

PEMBARUAN HUKUM UNTUK MENGATASI KEKOSONGAN PENGATURAN MENGENAI DEEPPAKE SEBAGAI SARANA MANIPULASI DIGITAL YANG MENGANCAM HAK-HAK KEPERDATAAN BERDASARKAN PERSPEKTIF FILSAFAT HUKUM

Legal Reform to Address the Regulatory Gap on Deepfakes as a Digital Manipulation Tool that Threatens Civil Rights Based on a Legal Philosophy Perspective

Yovid^{1*}

I Made Juni Artawan²

Zainal Arifin Hoesein³

^{*1-3} Universitas Borobudur,
Indonesia

*email:

25730863@borobudur.ac.id

Lisensi:CC-BY 

Abstrak

Kemajuan teknologi kecerdasan buatan (*Artificial Intelligence/AI*) telah melahirkan teknologi *deepfake* yang mampu memanipulasi gambar, video, dan audio secara realistis sehingga berpotensi mengancam hak-hak keperdataan masyarakat. Penyalahgunaan *deepfake* dapat mengakibatkan pelanggaran terhadap hak atas privasi, identitas pribadi, nama baik, reputasi, serta hak ekonomi atas citra diri seseorang. Permasalahan utama yang dihadapi adalah belum adanya pengaturan khusus mengenai *deepfake* dalam sistem hukum Indonesia sehingga menimbulkan kekosongan hukum (*rechtvacuum*) dan ketidakpastian hukum (*rechtsonzekerheid*). Penelitian ini bertujuan untuk menganalisis permasalahan hukum terkait penggunaan *deepfake*, mengkaji kekosongan pengaturannya dalam sistem hukum Indonesia, serta merumuskan pembaruan hukum berdasarkan perspektif filsafat hukum. Penelitian ini menggunakan metode yuridis normatif dengan pendekatan peraturan perundang-undangan dan pendekatan konseptual. Hasil penelitian menunjukkan bahwa ketentuan dalam Undang-Undang tentang Informasi dan Transaksi Elektronik, Undang-Undang tentang Pelindungan Data Pribadi, Undang-Undang tentang Hak Cipta, dan Kitab Undang-Undang Hukum Perdata belum mampu memberikan perlindungan yang komprehensif terhadap penyalahgunaan *deepfake*. Oleh karena itu, diperlukan pembaruan hukum melalui pembentukan pengaturan khusus yang mengatur definisi *deepfake*, pertanggungjawaban hukum, mekanisme *takedown*, serta pemulihan hak-hak korban guna mewujudkan keadilan, kepastian hukum, dan kemanfaatan bagi masyarakat.

Kata Kunci:

Deepfake
Kecerdasan Buatan
Kekosongan Hukum
Hak-Hak Keperdataan

Keywords:

Deepfake
Artificial Intelligence
Legal Vacuum; Civil Rights

Abstract

Advances in artificial intelligence (AI) technology have given rise to deepfake technology, which is capable of realistically manipulating images, videos, and audio, thereby posing a potential threat to the civil rights of the public. The misuse of deepfakes can result in violations of the rights to privacy, personal identity, good name, reputation, and economic rights regarding one's own image. The primary issue faced is the absence of specific regulations regarding deepfakes within the Indonesian legal system, resulting in a legal vacuum (*rechtvacuum*) and legal uncertainty (*rechtsonzekerheid*). This study aims to analyze the legal issues surrounding the use of deepfakes, examine the regulatory gaps in the Indonesian legal system, and formulate legal reforms based on a legal philosophy perspective. The research method employed is normative legal research using a statutory approach and a conceptual approach. The results of the study indicate that the provisions in the Electronic Information and Transactions Law, the Personal Data Protection Law, the Copyright Law, and the Civil Code have not been able to provide comprehensive protection against the misuse of deepfakes. Legal reform is necessary through the establishment of specific regulations governing definitions, legal liability, takedown mechanisms, and the restoration of victims' rights to achieve justice, legal certainty, and public interest.

INTRODUCTION

The development of digital technology in the era of the Industrial Revolution 4.0 and Society 5.0 has given birth to various innovations based on artificial intelligence (AI) that can change the way humans interact, communicate, and produce information (Kusumawardani, 2019). One of the most significant developments is the emergence of deepfake technology, which is a deep learning-based technology capable of manipulating a person's images, videos, or voice to make them appear authentic and realistic. This technological advancement is supported by the availability of generative AI software, which is becoming increasingly accessible to the general public through various digital platforms. Deepfake technology's ability to produce visual and audio representations that are nearly indistinguishable from reality has opened up opportunities for positive applications in education, entertainment, and the creative industries. However, these developments also raise complex legal consequences, as this technology can be used to create false identities, manipulate information, and spread content that harms individuals and society (Anti Mutmainnah, Awalia Marwah Suhandi, 2024). This phenomenon demonstrates that technological development is proceeding far faster than the law's ability to anticipate and regulate its various implications.

In practice, deepfake technology has evolved into a digital manipulation instrument that may threaten various individuals' civil rights. The manipulation of faces, voices, and personal images through this technology can be used to create the impression that a person has committed certain acts that they never committed. This situation has the potential to violate the rights to privacy, personal identity, honor, and a good name, which are normatively guaranteed in Article 28G paragraph (1) of the 1945 Constitution of the Republic of Indonesia, which states that everyone has the right to protection of themselves, their families, honor, dignity, and property under their control. Protection of personal data is also affirmed in Article 4 letters a and b of Law Number 27 of 2022 concerning Personal Data Protection, which grants personal data subjects the right to obtain information regarding their identity and the purposes for which their personal data is used (Ibrahim, 2024). The misuse of one's image through deepfakes not only causes non-material harm in the form of damage to a person's reputation and dignity, but can also result in economic losses if that identity or image is used without permission for commercial purposes. Threats to these civil rights are on the rise as the use of generative AI technology becomes more widespread across various sectors of life (Fatma, 2025).

The proliferation of deepfake cases in various countries demonstrates that this technology has been used for a variety of unlawful purposes, from the spread of false information and defamation to financial fraud, blackmail, and political manipulation. The victims of this technology abuse include not only public officials and celebrities, but also members of the public whose identities are used without consent. Deepfakes' ability to produce seemingly authentic visual and audio evidence creates new challenges in the legal process, as the line between fact and digital fabrication becomes increasingly blurred (Respati, 2024). This situation has the potential to undermine legal certainty, one of the primary objectives of law, as stated by Gustav Radbruch. The problem becomes even more complex when deepfake content is used in civil relations, such as electronic transactions, business communications, or digital agreements that rely on visual and voice identification as the basis of trust between the parties. This situation demonstrates that the development of deepfake technology has created new legal challenges that the current positive legal system has cannot be managed.

The Indonesian legal system currently lacks specific regulations that explicitly define or regulate deepfake technology. Law Number 1 of 2024 concerning the Second Amendment to Law Number 11 of 2008 concerning Electronic Information and Transactions does prohibit the unlawful dissemination of electronic information, but does not specifically address the characteristics, classification, or legal liability for the creation and use of deepfakes. The Civil

Code only provides a general mechanism for unlawful acts, as stipulated in Article 1365, which states that any unlawful act that causes harm to another person requires the perpetrator to compensate for such loss. Law No. 27 of 2022 concerning Personal Data Protection also does not specifically regulate digital identity manipulation using generative AI technology. Similarly, Law No. 28 of 2014 concerning Copyright focuses more on protecting creative works and does not comprehensively regulate the use of a person's image, face, or voice manipulated through deepfake technology (Astuti, 2022). The absence of specific regulations creates a legal vacuum, or legal vacuum, which has implications for legal uncertainty in the handling of various disputes involving this technology.

This legal vacuum regarding deepfakes ultimately has a direct impact on the effectiveness of protecting people's civil rights. Victims often struggle to obtain legal redress due to the lack of clear norms governing the nature of violations, standards of proof, mechanisms for removing content, and the accountability of parties involved in the creation and distribution of deepfakes. The cross-border, platform-based nature of this technology also complicates the law enforcement process. The absence of specific legal mechanisms may reduce the effectiveness of protecting the right to digital privacy, the right to identity, and the right to honor, which are all human rights. This situation demonstrates a gap between the public's need for legal protection and the ability of existing regulations to provide certainty and justice. This phenomenon also demonstrates that existing legal instruments are not fully capable of addressing the challenges posed by the development of generative artificial intelligence technology (Nuriyatman, 2024).

A legal philosophy perspective provides a strong theoretical foundation for analyzing the urgency of legal reform regarding deepfake regulations in Indonesia. Aristotle's theory of justice emphasizes the importance of protecting injured parties to obtain proportionate redress. Gustav Radbruch places justice, legal certainty, and utility as fundamental values that must be realized in the legal system. Roscoe Pound, through the concept of law as a tool of social engineering, views law as an instrument for directing social change according to societal needs. Satjipto Rahardjo, through the concept of progressive law, emphasizes that law must be able to adapt to the development of human life and not be trapped in mere normative formalities. These values align with the Pancasila Legal Philosophy, which places the protection of human dignity as the primary goal of national law enforcement. When technology is capable of creating a digital reality that is indistinguishable from reality, while the law has not provided adequate protection mechanisms, a gap has emerged between the objectives of law and the evolving social reality. This situation provides a strong philosophical and legal basis for the need for legal reform through the establishment of specific norms regarding deepfakes, regulating the responsibilities of content creators and distributors, mechanisms for removing content that violates civil rights, and providing effective compensation to ensure justice, legal certainty, and legal benefit in the era of artificial intelligence.

METHOD

This research uses a normative juridical legal research method that focuses on the study of positive legal norms, legal principles, legal doctrine, and various concepts related to the regulation of deepfake technology and the protection of civil rights in the Indonesian legal system. Normative juridical research was chosen because the problem under study focuses on the legal vacuum (*rechtvacuum*) in the regulation of deepfakes, which creates legal uncertainty (*rechtsonzekerheid*) regarding the protection of individuals' rights to privacy, digital identity, reputation, and economic rights. The approaches used consist of a statute approach and a conceptual approach. The legislative approach is carried out by examining various relevant laws and regulations, including the 1945 Constitution of the Republic of Indonesia, Law Number 1 of 2024 concerning the Second Amendment to Law Number 11 of 2008 concerning Electronic Information and Transactions, Law Number 27 of 2022 concerning Personal Data Protection, Law Number 28 of 2014

concerning Copyright, as well as provisions in the Civil Code relating to unlawful acts and the protection of civil rights. Meanwhile, a conceptual approach is used to examine various concepts, theories, and philosophical thoughts of law relating to justice, legal certainty, legal benefits, human rights protection, progressive law, and the function of law in responding to developments in artificial intelligence technology. The legal materials used consist of primary legal materials, secondary legal materials, and tertiary legal materials, which are analyzed qualitatively through systematic, conceptual, and philosophical interpretations to obtain comprehensive legal arguments regarding the urgency of legal reform regarding the regulation of deepfakes as a form of digital manipulation that threatens civil rights in Indonesia.

RESULT AND DISCUSSION

1. Legal Issues Regarding the Use of Deepfakes as a Form of Digital Manipulation that Threatens Civil Rights

Advances in artificial intelligence (AI) technology over the past few years have given rise to various innovations capable of generating digital content that closely resembles its original source. One such innovation is deepfake technology, a digital manipulation technique that utilizes deep learning and generative adversarial networks (GANs) to create or modify a person's images, videos, or voice so that they appear authentic and are difficult to distinguish from reality. This technology works by training algorithms using large amounts of visual and audio data, which are then processed to generate digital representations that resemble specific individuals. Deepfakes' ability to replicate facial expressions, body movements, voice intonation, and behavior has made it one of the most complex and influential products of generative AI development in the era of digital transformation. The use of this technology was initially intended for the entertainment industry, filmmaking, education, and digital media development. However, the technology's ability to create a virtual reality that appears lifelike also raises various legal issues that could potentially threaten individuals' civil rights (Sumitra, 2024).

Advances in generative AI technology have made creating deepfake content increasingly easy, affordable, and accessible to anyone without requiring advanced technical skills. Various AI-based applications available online allow users to upload photos, videos, or voice recordings of individuals, which are then processed into new content that appears to depict specific actions, speech, or behavior. It has led to the widespread distribution of deepfakes through social media, video-sharing platforms, instant messaging apps, and various other digital services. The most common forms of abuse include identity fraud, the creation of pornographic videos without the victim's consent, the spread of false information, financial fraud, political manipulation, and even digital content-based blackmail. The high level of realism produced by deepfake technology makes it difficult for the public to distinguish between fact and fabrication, increasing the risk of legal violations and harm to individuals targeted by such digital manipulation (Juanita, 2024).

The unauthorized use of deepfakes has the potential to violate the right to privacy, which is part of human rights and civil rights protected by law. Article 28G paragraph (1) of the 1945 Constitution of the Republic of Indonesia states that everyone has the right to protection of themselves, their families, their honor, their dignity, and their property under their control, and has the right to a sense of security and protection from the threat of fear to do or not do something that is a human right. Protection of personal data is also emphasized in Article 4 letters a, b, and c of Law Number 27 of 2022 concerning Personal Data Protection, which gives data subjects the right to obtain information regarding the processing of their personal data, complete their personal data, and access personal data held by the data controller. The benefit of a person's photos, videos, or voice recordings as material for making deepfakes without consent is a form of use of personal data that has the potential to violate the right to privacy because it is carried out

without a clear legal basis and without the consent of the data owner. This violation shows that deepfake technology is not only a technical issue, but also a legal issue related to the protection of citizens' fundamental rights (Kurniarullah, 2024).

Another threat posed by deepfakes is the violation of a person's right to personal identity, dignity, and reputation. Digital manipulation that depicts an individual performing certain actions they never actually performed can create a negative perception in society and damage the victim's reputation. Protection of dignity and reputation is recognized in various national legal instruments, including Article 28G(1) of the 1945 Constitution of the Republic of Indonesia. Furthermore, Article 1365 of the Civil Code stipulates that any unlawful act causing harm to another person obligates the perpetrator to compensate for such harm. The dissemination of deepfakes that causes a person to lose their reputation, face social discrimination, lose their job, or experience psychological distress can be categorized as an unlawful act if it meets the elements of an act, fault, damage, and a causal relationship between the perpetrator's actions and the resulting damage. The nature of deepfakes, which can produce visual and audio evidence that appears authentic, means that the resulting reputational damage is far greater than that caused by conventional forms of defamation (Novera, 2024).

Another equally important aspect is the threat to the economic right to publicity. This right is principally related to an individual's right to control the use of their name, face, voice, or personal identity, which has economic value. The use of a person's image in deepfake content for commercial purposes without consent can result in financial loss, as other parties gain economic benefits from an identity that does not belong to them. Although the Indonesian legal system does not explicitly regulate the right of publicity, as is the case in some other countries, protection of an individual's economic interests can be found in Article 1365 of the Civil Code and various norms concerning personal data protection and intellectual property rights. The unauthorized use of a public figure's face or voice in deepfake-based digital advertising is an example of a violation of a person's economic right to identity. The resulting loss is not only the loss of potential legitimate income but also the potential to diminish the commercial value and credibility of the individual concerned (Silvia Maharani Iskandar Putri, Nashwa Salsabila, 2024).

The proliferation of deepfake cases in various countries demonstrates that this technology has become a real threat to legal certainty and the protection of civil rights. Several international cases have demonstrated the use of deepfakes to create fake political videos, corporate fraud through the falsification of company leaders' voices, and the creation of pornographic content involving victims' faces without their consent. A similar phenomenon has begun to emerge in Indonesia with the increasing use of generative AI technology and social media. The resulting impacts include not only material losses such as lost economic opportunities, reputational recovery costs, and business losses, but also immaterial losses such as psychological distress, disruption to social life, and a loss of sense of security. The high capability of deepfake technology to create realistic-looking digital representations has made the legal evidence process increasingly difficult, as law enforcement officials must verify the authenticity of every piece of electronic evidence submitted. This situation demonstrates that the development of deepfake technology has created new challenges that require serious attention from the legal system to ensure the protection of civil rights in the era of artificial intelligence.

2. Analysis of the Legal Void of Deepfake Regulations in the Indonesian Legal System

The Indonesian legal system essentially has various legal instruments that can be used to protect individual rights in the digital space, but it does not specifically regulate the phenomenon of deepfakes as a form of artificial intelligence-based digital manipulation. The Indonesian Constitution, through Article 28G paragraph (1) of the 1945 Constitution of the Republic of Indonesia, guarantees the right of every person to protection of themselves, their

families, their honor, their dignity, and their property under their control. Article 28D paragraph (1) also affirms that every person has the right to recognition, guarantees, protection, and fair legal certainty, as well as equal treatment before the law. This constitutional guarantee demonstrates the state's obligation to provide protection against all forms of rights violations arising from the development of digital technology. However, these constitutional provisions are still general in nature and do not provide specific regulations regarding the misuse of deepfake technology, including the definition, characteristics, scope, or forms of legal accountability that can be imposed on perpetrators. This absence of specific regulations creates a gap between the protection of citizens' constitutional rights and the increasingly complex reality of technological developments (Mulyanti, 2025).

Regulations on electronic information and transactions, which currently serve as the primary legal instruments in cyberspace, have not yet been able to accommodate all the characteristics of deepfakes. Law No. 1 of 2024 on the Second Amendment to Law No. 11 of 2008 on Electronic Information and Transactions sets forth various prohibitions regarding the dissemination of unlawful electronic information. Article 27(1) prohibits the distribution or transmission of electronic information containing content that violates public decency; Article 27(3) addresses content that constitutes defamation or slander; and Article 28(1) addresses the dissemination of false and misleading information that causes consumer harm in electronic transactions. These provisions can indeed be used indirectly to prosecute perpetrators of deepfake abuse under certain circumstances. However, the substance of these provisions does not explicitly address deepfake technology, so law enforcement officials often have to apply broad interpretations to link the elements of the offense to the available legal provisions. This situation indicates that the existing regulations remain piecemeal and are not yet capable of providing adequate legal certainty regarding various forms of misuse of AI-based digital manipulation technology (Muh Taufik Darmawan, Amir Junaidi, 2025).

The same regulatory gap is also evident in Law Number 27 of 2022 concerning Personal Data Protection. This regulation protects the process of personal data through various provisions, including Article 20 paragraph (1), which requires the consent of the personal data subject in data processing, and Article 65 paragraph (1), which prohibits anyone from unlawfully obtaining or collecting personal data that does not belong to them. However, the law does not provide specific provisions regarding the use of photos, videos, voice recordings, or biometric data to create false digital identities through deepfake technology. The problem is further complicated because deepfakes do not always involve the direct theft of personal data but can instead utilize data already openly available on the internet. This situation creates a legal gray area regarding the limits of using a person's publicly available digital data to produce false representations that could harm the identity holder. Consequently, the protection provided by the Personal Data Protection Law is not fully able to address the legal challenges posed by generative AI technology (Indah Rohmawati, Amir Junaidi, 2024).

Limitations in the regulations are also found in Law No. 28 of 2014 on Copyright and the Civil Code. The Copyright Law, in principle, provides protection for copyrighted works and related rights, but does not specifically regulate the use of a person's face, voice, or identity that has been manipulated using deepfake technology. The available protections are more oriented toward intellectual works than toward the protection of an individual's digital identity. Meanwhile, Article 1365 of the Civil Code states that any unlawful act causing harm to another person obligates the perpetrator to compensate for the resulting damages. This provision can serve as a legal basis for deepfake victims to file claims for damages. However, its general nature means that victims still face various obstacles in proving the elements of fault, identifying the perpetrator, and calculating the damages caused by the dissemination of AI-based digital content.

The absence of specific regulations regarding the manipulation of digital identities means that the available legal protection mechanisms are not yet capable of providing certainty and effective protection for victims.

The most fundamental legal vacuum lies in the absence of a legal definition of deepfakes within the Indonesian legal system. None of the currently applicable regulations provides a normative understanding of deepfakes, a classification of their uses, or criteria for determining when content can be categorized as the result of AI-based digital manipulation. This lack of definition directly impacts the lack of provisions regarding the legal responsibilities of creators, users, distributors, or digital platform operators that facilitate the distribution of deepfake content. Existing regulations also lack specific mechanisms for content removal, victim redress, compensation for reputational damage, or evidence-based procedures appropriate to the characteristics of the technology. This situation constitutes a clear legal vacuum, leading to legal uncertainty due to the lack of clear norms to govern the legal relationships arising from the development of deepfake technology.

Comparisons with several other countries demonstrate that the need for specific regulations regarding deepfakes has become a global concern. The United States, through several state regulations, has prohibited the use of deepfakes for political purposes and pornography without consent. The European Union, through its Artificial Intelligence Act, has begun to regulate transparency obligations regarding content generated or manipulated by artificial intelligence. China has even issued Provisions on the Administration of Deep Synthesis Internet Information Services, which specifically regulates digital manipulation technology and requires labeling of AI-engineered content. The presence of these regulations demonstrates recognition that deepfakes are a new legal phenomenon that requires its own regulation. Unlike these countries, Indonesia still relies on various legal provisions scattered across several laws and regulations that are fundamentally not designed to address the development of generative AI technology. This situation reinforces the argument that the Indonesian legal system currently lacks regulatory provisions regarding deepfakes, necessitating legal reforms that can provide legal certainty, protect civil rights, and ensure effective law enforcement in the era of digital transformation.

3. Legal Reform on Deepfake Regulation from a Legal Philosophy Perspective to Ensure the Protection of Civil Rights

Aristotle's theory of justice provides a philosophical basis that the law must provide proportional protection to every individual who suffers harm due to the actions of another party. In the context of deepfake abuse, the principle of corrective justice requires a legal mechanism that can restore the victim's position to the state it was in before the violation occurred. The unauthorized use of a person's face, voice, or identity through deepfake technology constitutes a violation of civil rights, creating an imbalance in the legal relationship between the perpetrator and the victim. Therefore, legal reform must be directed at establishing specific regulations that explicitly define deepfakes as digital content generated or manipulated using artificial intelligence to authenticate a person's identity. This definition should be incorporated into the revised Electronic Information and Transactions Law or through the enactment of an Artificial Intelligence Law that regulates the classification of deepfakes based on their level of risk, intended use, and impact. Such regulation is crucial for establishing certainty regarding the boundaries between legitimate uses of technology and uses that violate the rights of others, so that the principle of justice can be concretely realized in legal practice.

Gustav Radbruch's thinking on justice, legal certainty, and utility demonstrates that good law is not sufficient to provide formal certainty but must also be able to create substantive justice and social benefits. The absence of specific regulations regarding deepfakes means that these three legal objectives cannot be optimally realized. Legal reform is needed through the formulation of norms that explicitly regulate the legal accountability of creators, users, distributors,

and organizers of digital platforms that facilitate the distribution of deepfake content. These regulations must include provisions that anyone who intentionally creates or distributes deepfakes that cause harm to the privacy rights, good name, personal identity, or economic interests of others is subject to civil liability and, under certain circumstances, may be subject to administrative or criminal sanctions. Legal certainty can only be achieved if there are clear norms regarding the elements of violations, responsible subjects, forms of sanctions, and dispute resolution mechanisms. Legal benefits will also be realized because society receives more effective protection against the growing threat of digital manipulation.

The concept of “law as a tool of social engineering,” as proposed by Roscoe Pound, positions the law as a means to guide social change in accordance with the needs of society. Advances in artificial intelligence technology have transformed patterns of social interaction and created new risks that are not yet recognized within the conventional legal system. These conditions require the law to adapt to the digital reality through the creation of responsive regulatory instruments. A concrete step that can be taken is to require every operator of digital platforms, social media, generative AI service providers, and video-sharing service providers to implement an automated detection system for deepfake content. Regulations should also require the application of markers or labels (such as watermarking and “AI-generated content” labeling) to all content produced using artificial intelligence. This requirement aims to provide the public with clear information regarding the status of such content, thereby minimizing the risks of manipulation and the spread of false information. This approach demonstrates the role of the law as a tool for social engineering capable of shaping new behaviors within the digital ecosystem.

Progressive legal thinking developed by Satjipto Rahardjo teaches that the law must side with humans and not be trapped by the limitations of normative texts alone. This perspective requires a swift and effective protection mechanism for deepfake victims. Legal reforms need to establish simple, fast, and easily accessible procedures for content takedowns or deletions. Victims should be given the right to submit a request for content removal to digital platforms without having to wait for a final and binding court decision if there is sufficient preliminary evidence of identity manipulation. Regulations should also establish specific time limits, for example, 1 x 24 hours or a maximum of 3 x 24 hours, for digital platforms to verify and remove content proven to violate a person's civil rights. Failure by platforms to fulfill these obligations should result in legal consequences in the form of administrative sanctions, fines, or service restrictions. Such mechanisms reflect laws oriented toward human protection and capable of responding quickly to technological developments.

The Pancasila legal philosophy places respect for human dignity as a fundamental value in the development of national law. The misuse of deepfakes is essentially a form of degrading human dignity because it subjects a person's identity to manipulation without consent. Therefore, legal reforms must ensure a comprehensive redress mechanism for victims. Specific regulations on deepfakes need to address victims' rights to obtain material and immaterial compensation, the right to seek restoration of their good name, the right to public clarification, and the right to digital rehabilitation through the removal of traces of infringing content. The concept of compensation should not be limited to quantifiable economic losses but should also encompass psychological, social, and reputational losses, which often have a far greater impact on victims' lives. This approach aligns with the values of just and civilized humanity as embodied in the second principle of Pancasila.

The ideal model for legal reform for Indonesia is the creation of specific regulations on artificial intelligence, including a separate chapter on deepfakes, or the creation of a specific law on the use of AI technology. Such regulations should address the legal definition of deepfakes, classification of risks of use, transparency obligations for AI-based content, the responsibilities of creators and distributors, digital platform obligations, takedown mechanisms, biometric

data protection, electronic evidence systems, victims' rights to compensation, and a swift and effective dispute resolution mechanism. Regulations also need to be aligned with Law No. 27 of 2022 concerning Personal Data Protection, Law No. 1 of 2024 concerning Electronic Information and Transactions, and international regulatory developments such as the European Union's Artificial Intelligence Act. This legal reform model aims not only to fill the legal vacuum (*rechtvacuum*) but also to create legal certainty (*rechtsonzekerheid*), justice, and legal utility in facing the challenges of evolving artificial intelligence technology. Through these steps, the Indonesian legal system can provide more effective protection for the public's civil rights while encouraging the responsible and ethical use of technology.

CONCLUSION

Based on the discussion, it was found that the development of deepfake technology as a product of generative artificial intelligence has presented new legal challenges that may threaten various civil rights, such as the right to privacy, personal identity, good name, reputation, and economic rights to self-image. The Indonesian legal system currently does not have regulations that specifically regulate the definition, classification, legal liability, or protection mechanisms against the misuse of deepfakes, thus creating a legal vacuum that has implications for legal uncertainty for the community. The provisions contained in the 1945 Constitution of the Republic of Indonesia, Law Number 1 of 2024 concerning the Second Amendment to Law Number 11 of 2008 concerning Electronic Information and Transactions, Law Number 27 of 2022 concerning Personal Data Protection, Law Number 28 of 2014 concerning Copyright, and the Civil Code have not been able to comprehensively address the characteristics and legal risks posed by deepfake technology. A legal philosophy perspective based on Aristotle's theory of justice, Gustav Radbruch's theory of justice, legal certainty, and utility, Roscoe Pound's concept of law as a tool of social engineering, Satjipto Rahardjo's progressive law, and the values of Pancasila's Legal Philosophy demonstrates that legal reform is an urgent need to guarantee the protection of civil rights in the digital era. Therefore, the government and lawmakers need to immediately create specific regulations regarding artificial intelligence or special regulations regarding deepfakes that include legal definitions, risk classifications, the responsibility of content creators and distributors, the obligation of digital platforms to detect and remove violating content, a fast and effective takedown mechanism, biometric data protection, and a comprehensive system of compensation and victim recovery to create justice, legal certainty, and legal utility in facing the increasingly complex development of artificial intelligence technology.

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