

Deontological Ethics in Artificial Intelligence: A Legal Perspective on Accountability and Human Rights Protection in Indonesia

Eva Monalisa

Diponegoro University, Indonesia

ABSTRACT: Artificial Intelligence (AI) has rapidly transformed governance, legal systems, and political communication, offering both opportunities and significant ethical challenges. Among the most pressing concerns are accountability, transparency, algorithmic bias, and the protection of fundamental human rights. This study aims to analyze the application of deontological ethics in AI governance from a legal perspective, with a particular focus on accountability and human rights protection in Indonesia.

This research employs a normative juridical method, utilizing statute, conceptual, and comparative approaches. It examines ethical theories, legal frameworks, and global regulatory developments, including the European Union Artificial Intelligence Act, while also incorporating a case study on the use of AI and deepfake technology in Indonesian political communication.

The findings indicate that deontological ethics provides a strong normative foundation by emphasizing moral duties, respect for human dignity, and adherence to universal principles. The study also reveals that Indonesia currently lacks a comprehensive AI-specific legal framework, creating regulatory gaps that increase the risk of misuse, particularly in political contexts and digital information ecosystems.

This study concludes that integrating deontological principles into AI governance is essential to ensure accountability, protect human rights, and maintain democratic integrity. It further recommends the development of comprehensive AI regulation, ethical oversight mechanisms, and increased public awareness to address emerging risks in the digital era.

KEYWORDS: Artificial Intelligence, Deontology, Legal Ethics, Human Rights, Accountability, Deepfake.

I. INTRODUCTION

The rapid advancement of Artificial Intelligence (AI) has fundamentally transformed modern society, influencing various sectors such as governance, law enforcement, economic systems, and political communication. AI technologies are now widely used in decision-making processes, predictive analytics, and automated systems that directly affect human lives. While these developments offer efficiency and innovation, they simultaneously raise complex ethical and legal challenges (Floridi, 2019).

One of the central issues concerns the absence of moral agency in AI systems. Unlike human beings, AI operates solely based on algorithms and data inputs, without the capacity for ethical reasoning or accountability. This creates a significant gap between technological capability and ethical responsibility. Consequently, questions arise regarding who should be held accountable when AI systems cause harm, produce biased outcomes, or violate fundamental rights (Mittelstadt, 2019).

In this context, ethical frameworks play a crucial role in guiding AI governance. Among various ethical theories, deontological ethics provides a particularly relevant perspective. Rooted in duty-based reasoning, deontology emphasizes that actions must adhere to moral rules and obligations regardless of their consequences (Kant, 1785). This approach is essential in the regulation of AI, as it prioritizes the protection of human dignity, rights, and justice over efficiency or utility.

Furthermore, the legal dimension of AI governance cannot be overlooked. Law serves as an instrument to institutionalize ethical principles into enforceable norms. However, in many jurisdictions, including Indonesia, legal frameworks for AI remain fragmented and underdeveloped. Although regulations such as data protection laws exist, they are not sufficient to address the broader implications of AI technologies, especially in areas like algorithmic accountability and automated decision-making.

This study is therefore significant in bridging the gap between ethical theory and legal practice. It seeks to provide a normative analysis of how deontological principles can be integrated into AI regulation to ensure accountability and the protection of human rights.

II. LITERATURE REVIEW

2.1 Deontological Ethics

Deontological ethics, as developed by Immanuel Kant, is grounded in the principle that the morality of an action is determined by adherence to duty and universal moral rules rather than its consequences (Kant, 1785). Kant's concept of the categorical imperative requires that actions be guided by principles that can be universally applied without contradiction. This framework emphasizes that human beings must always be treated as ends in themselves and never merely as means to an end. In the context of Artificial Intelligence, this principle becomes highly significant because AI systems often operate in ways that risk instrumentalizing individuals—such as through data exploitation or automated decision-making that disregards human autonomy.

Deontological ethics rejects the justification of harmful actions even if they produce beneficial outcomes. Therefore, practices such as intrusive surveillance, discriminatory algorithms, or manipulation of information cannot be ethically justified under this framework. This makes deontology particularly relevant in addressing ethical risks associated with AI technologies.

2.2 Artificial Intelligence and Ethical Challenges

Artificial Intelligence refers to computational systems capable of performing tasks that typically require human intelligence, including learning, reasoning, and decision-making. As AI systems become more advanced, their integration into critical sectors such as healthcare, finance, and governance increases. However, this rapid development has exposed significant ethical challenges. One major concern is algorithmic bias, where AI systems produce unfair or discriminatory outcomes due to biased training data. This can reinforce systemic inequalities and lead to unjust treatment in areas such as hiring processes or law enforcement.

Another issue is the lack of transparency, commonly referred to as the “black box” problem. Many AI systems operate in ways that are not easily understood by users or regulators, making it difficult to explain or justify decisions. This lack of explainability undermines accountability and public trust. Privacy is also a major concern, as AI systems rely on large volumes of personal data. Without proper safeguards, this can result in unauthorized data collection, misuse, and surveillance. These risks highlight the need for ethical frameworks that prioritize human rights and dignity in AI governance (Jobin et al., 2019).

2.3 Global Legal Frameworks on AI

The regulation of Artificial Intelligence has become a global priority. Various jurisdictions and international organizations have begun developing frameworks to address the ethical and legal implications of AI. One of the most comprehensive regulatory instruments is the European Union Artificial Intelligence Act, which adopts a risk-based approach to AI governance (European Union, 2024). This regulation categorizes AI systems into different risk levels and imposes corresponding obligations, particularly for high-risk applications.

The EU approach reflects a strong commitment to human rights protection, transparency, and accountability. It also incorporates elements consistent with deontological ethics, such as the obligation to prevent harm and ensure fairness. In addition to the EU, various international guidelines emphasize principles such as transparency, accountability, and non-discrimination. These developments indicate a growing consensus on the importance of ethical governance in AI.

2.4 AI, Human Rights, and Legal Ethics

The relationship between AI and human rights has become a central topic in contemporary legal scholarship. AI systems have the potential to both enhance and undermine fundamental rights, depending on how they are designed and implemented. From a legal perspective, human rights serve as a normative framework that limits the use of technology. Rights such as privacy, equality, and freedom of expression must be protected in all circumstances. However, the rapid development of AI often outpaces legal frameworks, creating gaps in regulation.

Legal ethics plays a crucial role in addressing these challenges by ensuring that technological innovation remains aligned with fundamental principles of justice and fairness. Deontological ethics strengthens this approach by emphasizing that rights must not be violated, regardless of potential benefits.

2.5 Previous Studies and Research Gap

Previous studies on AI ethics have largely focused on principles such as fairness, accountability, and transparency. Scholars such as Floridi (2019) emphasize the importance of trustworthy AI, while Mittelstadt (2019) highlights the limitations of ethical principles without enforcement mechanisms. However, many of these studies adopt a general ethical perspective without specifically integrating deontological theory into legal analysis. Furthermore, limited research has examined the Indonesian context in detail, particularly in relation to political communication and regulatory gaps.

Therefore, this study fills the gap by:

1. Integrating deontological ethics into AI legal governance
2. Providing a focused analysis on Indonesia
3. Examining AI risks in political communication

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2.6 Theoretical Framework

This study is grounded in deontological ethical theory as the primary analytical framework. Deontology emphasizes moral obligations and universal rules that govern human actions. In the context of Artificial Intelligence, this framework is used to evaluate whether AI systems comply with ethical duties such as respect for human dignity, fairness, and accountability. The theoretical framework also incorporates legal principles related to human rights protection. By combining ethical theory with legal analysis, this study aims to bridge the gap between normative ethics and practical regulatory frameworks.

Thus, AI governance is assessed through two key dimensions:

1. Moral obligation (ethical dimension)
2. Legal compliance (regulatory dimension)

III. RESEARCH METHOD

3.1 Research Design

This research employs a normative juridical method, which focuses on the analysis of legal norms, principles, and doctrines. The study aims to examine how ethical theories, particularly deontological ethics, can be applied within legal frameworks governing Artificial Intelligence. This approach is appropriate because the research does not rely on empirical data but instead emphasizes conceptual and legal analysis.

3.2 Approaches Used

The study utilizes several analytical approaches:

a. Statute Approach

This approach examines relevant laws and regulations related to AI, including data protection laws and international regulatory frameworks. It aims to identify how existing legal norms address AI-related issues.

b. Conceptual Approach

The conceptual approach analyzes key theories and doctrines, particularly deontological ethics. This approach is used to understand the philosophical foundation of ethical obligations in AI governance.

c. Comparative Approach

This approach compares Indonesia's regulatory framework with international standards, particularly those established by the European Union. It helps identify gaps and potential areas for reform.

3.3 Data Sources

The data used in this research are secondary data, consisting of:

1. Legal documents and regulations
2. Academic journals and scholarly articles
3. Books on ethics, law, and Artificial Intelligence
4. International guidelines and policy papers

These sources provide a comprehensive basis for analyzing both ethical and legal aspects of AI.

3.4 Data Analysis Technique

The analysis is conducted using qualitative normative analysis. The steps include:

1. Identifying relevant legal norms and ethical principles
2. Interpreting these norms within the context of AI governance
3. Comparing national and international frameworks
4. Drawing conclusions based on logical and systematic reasoning

This method ensures that the research is structured, coherent, and academically rigorous.

3.5 Research Limitations

This study is limited to a normative analysis and does not include empirical data or case studies. While this approach allows for in-depth theoretical examination, future research may incorporate empirical methods to validate findings in real-world contexts.

IV. DISCUSSION

4.1 Deontological Principles in AI Governance

Deontological ethics provides a normative foundation that emphasizes moral duties and universal ethical principles in governing Artificial Intelligence systems (Kant, 1785). Unlike consequentialist approaches that evaluate actions based on outcomes, deontology asserts that certain actions must be inherently right or wrong regardless of their consequences. This principle is particularly relevant in AI governance, where technological efficiency often risks overshadowing ethical responsibility. One of the primary principles is the obligation to avoid harm (non-maleficence). AI systems must be designed and implemented in ways that

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prevent harm to individuals or groups, including indirect harm caused by biased or inaccurate data processing. In practice, this means developers and institutions must ensure rigorous testing, validation, and monitoring of AI systems.

Another fundamental principle is justice, which requires fairness and non-discrimination in algorithmic decision-making. AI systems trained on biased datasets may produce unequal outcomes, reinforcing existing social inequalities. From a deontological perspective, such outcomes are ethically unacceptable because they violate the duty to treat all individuals equally. Transparency is also a crucial element. Deontology emphasizes that individuals have the right to understand decisions that affect them. Therefore, AI systems must be explainable and accessible, allowing users and regulators to examine how decisions are made.

Finally, accountability serves as a central pillar in deontological AI governance. Although AI lacks moral agency, responsibility must be attributed to human actors, including developers, operators, and institutions. This ensures that ethical obligations remain enforceable within legal systems.

4.2 Legal Implications of Deontological AI

The integration of deontological ethics into legal frameworks reflects global regulatory developments, particularly in instruments such as the EU AI Act (European Union, 2024). Law functions as a mechanism to translate moral obligations into enforceable norms. Therefore, ethical principles such as fairness, transparency, and accountability must be codified into binding legal rules. From a legal standpoint, AI systems must comply with fundamental human rights, including the right to privacy, equality before the law, and freedom from discrimination. This requires governments to establish clear regulatory standards that define acceptable and unacceptable uses of AI.

Moreover, legal systems must address the issue of liability. When AI systems cause harm, determining responsibility can be complex due to the involvement of multiple stakeholders. A deontological approach insists that responsibility cannot be diffused or avoided. Instead, legal frameworks must clearly define accountability mechanisms, ensuring that victims have access to remedies.

Additionally, regulatory frameworks should mandate transparency and auditability. This includes requiring organizations to document AI processes, disclose decision-making criteria, and allow independent audits. Such measures enhance public trust and ensure compliance with ethical standards.

4.3 Indonesian Context

In Indonesia, the regulation of AI is still in its early stages. While there is no specific law governing AI, several existing regulations are indirectly relevant, particularly those related to data protection and electronic information. The enactment of the Personal Data Protection Law represents a significant step toward safeguarding privacy. However, this law does not comprehensively address issues such as algorithmic accountability, automated decision-making, or ethical AI governance. One of the most pressing concerns in Indonesia is the use of AI in political communication. Technologies such as deepfakes and automated content generation have the potential to manipulate public opinion and undermine democratic processes.

Additionally, the spread of misinformation through AI-generated content poses a serious threat to the public's right to accurate information. This not only affects individual decision-making but also has broader implications for social stability and trust in institutions. From a deontological perspective, these challenges highlight the need for strict moral and legal obligations in the use of AI. The absence of a comprehensive regulatory framework creates a risk of unchecked technological development, which may lead to violations of fundamental rights.

Therefore, Indonesia must move toward establishing AI regulations that are grounded in ethical principles, particularly those emphasizing duty, accountability, and the protection of human dignity.

4.4 Accountability in AI

Accountability is one of the most complex aspects of AI governance. The involvement of multiple actors—including developers, corporations, and governments—creates what is often referred to as an “accountability gap.” In such situations, it becomes difficult to assign responsibility when harm occurs. Deontological ethics provides a clear response to this issue by asserting that responsibility cannot be avoided through complexity. Each actor involved in the development and deployment of AI systems has a moral duty to ensure that the technology operates ethically.

From a legal perspective, this requires the establishment of clear liability frameworks. These frameworks should define the roles and responsibilities of each actor, ensuring that accountability is not diluted. Additionally, institutions must implement mechanisms for monitoring and enforcement, including penalties for violations. By emphasizing responsibility and duty, deontology ensures that accountability remains central in AI governance.

4.5 Human Rights Protection in AI Systems

The integration of AI into various aspects of society has profound implications for human rights. While AI has the potential to enhance efficiency and access to services, it also poses risks to fundamental rights such as privacy, equality, and freedom of expression. From a deontological perspective, human rights are absolute and must not be compromised under any circumstances. This means that AI systems must be designed and implemented in ways that respect and protect these rights. For example,

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surveillance technologies powered by AI can infringe on privacy if not properly regulated. Similarly, algorithmic bias can lead to discrimination in areas such as employment, law enforcement, and access to public services. To address these issues, it is essential to integrate human rights principles into AI governance. This includes conducting impact assessments, ensuring transparency, and providing mechanisms for redress.

4.6 AI in Political Communication

The use of AI in political communication presents unique ethical challenges. AI technologies can be used to create highly persuasive and targeted messages, influencing public opinion on a large scale. One of the most concerning developments is the use of deepfake technology, which allows for the creation of realistic but false content that can manipulate public perception. Such practices have been identified as high-risk applications of AI due to their potential to undermine democratic processes (Romero-Moreno, 2024). From a deontological perspective, these practices violate the moral duty to respect truth and individual autonomy. Citizens have the right to receive accurate information and make decisions based on truth, not manipulation.

Therefore, regulatory measures are necessary to ensure transparency in political communication and prevent the misuse of AI technologies.

4.7 Urgency of AI Regulation in Indonesia

The rapid development of AI technologies makes the establishment of a comprehensive regulatory framework in Indonesia increasingly urgent. Without clear regulations, there is a risk that AI will be used in ways that harm individuals and society. A deontological approach emphasizes that regulation must be based on moral obligations rather than reactive responses. This means that laws should proactively address potential risks and establish clear standards for ethical AI use. By developing a comprehensive AI regulatory framework, Indonesia can ensure that technological advancement aligns with ethical principles and legal norms.

4.8 Bridging Ethics and Law in AI Governance

One of the key challenges in AI governance is the gap between ethical principles and legal enforcement. While ethical guidelines provide direction, they are not legally binding unless incorporated into formal regulations. Deontological ethics offers a bridge between these domains by providing a normative foundation that can be translated into legal obligations. For example, the duty to respect human dignity can be codified into laws protecting privacy and preventing discrimination. This integration ensures that ethical considerations are not merely theoretical but have practical and enforceable implications.

4.9 Comparative Analysis: Indonesia and Global Frameworks

A comparative analysis reveals significant differences between Indonesia and jurisdictions such as the European Union. The European Union has established one of the most comprehensive AI regulatory frameworks through the EU AI Act, which categorizes AI systems based on risk and imposes strict obligations (European Union, 2024). In contrast, Indonesia's regulatory approach remains fragmented and limited. This highlights the need for reform and the adoption of best practices from global frameworks, while still considering local contexts and values.

4.10 Case Study: AI, Deepfake, and Political Communication in Indonesia

The rapid development of Artificial Intelligence has significantly influenced political communication in Indonesia, particularly through the emergence of deepfake technology and AI-generated content. Deepfake refers to the use of AI to create highly realistic but fabricated audio, video, or images that can misrepresent individuals or events. In the political context, this technology poses serious risks to democratic processes and public trust. In recent years, Indonesia has experienced an increase in digitally manipulated political content, especially during electoral periods. AI-generated videos and images have been used to simulate speeches, alter statements, or portray public figures in misleading contexts. Although not all cases reach formal legal proceedings, the circulation of such content through social media platforms has demonstrated the vulnerability of the information ecosystem. From a deontological perspective, the use of deepfake technology in political communication constitutes a violation of moral duties, particularly the duty to uphold truth and respect individual autonomy. Citizens have the fundamental right to access accurate and reliable information. When AI is used to manipulate information, it undermines this right and compromises the integrity of democratic decision-making. Legally, the spread of deepfake content intersects with existing regulations, such as laws governing electronic information and defamation. However, these regulations are often reactive and insufficient to address the complexities of AI-generated manipulation. The absence of AI-specific legislation creates challenges in enforcement, particularly in identifying responsibility and proving intent. Moreover, the use of AI in targeted political advertising further complicates the issue. AI systems can analyze user data to deliver personalized political messages, potentially leading to manipulation and polarization. While such practices may increase campaign efficiency, they raise ethical concerns regarding fairness and transparency.

This case study illustrates the urgent need for a comprehensive regulatory framework in Indonesia that integrates ethical principles, particularly those derived from deontological ethics. Such a framework should emphasize obligations to prevent harm, ensure transparency, and protect the public's right to truthful information. In addition, regulatory measures should include mechanisms for

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detecting and labeling AI-generated content, as well as sanctions for misuse. Public awareness and digital literacy also play a crucial role in mitigating the impact of deepfake technology. Ultimately, the Indonesian case demonstrates that without a duty-based approach to AI governance, technological advancements may be exploited in ways that undermine democracy, human rights, and social trust. This reinforces the argument that deontological ethics must serve as a foundational principle in the regulation of Artificial Intelligence.

CONCLUSION

The rapid advancement of Artificial Intelligence (AI) has significantly transformed various sectors, including law, governance, and political communication. Despite its potential to enhance efficiency and innovation, AI also introduces complex ethical and legal challenges, particularly in relation to accountability, transparency, and the protection of fundamental human rights. This study demonstrates that deontological ethics provides a robust normative framework for addressing these challenges. By emphasizing moral duties, respect for human dignity, and adherence to universal principles, deontology ensures that AI systems operate within ethical boundaries that cannot be compromised for the sake of efficiency or utility. The findings further reveal that the absence of a duty-based ethical approach in AI governance may lead to serious risks, including algorithmic bias, privacy violations, and the manipulation of information through technologies such as deepfakes. These issues highlight that AI is not merely a technological matter, but a complex intersection of ethical and legal concerns.

In the Indonesian context, this study identifies a significant regulatory gap due to the lack of a comprehensive AI-specific legal framework. Although existing laws related to data protection and electronic information provide a partial foundation, they remain insufficient to address the broader implications of AI technologies. This gap creates legal uncertainty and increases the potential for misuse, particularly in political communication and digital information ecosystems. Therefore, this study concludes that the integration of deontological principles into AI governance is both necessary and urgent. Such an approach not only strengthens legal accountability but also ensures the protection of human rights and the preservation of democratic integrity. Ultimately, a duty-based legal framework is essential to guide the responsible development and use of AI in the digital era.

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