

Contemporary Legitimacy Crisis: Legitimacy Crisis and State Ethical Limits in Internet Access Restriction Policies

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ARTICLE INFO	ABSTRACT
Article History Received: 12 July 2026 Revised : 10 August 2026 Accepted: 15 August 2026 Keywords <i>Internet Access Restrictions; Legitimacy of Power; Human Rights; Democratic State of Law; Freedom of Expression</i> DOI https://doi.org/xx.xxxx/governia.vXiX.XXX	The development of information technology has made the internet a primary means of obtaining information, communicating, and expressing opinions. In certain situations, the government restricts internet access with the aim of protecting national security, public order, and the public interest. However, this policy often sparks debate because it can undermine the legitimacy of government power and the implementation of human rights. This study aims to examine how policies restricting internet access affect the credibility and authority of the government, evaluate whether these policies are in accordance with human rights principles and a democratic legal system, and analyze the ethical boundaries that the government must adhere to in implementing these policies. The research method used is normative legal research with a statutory and conceptual approach, supported by a literature review. This study shows that the legitimacy of policies restricting internet access depends heavily on a clear legal basis, a legitimate objective, and the application of the principles of proportionality and accountability. From a human rights perspective, restrictions on internet access should only be permitted if they are carried out in accordance with the law, are necessary to protect legitimate interests, and respect citizens' rights to information and freedom of expression. Therefore, the state must implement internet access restrictions clearly, in a balanced manner, and in accordance with the principles of a state based on law and democracy. This is an open access article under the CC-BY 4.0 license.

1. Introduction

Technological developments are occurring rapidly worldwide. This has naturally made access to a wide variety of information extremely easy. The internet has become deeply embedded in people's daily lives, providing numerous conveniences to help make human activities and mobility more efficient. Essentially, in addition to facilitating more efficient public mobility, the internet's primary use is as a means of exchanging and disseminating information, making it easily accessible to the public.¹

Regarding internet freedom, this has led to rapid growth in internet usage itself. This presents a challenge for Indonesia, as a country that adheres to the rule of law and democracy, to balance and address potential internet abuse. The government has made several efforts to address internet abuse, including restricting and cutting off internet access through the Ministry of Communication and Information. These restrictions aim to prevent certain groups from using technology to disrupt the state or the existing order, as well as endanger the public. Cutting off internet access is also intended to prevent the public from being provoked by fake news circulating on social media due to the actions of irresponsible individuals. The rights to freedom of speech and communication, as well as the rights to receive, possess, store, process, and disseminate information, can be at risk if internet regulations are implemented in a manner that violates these principles.²

This internet access restriction is clearly detrimental to all parties. As a result, the government's policy regarding this internet access restriction has been sued by several parties, including the Alliance of Independent Journalists (AJI), the Southeast Asia Freedom of Expression Network (SAFE-net), LBH Pers, YLBHI, the Commission for Missing Persons and Victims of Violence (KontraS), the Institute for Community Studies and Advocacy (Elsam), and ICJR (Institute for Criminal Justice Reform) as legal representatives in this dispute. The lawsuit was filed due to the losses experienced by various sectors, and considering that access to information via the internet is one of the Digital Rights included in Human Rights, as stated in the Universal Declaration of Human Rights. In the declaration, the right to access information can be exercised through any media, including internet channels. Therefore, in the context of internet access restrictions, some parties argue that there are indications of human rights violations, even though the government claims that these restrictions are based on the Law.³

In general, internet access restriction policies can be understood as an instrument used by the state to maintain security and order under certain conditions. However, acceptance of these policies depends not only on their legal basis but also on the application of ethical

¹ Kelvin Chandra and Tundjung Herning Sitabuana, 'Kebijakan Negara Melakukan Pembatasan Internet Di Papua Dan Papua Barat Dalam Putusan Nomor 230/g/Tf/2019/Ptun-Jkt Melalui Perspektif Hak Asasi Manusia', *Jurnal Syntax Transformation*, 3.10 (2022), pp. 1353–60.

² Adi Prasetyo and Made Warka, 'Tindakan Pemutusan Akses Internet Oleh Pemerintah Dalam Perspektif Negara Hukum Yang Demokratis', *YUSTISI*, 10.2 (2023), pp. 257–71.

³ Noviyanti Noviyanti, Sayid Mohammad Rifqi Noval, and Ahmad Jamaludin, 'Pembatasan Akses Internet Oleh Pemerintah Saat Terjadi Unjuk Rasa Dan Kerusuhan Di Papua Dan Papua Barat Ditinjau Dalam Perspektif Hak Asasi Manusia', *Logika: Jurnal Penelitian Universitas Kuningan*, 12.01 (2021), pp. 42–55.

principles, such as proportionality, transparency, accountability, and respect for the right to information. Public perception of a policy's legitimacy can be influenced by how it is implemented, particularly if it is perceived as excessive or lacking adequate explanation. Therefore, a balance is needed between efforts to maintain public security and protect human rights so that internet access restriction policies can be implemented responsibly and gain public acceptance.

The development of information technology has transformed the internet into a public infrastructure that serves not only as a means of communication but also as a medium for fulfilling various constitutional rights of citizens, such as the right to information, freedom of expression, the right to education, public services, and digital economic activities. Consequently, any policy restricting internet access is no longer viewed merely as an administrative measure, but rather as a policy that directly impacts the fulfillment of basic human rights.

On the other hand, the state has a constitutional obligation to maintain national security and public order, as well as to protect the public from the spread of hoaxes, hate speech, and provocations that have the potential to trigger social conflict. From a constitutional law perspective, this authority is part of the state's function to guarantee the safety of its citizens. However, the exercise of this authority must not be absolute; it is limited by the principles of the rule of law (*rechtsstaat*), constitutional democracy, and respect for human rights as guaranteed in the 1945 Constitution of the Republic of Indonesia, specifically Articles 28F and 28J. These articles stipulate that restrictions on rights can only be implemented through law and must have a legitimate purpose, be proportionate, and be necessary in a democratic society.

This issue becomes increasingly complex when policies restricting internet access trigger public opposition and lawsuits, as seen in disputes filed by organizations such as AJI, SAFEnet, YLBHI, KontraS, ELSAM, ICJR, and other civil society groups. These lawsuits demonstrate that the formal legality of a policy does not necessarily guarantee public legitimacy. A legitimacy crisis arises when the public perceives the restrictions as excessive, lacking transparency and accountability, or lacking clear criteria for urgency. Thus, the primary issue is not simply whether the state has the authority to restrict internet access, but rather how that authority is exercised to maintain democratic legitimacy without violating citizens' constitutional rights.

This study also places policy legitimacy within the ethical framework of state governance. A legally valid policy does not necessarily have moral legitimacy if it ignores the values of justice, proportionality, transparency, public participation, and accountability. Therefore, this study examines the interaction between legality, legitimacy, and ethics related to internet access restrictions using a normative legal approach that analyzes statutory provisions, court decisions, Constitutional Court decisions, and human rights principles contained in national law and international instruments.

Thus, this study focuses on discussing several key issues: (1) the legitimacy of internet access restriction policies from the perspective of a democratic state that upholds the supremacy of law; (2) the extent to which such policies comply with ethical principles, particularly legality, proportionality, transparency, accountability, and respect for human rights; and (3) how to formulate ethical boundaries that serve as guidelines for the state in establishing internet access restriction policies, in order to ensure a balance between national security interests and the protection of citizens' constitutional rights. The results of this study are expected to contribute to the development of the concept of public policy legitimacy in a democratic state that upholds the supremacy of law, while also providing normative recommendations for the formulation of internet access restriction policies that are constitutional, just, and in line with human rights principles.

In Indonesia, the government has repeatedly restricted or blocked internet access under various circumstances. On July 14, 2017, the government blocked the Telegram app, citing security concerns. Furthermore, on May 22, 2019, the government restricted the use of several social media platforms, including WhatsApp, Instagram, Facebook, and others, during protests against the presidential election results announced by the General Elections Commission (KPU).

On August 21, 2019, the government implemented throttling or slowing down of internet access in several regions of Papua, such as Manokwari, Jayapura, and other areas, during mass demonstrations. Then, on September 23, 2019, the government blacked out internet services in Wamena, Papua, which was announced through Press Release Number 187/HM/KOMINFO/09/2019 concerning Data Service Restrictions in Wamena. And finally, the Government re-implemented restrictions or blocking of internet access and the last national-scale digital platform in Indonesia was officially enforced on March 28, 2026. The government through the Ministry of Communication and Digital (Komdigi) began deactivating social media accounts for children under the age of 16 based on Ministerial Regulation Number 9 of 2026 and PP Tunas.⁴

The issue of restricting internet access can be viewed not only from a legal perspective, but also from the perspective of the legitimacy of state power. According to Max Weber, a state policy will gain legitimacy if the public perceives the authority as legitimate and its implementation is in accordance with prevailing values. Therefore, the mere existence of a legal basis is not sufficient to guarantee the acceptance of a policy if its implementation is deemed to violate public rights or is carried out without transparency and accountability. In the context of restricting internet access, the government's legitimacy depends heavily on the state's ability to

⁴ Ade Adhari, Tundjung Herning Sitabuana, and Luisa Srihandayani, 'Kebijakan Pembatasan Internet Di Indonesia: Perspektif Negara Hukum, Hak Asasi Manusia, Dan Kajian Perbandingan Internet Restriction Policies In', *Jurnal Konstitusi*, 18.1 (2021), p. h. 269-270.

demonstrate that the restrictions are truly necessary, proportionate, and intended to protect the public interest, rather than as a restriction on freedom of expression.⁵

Furthermore, it is necessary to analyze internet access restrictions based on human rights theory, which considers the right to access information as one of the fundamental rights of every individual. This right is protected in Article 28F of the 1945 Constitution, which grants everyone the freedom to communicate and to obtain, possess, store, process, and convey information through various available channels. Therefore, any restrictions imposed on internet access must comply with the principles of human rights restrictions, such as legality, necessity, proportionality, accountability, and transparency. If these principles are not met, internet access restriction policies have the potential to create a legitimacy crisis due to a decline in public trust in government actions, even if the policy has a legal basis. The problem of internet access restrictions relates not only to the legality of government policies but also to the legitimacy of state power. According to Weber (1978), legitimacy is the basis for public acceptance of power. Therefore, a state policy must not only have a legal basis but must also gain public trust through fair, rational, and public interest-oriented implementation. In the context of internet access restrictions, the government's legitimacy can be questioned if the policy is deemed to violate principles of good governance, such as transparency, accountability, and respect for citizens' rights. Therefore, the success of a policy is measured not only by its legality but also by the extent to which the public accepts and views the policy as a legitimate state action.⁶

On the other hand, access to information is part of the human rights guaranteed in Article 28F of the 1945 Constitution of the Republic of Indonesia which gives everyone the right to communicate and to obtain, possess, store, process, and convey information through all available channels. Therefore, restrictions on internet access can only be implemented if they meet the principles of human rights restrictions as stated in the Siracusa Principles on the Limitation and Derogation Provisions in the International Covenant on Civil and Political Rights (1984), namely that they must be based on law (legality), carried out due to real need (necessity), be proportional (proportionality), non-discriminatory, and implemented transparently and accountably. If these principles are not met, the policy of restricting internet access has the potential to cause a legitimacy crisis due to a decline in public trust in government actions even though the policy has a legal basis.

Additional provisions regarding the right to internet access can be referred to Law Number 39 of 1999, which regulates human rights. The third part of the law explains the right to self-development, which includes the right to communicate and obtain necessary information, the right to seek, obtain, store, process, and convey information, and the right to develop and utilize science and technology. Furthermore, as explained previously, the right to internet access can be expanded by considering individual needs in using the internet, including

⁵ JURGENJIABERMAS, *Legitimation Crisis*, ed. by UK Polity Press, 65 Bridge Street, Cambridge CB2 1 UR (Great Britain by Heinemann Educational Books, 1976).

⁶ Undang-Undang Dasar Negara Republik Indonesia Tahun 1945, Pasal 28F

the right to education, the right to assemble and associate, the right to express opinions openly, and the right to obtain decent work.

The novelty of this research lies in the development of a normative framework that integrates the theory of legitimacy of power, human rights principles, and the ethics of state governance to analyze internet access restriction policies. Unlike previous studies, which generally only examine the legality of policies, human rights protection, or specific court decisions separately, this study offers a multidimensional approach by placing public legitimacy as a benchmark for a policy's constitutionality. Furthermore, this study formulates ethical parameters, specifically legality, necessity, proportionality, transparency, accountability, and due process of law, as normative standards that must be met by the state when implementing internet access restrictions, thus achieving a balance between national security interests and the protection of citizens' constitutional rights.

Based on this background, this study answers three research questions: (1) How can the policy of restricting internet access affect the legitimacy of state power? (2) How is the policy of restricting internet access compatible with the principles of human rights and a democratic state under the rule of law?, (3) What ethical limitations must the state meet in implementing the policy of restricting internet access?, Therefore, this study aims to analyze the influence of the policy of restricting internet access on the legitimacy of state power, examine its compatibility with the principles of human rights and a democratic state under the rule of law, and formulate ethical limitations that must be considered by the state in implementing the policy. Through a normative approach and analysis of various legal provisions and democratic principles, this study is expected to provide a comprehensive understanding of the balance between the state's interests in maintaining public order and security with the protection of the basic rights of citizens in the digital era.

The purpose of this article is to analyze the legitimacy of the policy of restricting internet access from the perspective of a democratic state of law and to formulate ethical boundaries that must be met by the state so that the policy continues to respect human rights and constitutional principles.

2. Research Method

This research is a normative legal research that focuses on the study of legal norms and principles governing internet access restrictions. The approaches used include a statute approach through a review of the 1945 Constitution of the Republic of Indonesia and various related regulations, a conceptual approach to examine the concepts of legitimacy, the rule of law, and human rights, a comparative approach by comparing regulations on internet access restrictions in several countries, a case approach through analysis of court decisions and disputes over internet access restrictions in Indonesia, and a historical approach to trace the development of policies and rationales for internet access restrictions. The legal materials used

consist of primary, secondary, and tertiary legal materials which are analyzed qualitatively to obtain prescriptive conclusions.

3. Results and Discussion

3.1 Internet Access Restriction Policies Can Affect the Legitimacy of State Power

The legitimacy of power is a crucial element in determining whether a government is accepted by society. Legitimacy can be understood as the public's recognition and acceptance of the authority exercised by individuals, groups, or state institutions, thus deeming such power legitimate and worthy of obedience. The presence of legitimacy distinguishes power that gains public approval from power that relies solely on coercion. In practice, legitimacy can be achieved through various mechanisms recognized by society, such as legal provisions, the constitution, traditions, and evolving social values. Therefore, the sustainability of a government is greatly influenced by its ability to maintain public trust through fair, transparent, and public-interest-oriented governance.⁷

In a democratic system, legitimacy stems not only from formal procedures such as elections, but also from the level of public acceptance of government policies and actions. A government granted a political mandate does not necessarily possess strong legitimacy if its policies lack public support. Therefore, legitimacy should be understood as a form of public recognition that the power exercised by the government aligns with prevailing values within society and meets citizens' expectations. The higher the level of public acceptance of government policies, the stronger the government's legitimacy.⁸

The concept of legitimacy can also be explained through Max Weber's theory of authority. According to Weber, there are three main sources of legitimacy for power: traditional authority, charismatic authority, and legal-rational authority. Traditional authority derives its legitimacy from customs or habits passed down through generations. Charismatic authority stems from public belief in the extraordinary abilities, personality, or influence of a leader. Meanwhile, legal-rational authority rests on prevailing legal rules and serves as the primary foundation for the governance of a modern state. In the context of a democratic state, legitimacy generally stems from legal-rational authority, namely public belief that the government exercises its authority based on applicable laws and the constitution.⁹

The development of information technology in the digital era has presented new challenges to the legitimacy of state power. The rapid dissemination of information through digital media allows the public to access a wide variety of information, but at the same time, it

⁷ Rozalinda Erita, 'Pemilihan Kepala Daerah Dalam Perspektif Indonesia Sebagai Negara Demokrasi Pancasila', *JOURNAL JUSTICIABELLEN (JJ)*, 02.01 (2022), pp. 70–90.

⁸ Fathur Rahman Suryadi and Sasmu Nelwati, 'Mengupas Sistem Demokrasi Indonesia, Keunikan Dan Perbandingan Global', *Dewantara : Jurnal Pendidikan Sosial Humaniora*, 3.3 (2024), pp. 32–39.

⁹ M Sulhan and Zulkipli Lessy, 'Otoritas Tuan Guru Dan Dakwah Islam Pada Masyarakat Sasak Lombok: Analisis Teori Otoritas Max Weber', *An-Nawa: Jurnal Studi Islam*, 4.2 (2022), pp. 101–13 (p. h. 104-107).

also increases the risk of disinformation, hoaxes, and political polarization. These conditions can affect public trust in state institutions and raise doubts about government policies. Therefore, the legitimacy of contemporary government no longer depends solely on formal legality, but also on the government's ability to build transparency, information openness, and effective communication with the public. Public participation and adequate access to information are crucial factors in maintaining legitimacy in the digital era.¹⁰

One policy that frequently sparks debate in the context of government legitimacy is restricting internet access. This policy can be implemented in various forms, such as content filtering, blocking certain digital platforms, slowing internet access, or temporarily suspending internet services. The Indonesian government has implemented this policy several times, including blocking Telegram in 2017, restricting social media in 2019, and slowing and suspending internet services in several regions of Papua that same year. The government argues that these measures are necessary to maintain national security and prevent the spread of information that could disrupt public order. However, several civil society organizations and human rights institutions believe that restricting internet access has the potential to limit freedom of expression and the public's right to obtain and disseminate information. These differing views demonstrate that internet restriction policies are closely linked to the legitimacy of state power, as the level of public acceptance of these policies will affect public trust in the government.

Table.1

No.	Institution / Instrument	Legal or Regulatory Basis
1	The 1945 Constitution of the Republic of Indonesia Government (President)	1945 Constitution of the Republic of Indonesia 2 Ministries
2	Ministry of Communication and Digital (Komdigi)	ITE Law in conjunction with its implementing regulations

¹⁰ Aninda Qoirunnisa and Yuyun Sri Wahyuni, 'Legitimasi Kekuasaan Dalam Perspektif Max Weber Pada Pemerintahan Kontemporer', *Journal Transformation of Mandalika*, 6.12 (2025), pp. 592–98 (p. h. 596-597).

3	Public	Max Weber's Legitimacy Theory
4	State Administrative Court (PTUN)	Administrative Court Law
5	Civil Society Organizations/Human Rights Institutions	Law No. 39 of 1999 concerning Human Rights

Based on this description, it is clear that policies restricting internet access have a significant impact on the legitimacy of state power. From the perspective of a state based on the rule of law and democracy, legitimacy is determined not only by the existence of a legal basis authorizing the government to restrict internet access, but also by the level of public acceptance of such policies. If internet restrictions are implemented proportionally, transparently, and aimed at protecting the public interest, such policies can strengthen public trust and support government legitimacy. Conversely, if restrictions are implemented excessively, without clear justification, or are perceived as restricting the public's right to obtain information and express opinions, such policies have the potential to undermine public trust and create a legitimacy crisis. Therefore, the impact of policies restricting internet access on the legitimacy of state power is essentially determined by the balance between maintaining security and public order and respecting citizens' fundamental rights in the digital space.

3.2 Compliance of Internet Access Restriction Policy with Human Rights Principles and a Democratic Rule of Law

Before assessing the suitability of internet access restrictions with the principles of human rights and a democratic state based on the rule of law, it is first necessary to understand the basic concept of human rights as the basis for protecting citizens' rights. Historically, the development of human rights can be divided into three generations. The first generation encompasses civil and political rights, which emerged in response to the practice of absolute power, with the aim of protecting individual freedom from excessive state interference. The second generation encompasses economic, social, and cultural rights, which developed from demands that the state not only respect but also actively fulfill the basic needs of society. Furthermore, the third generation is known as solidarity rights, which emphasize shared interests, cooperation, and collective responsibility in realizing human well-being.¹¹

¹¹ Muhammad Yasser and Yati Sharfina Desiandri, 'Konsep Hak Asasi Manusia Dalam Konstitusi Indonesia', *Iuris Studia Jurnal Kajian Hukum*, 4 (2024), pp. 164–72.

As rights inherent in every individual from birth, human rights encompass various aspects of life, including personal rights, economic rights, the right to equal treatment before the law, political rights, social and cultural rights, and the right to protection and guarantee of fair legal process. Among these rights, the right to obtain information and express opinions is part of the civil and political rights that have a crucial position in democratic life. This right allows everyone to seek, receive, process, and disseminate information as a means of self-development, participation in public life, and oversight of government administration.¹²

In the context of a modern democratic state, the right to information is closely linked to the development of digital technology and the internet. The internet is no longer merely a means of communication; it has become the primary medium for people to obtain information, express their aspirations, conduct economic activities, and participate in social and political processes. Therefore, any policy that restricts internet access has the potential to impact the exercise of the right to information and freedom of expression, which are fundamental human rights.

The right to information is recognized in both global human rights instruments and Indonesian national law. Internationally, Article 19 of the Universal Declaration of Human Rights (UDHR) affirms that every individual has the right to freedom of opinion and expression, which includes the right to seek, receive, and communicate information through any media and regardless of geographical boundaries. A similar provision is also contained in Article 19 of the International Covenant on Civil and Political Rights (ICCPR), which Indonesia ratified through Law No. 12 of 2005.¹³ Meanwhile, in national law, the right to obtain information is guaranteed in Article 28F of the 1945 Constitution of the Republic of Indonesia. This article states that everyone has the right to communicate and obtain information in order to develop their personal and social environment. In addition, they also have the right to seek, obtain, store, process, and convey information through various available channels.¹⁴

In this country, the right to information has been legally recognized and protected through a number of existing regulations. Initially, provisions regarding the right to information were written in Articles 20 and 21 of MPR Decree Number XVII/MPR/1998, which discusses Human Rights. This regulation emphasizes that everyone has the right to communicate and access information in order to develop themselves and their communities. In addition, everyone also has the right to seek, obtain, store, process, and distribute information using existing means. Although MPR Decree Number XVII/MPR/1998 was later revoked based on MPR Decree Number I/MPR/2003, its regulatory elements were retained and included in Article 14 paragraphs (1) and (2) of Law Number 39 of 1999 concerning Human Rights without any significant changes.¹⁵

¹² Andini Hardiyanti Lubis and others, 'Konsep Dasar Hak Asasi Manusia (HAM) Di Indonesia', *Ar-Raudah: Jurnal Pendidikan Dan Keagamaan*, 2.3 (2024), pp. 74–81 (p. h. 75).

¹³ Undang-Undang Republik Indonesia Nomor 12 Tahun 2005 Tentang Pengesahan.

¹⁴ Arumbela Bangun Negara, Osgar S Matompo, and Moh Yusuf Hasmin, 'Pemenuhan Terhadap Hak Warga Negara Dalam Memperoleh Informasi Publik Menurut Undang-Undang Nomor 14 Tahun 2008 Tentang Keterbukaan Informasi Publik', *Jurnal Kolaboratif Sains*, 5.5 (2022), pp. 248–55 (p. h. 250).

¹⁵ Undang-Undang Nomor 39 Tahun 1999 Tentang Hak Asasi Manusia.

Protection for the right to information now has a firmer position because it is stated in Article 28F of the 1945 Constitution of the Republic of Indonesia.¹⁶ This constitutional provision states that every individual has the right to interact and obtain information for the development of themselves and their community. Furthermore, everyone also has the right to seek, possess, store, process, and convey information through various available media.¹⁷

The use of information and communication technology in Indonesia is regulated by the Electronic Information and Transactions Law (ITE Law). However, this law does not clearly or comprehensively explain freedom of expression. The provisions often related to freedom of expression are contained in Article 27 paragraph (3) of the Electronic Information and Transactions Law.¹⁸ Which prohibits anyone from intentionally and without permission to disseminate, send, or make accessible electronic information containing hate speech and/or statements that defame a good name. The article has drawn various comments and criticisms from several parties because it is considered to be able to reduce freedom of speech, which is part of human rights that must be respected and protected by the government. Therefore, several parties have filed a request to ask the Constitutional Court to conduct a legal review, because the provision is considered to be able to limit freedom of expression and is contrary to human rights principles. However, the Constitutional Court in its decision stated that the provisions of Article 27 paragraph (3) of the ITE Law do not conflict with the right to freedom of opinion and do not interfere with the guarantee of human rights as regulated in the constitution.

However, in implementing the ITE Law, we must still pay attention to the basic rights of every citizen to express their opinions and thoughts. Freedom of speech and expression are fundamental rights that cannot be arbitrarily restricted, even by the government. In this context, the state is truly responsible for respecting, protecting, and fulfilling these rights by creating and implementing regulations and laws that comply with human rights principles. However, in exercising the right to freedom of expression, we must also comply with the obligation to respect the rights and freedoms of others. This will ensure a balance between individual rights and the interests of society as a whole. Therefore, restrictions on the right to expression may only be implemented as long as they adhere to human rights principles. These restrictions must be based on clear laws, with the aim of protecting the rights and freedoms of others. These restrictions must not be used to legitimize propaganda, hate speech, incitement to hostility, discrimination, or actions that encourage violence.¹⁹

Freedom of opinion and expression is a fundamental element of a democratic system with broad implications. The existence of clear regulations is a crucial step in guaranteeing the implementation of this right and reflects democratic practices based on the principle of the rule of law. Under international law, the guarantee of freedom of opinion is stipulated in Article

¹⁶ Undang-Undang Dasar Negara Republik Indonesia Tahun 1945.

¹⁷ Frandy Risona Tarigan and Aprilian Sumodiningrat, 'Peran Masyarakat Dalam Pencegahan Dan Pemberantasan Tindak Pidana Korupsi', *Welfare State Jurnal Hukum*, 2.1 (2023), p. h. 249.

¹⁸ Perubahan Kedua, Atas Undang-undang Nomor, and I Tahun, *UU ITE*, 2024.

¹⁹ Muhammad Irfan Pratama, Abdul Rahman, and Fahri Bachmid, 'Kebebasan Berpendapat Dan Berekspresi Di Media Sosial Dalam Perspektif Hak Asasi Manusia', *Qawanin Jurnal Ilmu Hukum*, 3.1 (2022), pp. 1–16 (p. h. 14).

19. Universal Declaration of Human Rights (UDHR), which states that everyone has the right to freedom of opinion and expression without interference. This right includes the freedom to seek, obtain, and disseminate information and ideas through various media without being restricted by territorial boundaries.²⁰

More detailed provisions are contained in Article 19 International Covenant on Civil and Political Rights (ICCPR). This provision affirms that every individual has the right to hold their opinions without interference from others. Furthermore, everyone has the freedom to seek, receive, and impart information and ideas in any form, whether orally, in writing, in print, in works of art, or through any other media of their choice. However, the exercise of this right is not absolute and is accompanied by certain responsibilities and obligations. Therefore, restrictions on freedom of expression are permitted as long as they are based on law and are strictly necessary to protect the rights or reputations of others, maintain national security, maintain public order, and protect public health and morals. Thus, international human rights law recognizes that freedom of expression must be exercised in a manner that is balanced with the public interest and respect for the rights of others.²¹

Based on the provisions of Article 19 of the ICCPR, freedom of expression is understood in two dimensions, namely internal freedom (internal forum) and external freedom (external forum). Internal freedom relates to a person's right to hold and believe an opinion within their inner realm or mind. Because it lies within the realm of personal belief, this right is absolute and cannot be restricted under any circumstances. Meanwhile, external freedom relates to the act of conveying or expressing an opinion to another party, the implementation of which may be subject to certain restrictions in accordance with applicable legal provisions.²²

The concept of a state based on law (rule of law) developed as a mechanism to limit the use of state power so that it is not exercised arbitrarily. In a state based on law, every government action must have a legal basis and still respect human rights. Miriam Budiardjo explained that a state based on law is characterized by the protection of human rights, the division of power, a government based on statutory regulations, and administrative justice as a means of resolving disputes between the government and citizens. In the context of restricting internet access, the protection of human rights is a very important principle considering that the internet has become the primary means for people to obtain information, communicate, express opinions, and participate in public life. Therefore, internet restriction policies must pay attention to the rights to freedom of expression and the right to obtain information guaranteed by the constitution. Although both rights can be restricted under certain circumstances, restrictions can

²⁰ Latipah Nasution, 'Hak Kebebasan Berpendapat Dan Berekspresi Dalam Ruang Publik Di Era Digital', *Adalah*, 4.3 (2020), pp. 37–48 (p. h. 41).

²¹ Denindah Olivia, 'Hakikat Kebebasan Berekspresi Dalam Perspektif Hukum Hak Asasi Manusia', *Rio Law Jurnal*, 1.2 (2020), p. h. 6.

²² Elfia Farida, 'Kewajiban Negara Indonesia Terhadap Pemenuhan Hak Kebebasan Berpendapat Dan Berekspresi', *Qistie*, 14.2 (2021), p. h. 53-54.

only be carried out for legitimate purposes, are proportional, and do not eliminate the substance of the protected rights.²³

In addition to protecting human rights, the compliance of internet access restriction policies with the principles of a democratic state based on the rule of law is also determined by the fulfillment of the elements of government based on law, the division of powers, and the existence of an oversight mechanism through the judiciary. Internet restriction policies must have a clear legal basis, be implemented by authorized institutions, and be legally accountable. Furthermore, an oversight mechanism is needed to prevent abuse of authority by the government and ensure that restrictions are implemented proportionally. Members of the public who feel disadvantaged must also be given access to file objections or challenge the policy through legal channels. Therefore, an internet access restriction policy can be said to be in accordance with the principles of human rights and a democratic state based on the rule of law if it has a valid legal basis, aims to protect legitimate public interests, is implemented proportionally, and still guarantees the protection of citizens' rights.²⁴

Departing from the principle of due process of law which guarantees that every citizen receives fair legal protection and certainty as regulated in Article 28D paragraph (1) of the 1945 Constitution.²⁵ In principle, every government action must be carried out based on law, through clear procedures, and be constitutionally accountable. This principle applies not only to criminal justice processes but also serves as a standard for every public policy that has the potential to restrict citizens' rights, including policies restricting internet access. From the perspective of a democratic state under the rule of law, restrictions on a right can only be implemented if they have a clear legal basis, aim to protect legitimate interests, and meet the principles of proportionality and accountability.

Therefore, policies restricting internet access need to be tested for their compliance with human rights principles and a democratic state based on the rule of law. The right to obtain information, communicate, and express opinions are among the human rights guaranteed by Article 28F of the 1945 Constitution.²⁶ and various international human rights instruments. If internet access restrictions are implemented without an adequate legal basis, without an effective oversight mechanism, or without providing the public with legal protection, then such policies have the potential to conflict with the principles of human rights, due process of law and the principles of the rule of law. Conversely, if restrictions are implemented in a limited manner, based on statutory regulations, and aimed at protecting legitimate public interests while respecting citizens' rights, then the policy can be deemed in line with the principles of human rights and a democratic rule of law. Therefore, analyzing the compliance of internet access restrictions with human rights and the principles of a democratic rule of law is crucial for

²³ Hikmah Istiqamah, Siti Zainab Yanlua, and Muhammad Akbar Yanlua, 'Konsep Negara Hukum Rechtsstaat Dan Rule of Law', *Al-Muqaranah*, 3.1 (2024), pp. 9–18 (p. h. 14).

²⁴ Putra Astomo, 'Prinsip-Prinsip Negara Hukum Indonesia dalam UUD NRI Tahun 1945', *Jurnal Hukum Unsulbar*, 1.1 (2018), p. h. 2-3.

²⁵ Republik Indonesia.

²⁶ Republik Indonesia.

assessing whether such restrictions are constitutional or constitute an excessive restriction of rights by the state.²⁷

The principle of legality asserts that every legal action taken by the government must have a basis and authority granted by statutory regulations as a manifestation of the will and aspirations of the people. Therefore, the government cannot act beyond the limits of its authority established by law. Furthermore, every legal process must comply with the principle of justice, be conducted openly and be known to the parties concerned, and provide adequate opportunity for individuals to submit statements, defenses, or opinions before a legal decision is made.²⁸

The practice of restricting internet access has become a serious concern for the international community, including the United Nations (UN), because it is directly related to the protection of human rights, especially the right to information and freedom of expression.²⁹ One example that is often used as a reference is the internet restriction policy implemented by the Chinese government through a system known as The Great Firewall. This policy stems from the characteristics of China's government system, which tends to implement strict controls on the flow of information and public surveillance. Therefore, access to various foreign information and digital platforms is restricted through an integrated internet control mechanism. This phenomenon is interesting to compare with the internet access restrictions previously implemented in Papua and West Papua, particularly from a human rights perspective.

Indonesia as a country that adheres to legal traditions civil law position itself as a state of law (rule of law) which upholds the protection of human rights. Consequently, every government action must be carried out based on the law and still respect the constitutional rights of citizens. On the other hand, although China is often criticized for its undemocratic model of government, the country also has provisions regarding human rights in the Chinese Constitution of 2004. In some aspects, the human rights provisions in China are similar to the human rights guarantees contained in the 1945 Constitution of the Republic of Indonesia. However, the fundamental difference between the two countries lies in the adopted political system. Indonesia implements the principle of democracy that places people's participation as an important element in public policy-making, while China implements a different political system so that the mechanism for oversight of the government is also different.

Implementation The Great Firewall China's policy is driven by several considerations. First, the policy serves to limit the dominance of multinational companies in the technology and internet sectors, allowing local companies to control more of the domestic market. Second, it gives the government greater ability to control and monitor the flow of information deemed potentially threatening political stability or the survival of the ruling regime. Third, the policy provides economic benefits to domestic technology companies by reducing competition from

²⁷ Angelika Permata Adam and others, 'Penerapan Asas Due Process of Law Dalam Hukum Acara Pidana Di Indonesia', *Jurnal Hukum Bisnis (J-KUMBIS)*, 4.1 (2026), p. h. 20-21.

²⁸ Adhari, Sitabuana, and Srihandayani.

²⁹ Rizki Wahyuni and Yati Sharfina Desiandri, 'Hak Asasi Manusia (HAM) Pada Kebebasan Berpendapat/Bereksperisi Dalam Negara Demokrasi Di Indonesia', *Jurnal Sains Dan Teknologi*, 5.3 (2024), pp. 961–66 (p. h. 964).

foreign platforms. Fourth, the dominance of local products allows the government to more effectively monitor people's digital activities than if internet services were dominated by multinational companies.

However, the Chinese Constitution actually guarantees a number of rights related to freedom of information as stipulated in Articles 35 to 41. However, the implementation of internet restriction policies has sparked debate because they are considered to have the potential to reduce the fulfillment of these rights. To legitimize these policies, the Chinese government has established various regulations specifically governing internet governance and providing a legal basis for their implementation. The Great Firewall These regulations are not only used to control the flow of information, but also to monitor the activities of foreign companies and reduce the perceived negative impacts of the dissemination of information via the internet.

Unlike China, the internet access restriction policy implemented in Papua and West Papua has sparked debate because it is considered to lack a legal basis specifically regulating the mechanism for cutting off or restricting internet access. The government has based this policy on Article 40 paragraphs (2a) and (2b) of Law Number 19 of 2016 concerning Electronic Information and Transactions.³⁰ which provides the authority to terminate access to unlawful content. However, some argue that this provision essentially only regulates terminating access to certain information or content (content filtering), not a complete shutdown or restriction of the internet network. Therefore, the view has emerged that Indonesia does not yet have regulations that explicitly address comprehensive internet access restrictions.

According to expert Herlambang Perdana Wiratman's statement in the trial of the lawsuit regarding restrictions on internet access in Papua, this issue must be analyzed within the framework of international human rights law, particularly Article 19 paragraph (3) of the International Covenant on Civil and Political Rights (ICCPR). This provision allows for the restriction of rights under certain conditions as long as they meet international legal standards, namely that they are carried out based on law (prescribed by law), have a legitimate aim, and are truly necessary (necessary) to protect interests recognized by international law. Therefore, restrictions on access to information cannot be imposed arbitrarily, but must meet strict and accountable conditions.³¹

From a human rights perspective, the right to information falls under the category of derogable rights, meaning that under certain circumstances, its fulfillment can be restricted. However, such restrictions must be implemented through clear, proportional mechanisms, and in accordance with national and international law. If restrictions are imposed without an adequate legal basis or without complying with applicable human rights principles, such actions have the potential to result in human rights violations and open up opportunities for state abuse of power.

³⁰ Undang-Undang Nomor 19 Tahun 2016 tentang Perubahan atas Undang-Undang Nomor 11 Tahun 2008 tentang Informasi dan Transaksi Elektronik.

³¹ Noviyanti, Noval, and Jamaludin.

The debate regarding the legality of restricting internet access in Indonesia is getting stronger because of the legal basis used by the government, namely Article 40 paragraph (2a) and paragraph (2b) of the ITE Law.³² This has given rise to various interpretations. Some argue that the provision only authorizes blocking unlawful content, not shutting down the internet entirely. Therefore, when the government restricts internet access under the pretext of maintaining security and order during social unrest, such action should still follow mechanisms recognized in international human rights law, including the provisions of the ICCPR, which regulate the conditions for restricting rights.

In this context, internet access restrictions are also linked to the issue of human rights violations. Conceptually, human rights violations can occur when an action taken by the state, intentionally or negligently, results in a violation of legally guaranteed rights. This view was strengthened by the Jakarta State Administrative Court Decision Number 230/G/TF/2019/PTUN.JKT dated June 3, 2020, which stated that the government's action of slowing internet access (throttling) in several regions of Papua and West Papua in 2019 constituted an unlawful act committed by government agencies and/or officials. This decision demonstrates that policies restricting internet access must be assessed not only in terms of their intended objectives but also in terms of their compliance with the principles of the rule of law, human rights protection, and applicable legal mechanisms.³³

Table.2.

No.	Institution / Instrument	Legal or Regulatory Basis
1	The 1945 Constitution of the Republic of Indonesia	Articles 28D, 28F, 28J
2	Law No. 39 of 1999 concerning Human Rights	Article 14, Article 73
3	Law Number 19 of 2016 concerning Amendments to Law Number 11 of 2008 concerning Electronic Information and Transactions.	Article 40

³² Undang-Undang Nomor 19 Tahun 2016 tentang Perubahan atas Undang-Undang Nomor 11 Tahun 2008 tentang Informasi dan Transaksi Elektronik.

³³ Kelvin Chandra and Tundjung Herning Sitabuana, 'Kebijakan Negara Melakukan Pembatasan Internet Di Papua Dan Papua Barat Dalam Putusan Nomor 230/g/Tf/2019/Ptun-Jkt Melalui Perspektif Hak Asasi Manusia', *Jurnal Syntax Transformation*, 3.10 (2022), pp. 1353–60 (p. h. 1358-1359).

4	Constitutional Court	The 1945 Constitution of the Republic of Indonesia, Constitutional Court Law
5	State Administrative Court	Administrative Court Law
6	ICCPR	Article 19 paragraph (3)
7	UDHR	Article 19

Based on the above description, it can be concluded that the policy of restricting internet access is not in principle contrary to human rights or the concept of a democratic state under the rule of law as long as it is implemented in accordance with applicable legal provisions and meets nationally and internationally recognized standards for restricting rights. The right to obtain information, communicate, and express opinions is indeed a constitutional right guaranteed by the 1945 Constitution, the UDHR, and the ICCPR, but this right is not an absolute right and, in certain circumstances, can be restricted to protect national security, public order, and the rights and freedoms of others. However, any restriction must be based on a clear legal basis, carried out by an authorized institution, have a legitimate purpose, meet the principles of necessity and proportionality, and be accompanied by an effective oversight mechanism and legal remedies for affected communities. Therefore, the conformity of the policy of restricting internet access with the principles of human rights and a democratic state under the rule of law is not determined by the presence or absence of the restriction itself, but by the extent to which the policy is implemented in accordance with the principle of legality, due process of law, accountability, and respect for citizens' rights. In the Indonesian context, the debate over internet access restrictions in Papua demonstrates that the primary issue lies not in the purpose of the restrictions, but rather in the adequacy of the legal basis and its compliance with human rights standards. Therefore, policies to restrict internet access can only be constitutionally justified if they are implemented in a limited, proportionate manner, and still guarantee the protection of citizens' fundamental rights in a democratic state governed by the rule of law.

3.3 Ethical Limitations That Must Be Met by States in Implementing Internet Access Restriction Policies

Internet access in the digital era has become a crucial necessity in modern society. The internet no longer serves merely as a means of communication, but has also become the primary medium for obtaining information, expressing opinions, conducting economic activities, and participating in social and political life. Because of this role, internet access is often linked to the fulfillment of human rights, particularly the rights to freedom of expression, the right to communicate, and the right to obtain information. Although neither international human rights

legal instruments nor national legislation explicitly recognize internet access as a stand-alone human right, internet access is seen as an important means of supporting the realization of various fundamental rights guaranteed under national and international law. Therefore, any policy that restricts internet access must consider its impact on the fulfillment of these rights.

In this context, the first ethical boundary a state must meet is to prioritize human rights protection as the primary basis for any policy restricting internet access. The state does have an obligation to maintain national security, public order, and protect the public from the misuse of information technology. However, this authority must not be used excessively to the point of depriving the public of their right to information and expression. Restrictions on internet access should only be implemented when absolutely necessary to protect legitimate interests and should not be used as a means to silence criticism or limit public participation in democratic life.³⁴

The development of digital technology demonstrates the significant role the internet plays in strengthening democracy. The internet enables people to participate in public discussions, convey their aspirations to the government, and monitor state administration. Experiences in various countries demonstrate that the internet can expand the space for political participation and increase public involvement in the democratic process. On the other hand, the internet can also be exploited to spread false information, hate speech, and various forms of misuse of information that have the potential to disrupt public order. Therefore, the state has the authority to regulate the digital space, but such regulation must maintain a balance between protecting the public interest and respecting freedom of expression.

The next ethical boundary is respect for the principles of inclusivity and equal access to digital space. The internet has become a vital tool for people to obtain education, work, run businesses, access public services, and interact with others. Widespread restrictions on internet access have the potential to hinder these activities and impact the fulfillment of people's rights. Therefore, before implementing restrictions, countries must carefully consider the potential impacts and ensure that the policies taken do not cause greater harm than the intended goals.³⁵

In addition to being oriented toward protecting human rights, policies restricting internet access must also adhere to the principle of legality. In a state governed by the rule of law, every government action must have a clear legal basis and be implemented by authorized institutions. State authority is fundamentally granted to ensure the protection of citizens' rights, so its use must always be legally accountable. Therefore, internet access restrictions cannot be implemented solely based on policy considerations; they must have a firm legal basis, clear objectives, and legally verifiable procedures.

³⁴ Firman Nugraha and Evi Noviawati, 'DISKURSUS AKSES INTERNET SEBAGAI HAK ASASI MANUSIA', *Case Law: Journal of Law*, 6.1 (2025), p. h. 15-16.

³⁵ Wahyuni Choiriyati and Ana Windarsih, 'Etika Media Dalam Kultur New Technology (Mengkaji Etika Internet Versus Undang-Undang Informasi Dan Transaksi Elektronik)', *Jurnal Masyarakat Dan Budaya*, 21.2 (2019), pp. 247–62 (p. h.251).

The principle of legality is in line with the provisions of Article 28J paragraph (2) of the 1945 Constitution of the Republic of Indonesia, Article 73 of Law Number 39 of 1999 concerning Human Rights, and Article 19 paragraph (3) International Covenant on Civil and Political Rights (ICCPR). These provisions essentially permit restrictions on a person's rights and freedoms, but only if they are carried out in accordance with law and are intended to protect the rights of others, national security, public order, public health, or public morals. Therefore, restrictions on internet access must not be imposed arbitrarily, but must meet the requirements of legality, a legitimate purpose, and a clear need in a democratic society.³⁶

From the perspective of democratic governance ethics, transparency and accountability are also important standards that the state must meet. The public has the right to know the reasons, objectives, scope, and duration of any internet access restrictions imposed by the government. This transparency is necessary so the public can assess whether the restrictions are truly intended to protect the public interest or have the potential to excessively restrict citizens' rights. Therefore, any restriction policy must be accompanied by a clear explanation that is accessible to the public.

In addition to transparency, internet access restrictions must adhere to the principle of proportionality. This principle requires that measures taken do not exceed the intended purpose. The state may only impose restrictions to the extent absolutely necessary to protect legitimate interests. If there are less stringent alternatives that are still effective in achieving the same goal, these should be prioritized over widespread internet access restrictions. This ensures that the implemented policy maintains a balance between protecting the public interest and respecting citizens' rights.³⁷

Another ethical limitation is respect for the principle of due process of law. In practice, the government's authority to terminate access to electronic systems is based on Article 40 paragraph (2b) of the Electronic Information and Transactions Law.³⁸ The aim is to protect the public from the misuse of information and electronic transactions. However, the implementation of this authority still raises various issues, particularly regarding legal certainty and oversight mechanisms. Unclear norms and procedures can open up the opportunity for multiple interpretations and abuse of authority.

From a human rights perspective, restricting or cutting off internet access without adequate notice and an effective complaint mechanism has the potential to violate citizens' constitutional rights to obtain and disseminate information. Therefore, the state must ensure clear procedures, notification to affected parties, and effective complaint and oversight

³⁶ Rofi Aulia Rahman and Shu-Mei Tang, 'Fake News and Internet Shutdowns in Indonesia: Symptoms of Failure to Uphold Democracy', *Const. Rev.*, 8 (2022), p. 151 (p. h. 165).

³⁷ Ari Maulana Yudha Pratama, Isharyanto Isharyanto, and Achmad Achmad, 'Wewenang Negara Dalam Pengaturan Penyelenggaraan Sistem Elektronik Dikaitkan Dengan Kebebasan Berekspresi Di Dunia Digital', *Jembatan Hukum: Kajian Ilmu Hukum, Sosial Dan Administrasi Negara*, 2.2 (2025), pp. 30–47 (p. h. 34–39).

³⁸ Undang-Undang Nomor 19 Tahun 2016 tentang Perubahan atas Undang-Undang Nomor 11 Tahun 2008 tentang Informasi dan Transaksi Elektronik.

mechanisms. This is crucial to ensure that any restrictions are accountable and do not become arbitrary.³⁹

Table.3.

No.	Institution / Instrument	Legal or Regulatory Basis
1	Government	The 1945 Constitution of the Republic of Indonesia
2	Comdigs	Law Number 19 of 2016 concerning Amendments to Law Number 11 of 2008 concerning Electronic Information and Transactions.
3	Court	Administrative Court Law
4	National Commission on Human Rights	Law No. 39 of 1999
5	DPR	The 1945 Constitution of the Republic of Indonesia, UU MD3
6	Public	The 1945 Constitution of the Republic of Indonesia

Thus, the ethical boundaries that must be met by the state in implementing a policy of restricting internet access include respect for human rights, orientation towards legitimate public interests, a clear legal basis, transparency, accountability, proportionality, and respect for the principles of due process of law. Fulfillment of these principles is an important requirement so that the policy of restricting internet access not only has legal legitimacy, but is also in line with democratic values and the protection of human rights in a state governed by the rule of law.

³⁹ Syurpana Nofanda, 'Kewenangan Pemerintah Melakukan Pemutusan Akses Sistem Elektronik Dalam Perspektif Undang-Undang Informasi Dan Transaksi Elektronik', *JUSTITIABLE-Jurnal Hukum*, 7.2 (2025), pp. 24–45 (p. h. 42).

4. Conclusion

The policy of restricting internet access is not merely a technical matter of state administration, but rather an issue that directly touches on the foundations of the legitimacy of power, the protection of human rights, and the principles of a democratic state under the rule of law. All three are closely interconnected: a legally valid policy may not be accepted by the public, and conversely, a policy claimed to be in the public interest can lose its legitimacy if implemented without transparency and without regard for citizens' rights. From a legitimacy perspective, public trust in the government is no longer solely built on formal legality. In the digital age, society demands openness and two-way communication, so unilateral internet restrictions, without adequate explanation, tend to erode that trust rather than strengthen it. Legitimacy, in other words, is determined not only by whether the state has the authority to restrict access, but also by how that authority is used and received by the affected communities.

From a legal perspective, this study demonstrates that the right to information is not an absolute right. Both the 1945 Constitution, the UDHR, and the ICCPR recognize that this right can be restricted as long as it meets three main requirements: it has a clear legal basis, is intended for a legitimate purpose, and is truly necessary and proportionate. The problem is, the case of internet restrictions in Papua shows that the legal basis used by the government, namely Article 40 of the ITE Law, is actually designed for blocking content, not for completely disconnecting the network. This disparity between the available norms and the actual practice was later declared an unlawful act by the Jakarta Administrative Court. Comparison with the model Great Firewall in China, it actually emphasizes the fundamental difference: China has an explicit regulatory framework, even though it is not democratic, while Indonesia, as a democratic country governed by law, does not yet have equivalent regulations to regulate internet shutdowns.

From an ethical perspective, this research confirms that the state's authority to limit internet access must always be balanced with respect for human rights, the principles of legality, transparency, accountability, proportionality, and due process of law. Restrictions imposed without prior notice, without a clear time limit, and without a mechanism for objections for those affected are ultimately not only an ethical issue but also have the potential to constitute a constitutional violation. Thus, it can be concluded that the policy of restricting internet access does not necessarily conflict with human rights or the principles of a democratic state based on the rule of law. Its legitimacy is determined by the extent to which the state is able to balance two equally legitimate interests: maintaining security and public order on the one hand, and respecting citizens' rights to information and freedom of expression on the other. The Papua case serves as an important reminder that the real issue is not the state's authority to restrict access, but rather the adequacy of the legal basis, clarity of procedures, and the state's commitment to not use restrictions as a tool of silencing. Going forward, Indonesia needs more specific regulations governing the mechanisms, time limits, and oversight of internet restriction policies, so that these authorities no longer exist in a legal gray area that opens up opportunities for abuse of power.

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