of a digital society (Wirtz et al., 2022). This situation demonstrates that Artificial Intelligence has great potential to support bureaucratic reform and realize good governance based on digital technology.

However, the development of Artificial Intelligence in government also presents

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various complex legal and institutional challenges. The use of algorithm-based systems in public data management poses risks of personal data misuse, algorithmic discrimination, and potential violations of people's privacy rights (Cath et al., 2023). In Indonesia, the issue of personal data leakage remains a serious issue, demonstrating weak digital data security governance. Several cases of data leaks in public institutions and digital platforms demonstrate that Indonesia's data protection system still faces numerous weaknesses, both in terms of regulation, oversight, and cybersecurity infrastructure readiness (Pratama & Nugroho, 2024). This situation becomes even more concerning when Artificial Intelligence is used to process public data on a massive scale without algorithm transparency and clear accountability mechanisms.

In response to the increasing risk of digital data misuse, the Indonesian government has passed Law No. 27 of 2022 concerning Personal Data Protection (PDP Law). This regulation is a crucial step in providing legal certainty for the management and protection of people's personal data in the digital space. The PDP Law regulates various data protection principles, such as data owner consent, restrictions on data processing, data subject rights, and administrative and criminal sanctions for personal data violations (Law No. 27 of 2022). However, the implementation of this regulation still faces significant challenges, particularly related to the readiness of supervisory institutions, harmonization of sectoral regulations, and low awareness among public institutions regarding the importance of digital data security (Sari & Rahman, 2023). Furthermore, the development of Artificial Intelligence (AI) which is so fast that it often outstrips the regulatory ability to anticipate the risks of new technologies.

On the other hand, the ethical issues of Artificial Intelligence are also a significant concern in digital governance. Without clear ethical principles, it can lead to algorithmic bias, unfairness in public services, and non-transparent automated decision-making (Floridi & Cowls, 2022). Therefore, the application of Artificial Intelligence The use of Artificial Intelligence in government must be supported by ethical principles that emphasize transparency, accountability, justice, security, and respect for human rights. Ethical Artificial Intelligence is crucial because technology is not only related to system efficiency but also

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concerns the protection of citizens' rights in the digital space. In this context, the government is not only required to adopt modern technology but also to ensure that its use remains within the law and the values of digital democracy.

In addition to regulatory and ethical aspects, the success of digital governance is also significantly influenced by the quality of digital leadership . Digital leadership is needed to ensure that technological transformation in government can proceed adaptively, collaboratively, and oriented towards the public interest (Miao et al., 2024). Public sector leaders need to have the ability to understand technological risks, build a culture of data security, and formulate policies that balance digital innovation and the protection of public rights. Without strong digital leadership , the implementation of Artificial Intelligence in government has the potential to create digital inequality, weak technological oversight, and low public trust in digital government systems.

Based on these conditions, a study of the legal and institutional challenges in personal data governance in the era of algorithmic governance is crucial. This study attempts to analyze the development of Artificial Intelligence utilization in the Indonesian government, the various legal risks arising from the use of algorithm-based systems, the effectiveness of the implementation of the Personal Data Protection Law, and the importance of Artificial Intelligence ethics and digital leadership in realizing good digital governance. Through a literature review approach, this study is expected to provide a more comprehensive understanding of the relationship between the development of Artificial Intelligence technology , personal data protection, and the institutional readiness of the Indonesian government in facing digital transformation in the modern era.

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RESEARCH METHODOLOGY

This study use A qualitative approach using a systematic literature review method was used to analyze the legal and institutional challenges in personal data governance in the era of algorithmic governance in the Indonesian government. The data sources for this study were obtained from reputable national and international journal articles published between 2022 and 2026, accessed through academic databases such as Google Scholar, Scopus, and the Science and Technology Index (SINTA). This timeframe was chosen based on the consideration that the development of regulations and the implementation of Artificial Intelligence in the Indonesian government has experienced significant acceleration since the enactment of Law Number 27 of 2022 concerning Personal Data Protection.

Artificial Intelligence governance ', 'personal data protection', ' algorithmic governance ', ' Artificial Intelligence ethics ', and ' digital government leadership'. The inclusion criteria included articles that directly addressed the issues of digital technology governance, data protection regulations, and artificial intelligence ethics in the public sector context, while articles that were irrelevant to the topic of governance or lacked methodological clarity were excluded from the analysis. The collected data were then analyzed descriptively and qualitatively using content analysis techniques , namely by identifying main themes, comparing findings across literature, and drawing conclusions based on argumentation patterns that emerged consistently from various sources.

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Table 1. Literature Review Results

Artificial Intelligence governance , personal data protection, and digital leadership in the government sector. A summary of the review results of these nine sources is presented in the following table.

No	Author (Year)	Focus of Study	Key Findings
1	Dwivedi et al. (2023)	Role strategic AI in governance transformation government	AI is evolving become instrument strategic in create better governance responsive , effective , and efficient .
2	Ministry of Administrative and Bureaucratic Reform (2023)	Digital transformation of government via SPBE	The SPBE program encourages integration digital technologies , including AI, to various sector service public in Indonesia.
3	Sun & Medaglia (2022)	AI challenges in the sector public (study case service health)	AI improves efficiency data processing and supporting evidence-based policy, but Still constrained human resource and infrastructure readiness technology .
4	Wirtz et al. (2022)	The application of AI and its challenges in the sector public	Utilization of AI in bureaucracy Still concentrated on function administrative /front office; use in collection decision strategic Still limited Because doubt on accuracy and accountability algorithm .
5	Cath et al. (2023)	AI and governance good society (US, EU and UK approaches)	Use algorithm in decision public potential create systemic bias if the input data is not representative , so that strengthen inequality social .
6	Pratama & Nugroho (2024)	Security cyber and data privacy in the sector Indonesia's digital	Governance digital data security in the sector the Indonesian public still prone to leakage consequence weakness standard

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No	Author (Year)	Focus of Study	Key Findings
		public	security cyber , lack of regular audits , and low awareness apparatus .
7	Sari & Rahman (2023)	Implementation of the Personal Data Protection Law in Indonesia	The PDP Law provides runway clear law , but its implementation constrained by institutions supervisor independent who has not formed full and weak harmonization regulations sectoral .
8	Floridi & Cowls (2022)	Framework principle AI ethics	Formulating five principles AI ethics : beneficence , non-maleficence, autonomy , fairness , and transparency (explicability) as reference digital policy .
9	Miao et al. (2024)	Digital leadership in governance transformation government	Success digital transformation of government very determined by quality digital leadership that integrates vision technology with accountability and protection right citizen .
1 0	Criado , Sandoval-Almazán & Gil-Garcia (2025)	Role actors , policies , and governance of AI in administration public at the micro , meso, and macro levels	Adoption of AI in administration public influenced by interactions actor cross-level, direction policies and capacity different institutions in each country .
11	Dunleavy & Margetts (2023)	Wave third, digital era governance based on data science and AI	Data science and AI are driving transformation structural government towards a more digital governance model integrated and based proof .
12	Janssen, Mellouli & Ojo (2024)	Risks and benefits application of AI for government	AI gives benefit efficiency for sector public , however present governance , accountability and fairness risks that need to be addressed managed in a way Be careful .
13	Grimmelikhuijsen (2023)	Transparency algorithms and trust	Transparency algorithmic proven increase perception trust public to system

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No	Author (Year)	Focus of Study	Key Findings
		inhabitant towards automated decision-making	taking decision automatic government .
14	Alon-Barkat & Busuioc (2023)	Interaction human -AI in taking decision sector public	Taker decision public prone to experiencing automation bias or selective adherence to recommendation algorithm .
15	Madan & Ashok (2023)	Review systematic adoption and diffusion of AI in administration public	AI adoption in the sector public Still hampered by readiness organization , regulation technical , and limitations capacity source Power man .
16	Noordt & Misuraca (2022)	Mapping the use of AI in the governments of European Union countries	Implementation of AI in the sector public Europe Still varies between countries and some big is at the stage beginning implementation .
17	Ahn & Chen (2022)	Perception employee government to AI-based digital transformation	Readiness and attitude employee government become factor determinant success AI adoption in bureaucracy .
18	Chen, Ahn & Wang (2023)	The impact of AI on values public and governance sector public	The application of AI has the potential influence mark public like justice and transparency so that need clear governance framework .
19	Sienkiewicz-Malyjurek (2023)	Challenge AI adoption for manager public in cities Poland	Manager public face challenge structural and cultural in adopting AI in government local .
20	Selten & Klievink (2024)	Strategy organization in adopting AI in the sector public	Organization public manage AI adoption through pattern separation of data science units or integration to operational units that have There is .
2 1	Mahameru , Nurhalizah ,	Implementation of the Personal Data	The implementation of the PDP Law in Indonesia is still face constraint technical

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No	Author (Year)	Focus of Study	Key Findings
	Badjeber , Wildan & Rahmadia (2024)	Protection Law to security information identity in Indonesia	and institutional in protect citizens' digital identity .
22	Abdullah, Durand & Moonti (2025)	Review critical implementation of the PDP Law in the era of big data	The implementation of the PDP Law has not yet fully ensure right privacy public consequence the large volume of data processed in the big data era.
23	Matheus & Gunadi (2023)	Formation institution supervisor personal data protection compared to with KPPU	Institutional model supervisor independent such as KPPU can become references for formation institution effective PDP supervisor .
24	Müller, Konzag , Nielsen & Sandholt (2024)	Competence leadership in digital transformation	Success organizational digital transformation very depends on competence leadership that is contingent in accordance context organization .
25	Nuryadin , Sobandi & Santoso (2023)	Review systematic digital leadership in the sector public	Digital leadership in the sector public Still become field developing studies with variety of models and approaches implementation .
26	Haug , Dan & Mergel (2024)	Driven change digitalization in the sector public	Digitalization trigger change complex organization so that requires a research agenda advanced about management changes in the sector public .
27	Medaglia, Rukanova & Zhang (2024)	Digital governance in transition going to economy circular	Digital government plays a role important support transition economy circular through framework analytical and research agenda new .
28	Toding Bua & Idris (2025)	Policy security cyber post-incident National	Incident 2024 PDN leak reveals vulnerability infrastructure , weakness

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No	Author (Year)	Focus of Study	Key Findings
		Data Center leak 2024	readiness regulation , and the decline trust public to government data security .
29	Camilleri (2024)	Consideration ethical in AI governance and responsibility answer social	Responsible AI governance answer need integration principle accountability , transparency , fairness , privacy , and security cyber .
30	Nonci & Sinrang (2024)	Transformation of SPBE towards smart governance based on intelligence made in Sidenreng Rappang	The application of AI in SPBE accelerates service public , however Still constrained integration system cross agency .

In a way general , ninth The literature above shows a consistent pattern, namely that the use of Artificial Intelligence in the government sector provides significant benefits for bureaucratic efficiency, but its implementation is still overshadowed by four main interrelated issues, namely: (1) the readiness of regulations and supervisory institutions that are not optimal; (2) the risk of algorithm bias and personal data leakage; (3) the uneven application of AI ethical principles in public policy; and (4) the importance of digital leadership as a determining factor for the success of digital governance transformation. These four findings form the basis for a more in-depth discussion in the following subsections.

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RESULTS AND FINDINGS

Development Utilization Artificial Intelligence in Indonesian Government

The results of the literature review indicate that the use of Artificial Intelligence in the Indonesian government is growing quite rapidly, particularly through the Electronic-Based Government System (SPBE) program, which encourages the integration of digital technology into various public services (Ministry of Administrative and Bureaucratic Reform, 2023). Sun and Medaglia (2022) emphasized that the application of Artificial Intelligence in the public sector makes a significant contribution to the efficiency of data processing and evidence -based policy making , although its implementation still faces obstacles in terms of human resource readiness and technological infrastructure. Similarly, Wirtz et al. (2022) found that the use of Artificial Intelligence in the bureaucracy tends to be concentrated on administrative functions and front office services, while its application in strategic decision-making functions remains limited due to doubts about the accuracy and accountability of the algorithmic system. These findings indicate that although Artificial Intelligence has become an integral part of bureaucratic transformation, the level of maturity of its implementation in Indonesia is still at an early stage compared to countries with more established digital regulatory frameworks.

Legal Challenges in Personal Data Protection in Algorithmic Governance

This study also identified that the implementation of algorithm-based systems in government presents significant legal risks, particularly regarding the protection of citizens' personal data. Cath et al. (2023) explained that the use of algorithms in public decision-making has the potential to create systemic bias if the data used as input is not representative, thus reinforcing existing social inequalities. Pratama and Nugroho (2024) added that digital data security governance in the Indonesian public sector remains vulnerable to data breaches, largely due to weak cybersecurity standards, the lack of regular system audits, and low public awareness of good data governance. This situation emphasizes that the problems faced are not only technical but also concern the weakness of the

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institutional framework that should oversee the collection, storage, and processing of personal data by government agencies.

Effectiveness of Implementation of the Personal Data Protection Law

Sari and Rahman (2023) stated that although the Data Protection and Data Protection Law provides a clear legal basis for the rights of data subjects and the obligations of data controllers, its implementation in the field still faces various obstacles, including the lack of a fully independent supervisory body, weak harmonization between the Data Protection and Data Protection Law and other sectoral regulations, and a lack of understanding among government officials regarding legal obligations in managing personal data. The provisions in Law Number 27 of 2022 governing administrative and criminal sanctions are essentially quite comprehensive, but the effectiveness of their enforcement depends heavily on the readiness of supervisory institutions to consistently carry out their oversight, education, and law enforcement functions. Without strengthening these institutional capacities, the regulations that have been formulated risk becoming merely normative instruments without adequate coercive power in government data governance practices.

Artificial Intelligence Ethics and the Role of Digital Leadership

In addition to regulatory aspects, the study's findings indicate that the ethical dimension plays a crucial role in ensuring the implementation of Artificial Intelligence remains oriented toward the public interest. Floridi and Cowls (2022) formulated five ethical principles for Artificial Intelligence , including beneficence, non-maleficence, autonomy, fairness, and transparency (explicability), which can serve as a framework for the government in designing responsible digital policies. These principles are relevant in the Indonesian context, given the lack of technical ethical guidelines governing the use of algorithms in public decision-making. Furthermore, Miao et al. (2024) emphasized that the success of government's digital transformation is largely determined by the quality of digital leadership, namely the ability of public sector leaders to integrate technological vision with the values of accountability and protection of citizen rights. Weak digital leadership risks

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producing non-participatory technology policies with minimal oversight, thus increasing the potential for abuse of authority in data management through algorithmic systems.

Overall, the results of this study demonstrate that the challenges of personal data governance in the era of algorithmic governance are multidimensional, encompassing regulatory, institutional, ethical, and digital leadership aspects simultaneously. These four aspects are interrelated and cannot be addressed in isolation; strengthening regulations without adequate institutional capacity, for example, will not effectively prevent the risk of data misuse. Therefore, an integrated governance strategy is needed, including improving technical regulations, strengthening independent oversight bodies, instilling ethical AI principles in policy design, and enhancing digital leadership capacity within the government bureaucracy.

CONCLUSION AND RECOMMENDATION

Conclusion

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Based on the literature review, it can be concluded that the use of Artificial Intelligence in the Indonesian government has made a positive contribution to bureaucratic efficiency and the quality of public services. However, its implementation remains overshadowed by various legal and institutional challenges that have not been optimally resolved. The risk of personal data misuse, the lack of algorithmic transparency, and weak accountability mechanisms for automated decision-making are key issues that require serious government attention.

Law Number 27 of 2022 concerning Personal Data Protection represents a significant step forward in providing legal certainty for the management of personal data. However, its effective implementation remains hampered by suboptimal oversight institutions, weak harmonization of sectoral regulations, and low preparedness of government officials. Furthermore, strengthening Artificial Intelligence ethics and digital leadership are crucial factors in realizing digital governance that is transparent, fair, and oriented toward protecting public rights.

Based on these findings, this study recommends accelerating the establishment of an independent and fully authorized personal data protection oversight body, developing applicable technical guidelines for Artificial Intelligence ethics for government agencies, and strengthening digital leadership capacity through training and competency development for civil servants. Further research is recommended to conduct empirical studies in specific government agencies to obtain a more concrete picture of the implementation of personal data governance in the era of algorithmic governance .

Recommendation

1. government need speed up formation institution supervisor independent and has personal data protection clear authority in do supervision , enforcement law , as well as evaluation to management of personal data by agencies government and sector others . Existence institution This important For ensure implementation Constitution Number 27 of 2022 concerning Personal Data Protection can walk in a way effective .

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2. government need compile regulations technical and guidelines national regarding the governance of Artificial Intelligence in the sector public . Guidelines the must arrange principle transparency algorithms , accountability , fairness , data security , algorithm bias mitigation , and mechanism supervision to use of AI in the retrieval process decision public .

3. improvement capacity source Power man become priority in support digital transformation of government . Civil servants Civil State needs get training in a way sustainable regarding Artificial Intelligence, security cyber , personal data protection , and ethics use digital technology to be able to implementing AI in a responsible answer .

4.government need strengthen infrastructure security cyber through improvement standard security information , implementation of security audits in a way periodically , and implementation system management risk to the whole agency government that manages personal data society . Steps This important For minimize risk data leaks and increase trust public to service digital government .

5.required more collaboration close between government , academics , sector private , organizations public civil , and community technology in formulate adaptive AI governance policies to development technology . Collaboration multi-stakeholder will produce more policies comprehensive , participatory , and capable answer challenge digital transformation in sustainable .

6.study furthermore recommended No only use approach Systematic Literature Review , but also do study empirical through studies case , survey , or interviews at agencies government center and area . Approach the expected capable give a clearer picture comprehensive about Artificial Intelligence implementation , effectiveness personal data protection , as well as readiness institutional government in facing the era of algorithmic governance .It was revealed in the study that a large proportion of GSLs at DMMMSU belonged to a young adult demographic, including those aged 18-20 (67.31%) and aged 21-23 (28.85%). This finding is in keeping with the research conducted by Poushter and Kent (2020) who argue that younger students are more open to diversity and inclusion. In

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addition, it was noted that most GSLs were students in their second year (38.46% of the GSL sample), which suggests that younger students - particularly first and second year students - tend to be more involved in leadership opportunities (Astin, 1999). Conversely, the study noted that those in the 24-26 age range were meaningfully less engaged in GSL work, with only 3.85% of GSLs falling into this range. Students in this demographic may have a greater academic workload and/or began to plan for their career which could preclude their engagement in leadership roles (Irehill et al., 2023).

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