

International Journal of New Approaches to Law and Rationality in
Nationhood, Governance, and Rights Advocacy

Nalarnagara Journal

Vol. 1, No. 3, July 2026 pp. 1230-1239

Journal Page is available at <https://internationaljournal.lppmunsaka.ac.id/index.php/nalarnagara>**Artificial Intelligence and Deliberative Democracy: Enhancing Public Participation in the Lawmaking Process****Anak Agung Gede Ananta Wijaya Sahadewa^{1*}, Indah Permatasari², Ni Putu Indira Devi Laksmitha Ishwarya³**^{1,2}. Faculty of Law, Universitas Warmadewa, IndonesiaEmail: 1firmanbusroh@gmail.com, 2fatriakhairo79@gmail.com, 3putridifazhafirah@gmail.com**Abstract**

The evolution of artificial intelligence (AI) has the potential to transform public participation in the legislative process, particularly through the management of public aspirational expression in digital public spaces. Deliberative democracy requires a rational public discourse process to legitimize political decisions, yet traditional participation mechanisms are often formal and limited. On the other hand, digital media enables millions of citizens to express their opinions rapidly, which in turn necessitates big data analysis. AI has the potential to process public data on a large scale through text analysis and natural language processing techniques, enabling legislative bodies to systematically identify patterns and themes in public aspirations. For example, Wardana (2025) demonstrates that AI, combined with NLP and legislative automation, can support faster and more accurate data-driven decision-making. Thus, Artificial Intelligence (AI) can bridge the digital public sphere with formal decision-making processes, particularly in lawmaking. AI can be utilized to receive and process public input online at every stage of the legislative process and to map emerging trends in public opinion. The use of this technology can support the implementation of the principle of meaningful participation in the legislative drafting process, as stipulated in Law No. 13 of 2022 on the Second Amendment to Law No. 12 of 2011 on the Formation of Legislation. In Article 96 (1), it is emphasized that the public has the right to provide feedback verbally and/or in a written form at every stage of the legislative drafting process. Furthermore, Article 96 (2) states that the public may provide feedback online and/or offline, thereby opening opportunities for the use of digital technology, including AI, to expand public participation in the legislative process. However, the application of AI also raises legal and ethical challenges. Algorithmic systems can produce biases or hallucinations that replicate social biases, thereby risking the exclusion of minority voices and undermining the legitimacy of the public process. The issue of personal data protection is also a critical aspect that must be addressed in the implementation of Artificial Intelligence (AI), particularly when public participation in the legislative process occurs through digital public spaces. General protections for personal data must be accommodated in accordance with the provisions of Article 4 of Law No. 27 of 2022 on Personal Data Protection. These provisions regulate the types of personal data that must be protected during data processing. Therefore, the application of AI technology in managing public participation must ensure the security, confidentiality, and protection of the public's personal data to prevent misuse and remain consistent with data protection principles within Indonesia's legal system. Additionally, a lack of transparency and accountability in public AI systems raises questions regarding oversight and fairness in decision-making. Therefore, the use of AI in legislation should function as a decision-support instrument accompanied by algorithmic governance and strict oversight policies. This article, through a conceptual-normative and comparative approach, argues that AI can strengthen deliberative democracy if integrated with the principles of transparency, institutional accountability, and the protection of citizens' digital rights

Keywords : Artificial Intelligence, Deliberative Democracy, Digital Public Sphere, Public Participation, Legislation**INTRODUCTION**

The digital technology transformation has changed the dynamics of the public sphere and citizens' interactions with political institutions. The internet and social media have created a new digital public sphere that allows the public to express their political aspirations widely, without geographical boundaries. This digital public sphere can enrich deliberative democracy by expanding public participation and discourse. Within the framework of deliberative democracy, legitimate political decisions should emerge from a process of rational dialogue among citizens. Ideally, the digital public sphere serves as an open forum for communication where diverse public opinions can be discussed before being enacted into policy.

Digital public spaces play a very important role, particularly with regard to deliberative democracy and public participation. Unfortunately, in Indonesia's legislative practice, public participation is often limited to public consultations or hearings that are held in a short period of time, without clear feedback on the input provided.[1] The concept of meaningful participation is a key consideration for ensuring procedural justice in the legislative process in Indonesia. This is because the legislative process must not only focus on substantive aspects but also on procedural aspects in order to produce high-quality legislation.[2]

The House of Representatives' performance in drafting legislation over the past few years has drawn public attention. Many observers believe that the House of Representatives has tended not to adhere to the principles of good legislative drafting. One example of legislation deemed not to prioritize these principles is the drafting of Law No. 11 of 2020 on Job Creation. In fact, this law was subsequently subject to a judicial review by the Constitutional Court, and in its decision, namely Constitutional Court Decision No. 91/PUU-XVII/2020, the Court ordered the lawmaker to make amendments within a maximum period of 2 (two) years from the date the decision was issued. Constitutional Law Expert Bivitri Susanti stated that the drafting process of the Job Creation Omnibus Law violated constitutional procedures and principles. Bivitri assessed that the deliberation process for the Job Creation Bill was rushed and violated the provisions of Law No. 12 of 2011 on the Formation of Legislation, particularly regarding the principle of transparency.[3] Therefore, based on this issue, technology, particularly the digital space, can be utilized as an open forum for communication where various public opinions can be discussed before they are turned into policy.

However, the migration of aspirations to the digital public sphere is not without significant obstacles. One of the major challenges is the flow of information on social media, which tends to be polarized and very susceptible to disinformation [4]. This phenomenon often drives public opinion into fragmented "echo chambers," where rational discussion is difficult because people are trapped in mutually exclusive camps. This situation is exacerbated by the mechanisms of public participation in formal legislative processes, which, in many countries, remain merely procedural. Practices such as public hearings or limited consultations often amount to little more than a formality and fail to capture the broader spectrum of citizens' aspirations. It is this gap that creates an urgent need to find the right technological solution—a bridge capable of more effectively connecting the dynamics of the digital public sphere with formal decision-making processes.

One of the promises of AI lies in advancements in natural language processing (NLP) and big data analysis. AI can help legislative bodies manage large volumes of public input. For example, according to the Inter-Parliamentary Union, the growing volume of public feedback submitted to parliaments is increasing the workload of legislative staff, and AI can identify key themes within massive datasets of public input [5]. Therefore, AI has the potential to provide policymakers with a more representative synthesis of public input.

However, the use of AI raises critical questions regarding algorithmic bias, process transparency, and accountability for technology-influenced decisions.

METHODS

This study employs a normative-conceptual approach and a comparative approach [6]. The conceptual approach examines theories of deliberative democracy and technology governance, as well as literature on public participation in democratic systems. A comparative approach is used to review the use of AI technology in public participation across various countries, serving as a basis for learning and identifying opportunities and challenges. The primary legal sources used are laws and regulations related to the topic of this study. Meanwhile, the secondary legal sources used include academic literature and current policies related to digital democracy, artificial intelligence, and case studies on the use of AI in government. These sources consist of international journals, reports, and policy documents that are analyzed qualitatively through legal interpretation and conceptual synthesis to construct a framework for the utilization of AI in the public legislative process.

RESULTS & DISCUSSION

1. The Transformation of the Digital Public Sphere

The emergence of the internet and social media has fundamentally transformed the nature of the public sphere in modern democracies. Now, every citizen has the freedom to voice their political views and interact directly with public figures without having to navigate the often rigid barriers of traditional bureaucracy. This digital transformation opens up broad opportunities for the expansion of deliberative democracy, where the public can actively engage in policy discussions through various channels, ranging from online forums, public surveys, and digital petitions to other open-data platforms.

In this massive information ecosystem, AI serves as a potential tool for bridging the dynamics of the digital space with formal legislative processes. The primary challenge today is the sheer volume of public input, which is often difficult to manage manually. As noted by the Inter-Parliamentary Union (IPU), AI technology can greatly assist parliamentary staff in processing qualitative data from the ever-increasing aspirations of citizens. With the ability to automatically analyze databases and online sources, AI is capable of mapping out key themes from thousands of incoming submissions [7]. Therefore, the digital space that was previously susceptible to information overload can be transformed into a structured and highly valuable source of data for policy formulation.

However, without effective governance, the shift to the digital sphere can actually be a double-edged sword. Rather than strengthening democracy, the digital public sphere often presents complex challenges such as sharp polarization of opinion, the proliferation of fake news, and the fragmentation of information. The phenomenon of polarization on social media, for example, risks confining citizens within closed groups, which ultimately limits their access to healthy and objective public discourse.

Moreover, the flood of digital input demands robust verification mechanisms. We can learn from the case in the United States, where the FCC's regulatory process was once inundated with millions of fake comments generated by bots. This incident serves as a stark warning of how technology can be misused to disrupt the public participation process [4]. Therefore, although the digital space offers great opportunities for the expansion of democracy, its use must be accompanied by effective information management policies to ensure the integrity of every submission.

2. The Potential of AI in Deliberative Democracy

Artificial intelligence possesses a range of technical capabilities relevant to deliberative democracy and the legislative process. AI can process large amounts of data, learn from historical patterns, and provide valuable summaries for policymakers. Some AI functions that can enhance public participation include:

- Text Analysis and Input Classification
AI can be used to analyze public comments found in the digital public sphere, petitions, and online forums to identify key policy issues based on public discourse. Wardana & Setiyawan (2025) highlighted that AI, combined with Natural Language Processing (NLP) and legislative automation, can support faster and more accurate data-driven decision-making. [9] Similarly, Suhendarto (2025) demonstrates that AI can classify public participation, formulate policy recommendations, and align regulations to address social impacts
- Issue Ranking and Prioritization
In practical terms, AI is capable of adopting a prioritization model to identify which public concerns are most urgent and require immediate action. Through opinion mining techniques, the most dominant trends in public opinion can be filtered and brought to the forefront as critical issues on the legislative agenda. Beyond that, AI also serves as a reliable communicator with the ability to distill policy summaries into language that is far simpler and easier to understand. This step is crucial so that the general public can grasp the substance of complex draft legislation, as noted by OECD (2025). Therefore, the presence of AI can bridge the information gap that has long limited the relationship between the government and citizens, while creating opportunities for far more inclusive and meaningful public participation.
- Public Interactions (*Chatbots* dan Virtual Assistants)
AI can be used as a chatbot or virtual assistant to answer citizens' questions about the legislative process or the schedule for public consultations. Such systems provide quick and personalized access to legislative information, making it easier for citizens to participate in policy discussions. For example, a parliament could use a digital assistant to explain the status of a bill to constituents in real time.
- Sentiment and Multimedia Analysis
AI can also monitor public sentiment through social media analysis and online surveys. This allows decision-makers to gain a quantitative understanding of public reactions to specific issues. Furthermore, AI can generate informative multimedia content, such as video summaries of legislative meetings, which can help disseminate information and encourage public participation.

The application of AI in the legislative sphere demonstrates that representative institutions now have significant opportunities to map public aspirations in a far more systematic manner. The findings of Wardana (2025) emphasizes that the integration of AI can transform the legislative process, making it faster, more inclusive, and more responsive to the real needs of the public. One of the most compelling examples is the use of the "Habermas Machine" in a recent deliberative democracy project. This technology is designed to formulate consensus statements from a wide range of conflicting public opinions. This aligns with Habermas's view that Habermas always proposes public discussion among all citizens as the fundamental element of the deliberative democratic process. From his point of view, the fundamental is always the search for democratic legitimacy, through the participation of the entire citizenry in the broadest and most deliberative way possible, only in this way must political-legislative

decisions once approved be obeyed by all citizens, because they are perceived as right choices.[12] Interestingly, when using the “Habermas Machine”, which formulates consensus statements based on diverse public opinions—participants’ responses to the AI-generated statements revealed a higher level of openness compared to guidance provided by a human facilitator [5]. In general, AI is not merely a standard technical tool; it offers a new instrument capable of both expanding the scope and enhancing the quality of public discourse at every stage of the legislative process.

3. Legal and Ethical Challenges

Despite the immense potential offered, the adoption of AI within the democratic ecosystem presents a range of legal and ethical challenges that must not be overlooked. The first issue that has come under the spotlight is algorithmic bias. Considering that AI is trained using historical data, this technology carries a significant risk of reinforcing pre-existing biases or inequalities. Recent studies even confirm that AI can inherently reproduce biases to the point of creating “hallucinations” of information, as bias is, by its very nature, an inherent aspect of political reality.

In other words, AI is not a magic solution that is entirely free of bias. On the contrary, an excessive obsession with eliminating bias risks obscuring a fundamental fact: that every system—whether human-driven or machine-driven—inevitably has flaws. If AI models are not designed inclusively from the start, the aspirations of marginalized groups risk being obscured or even overlooked in the policymaking process.

The second challenge lies in the transparency and accountability of algorithms. AI-based decision-making processes often operate like “black boxes,” whose internal workings are difficult for the general public to understand. Yet, if a bill is drafted with the help of this technology, citizens have a constitutional right to know how their concerns are being addressed.

The absence of clear transparency mechanisms will only erode public trust in state institutions. Therefore, clear policy safeguards are needed to mandate algorithmic transparency in public AI systems [13]. As recommended by the Brennan Center for Justice, independent monitoring and algorithmic audits are essential to ensuring the neutrality and accuracy of AI. Additionally, labeling AI-generated content is a crucial step in keeping the public informed and preventing them from being manipulated by automated information [14].

The third issue is that legal accountability for decisions generated by AI is also complex. AI should function as a decision support system, not as a replacement for democratic debate. If a policy error occurs due to an AI recommendation, it is difficult to determine who is responsible—the technology developer or the policymaker. In this context, regulations must clarify that the final decision rests with public officials, and that AI is merely a tool. International recommendations emphasize that public institutions must continue to bear the consequences of policies, even when AI is used as a support tool.

Lastly, the use of AI also impacts citizens’ privacy and digital rights. The collection of public opinion data must comply with data protection regulations. The issue of personal data protection is also a critical aspect that must be addressed in the implementation of Artificial Intelligence (AI), particularly when public participation in the legislative process occurs through digital public spaces. Protection of personal data of a general nature must be accommodated in accordance with the provisions of Article 4 of Law No. 27 of 2022 on Personal Data Protection. These provisions regulate the types of personal data that must be

protected during data processing. Therefore, the application of AI technology in managing public participation must continue to ensure the security, confidentiality, and protection of the public's personal data to prevent misuse and remain consistent with data protection principles within Indonesia's legal system. Violations of digital rights can trigger resistance and hinder participation. Therefore, the legal framework governing AI in government must incorporate data security standards, user consent, and guarantees of non-discrimination.

4. AI and Public Participation Reform in Indonesian Legislation

The digital public sphere should ideally serve as an open forum for communication where diverse public opinions can be discussed before they become policy. This can address several challenges faced by Indonesia, particularly regarding the fulfillment of public participation in the legislative process. According to research conducted by the OECD, the challenges Indonesia still faces are as follows:

According to the study conducted by OECD, there are several challenges faced by many countries (especially Indonesia) in realizing good public consultation. *First*, there are no guidelines that can be used as a reference in organizing public consultations, including no mechanism to assess the success of holding public consultations; *Second*, long established government paradigm which consider their role is higher than society therefore public consultation is not essential (optional); *Third*, public ignorance and public awareness of the importance of participating in government.[15]

Based on the above, it is evident that there are challenges to be addressed, particularly regarding the fulfillment of public participation—specifically in terms of guidelines and mechanisms, the government's approach, and the public's lack of awareness regarding the importance of participation in governance, particularly in the legislative process. In this regard, the Constitutional Court has reinforced the importance of public participation in the formulation of legislation in its rulings, which establish the principles of meaningful participation, the right to be heard, and the right to be considered as benchmarks for the validity of the legislative process. This is reflected in the judges' reasoning in Constitutional Court Decision No. 91/PUU-VIII/2020 regarding the review of Law No. 11 of 2020 on Job Creation, which states that public participation is another issue that must be addressed and fulfilled in the lawmaking process. The opportunity for the public to participate in the lawmaking process is, in fact, also a fulfillment of the constitutional mandate that places the principle of popular sovereignty as one of the main pillars of the state, as enshrined in Article 1, paragraph (2) of the 1945 Constitution. Public participation is closely related to the principle of transparency, which is one of the principles of good legislative drafting. The principles of good legislative drafting are as follows:

Table 1. Principles of Good Law-Making

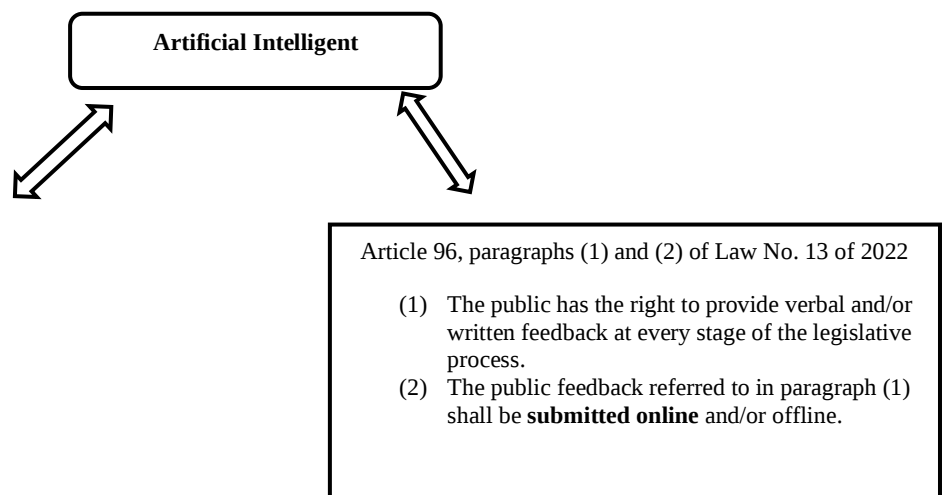
Principles of Good Law-Making (Article 5 of Law Number 12 of 2011)	
a. Clarity of Purpose	every piece of legislation must have a clear objective to be achieved.
b. The appropriate institution or appointing	every type of legislation must be enacted by an authorized state institution or legislative official. Such legislation may be annulled

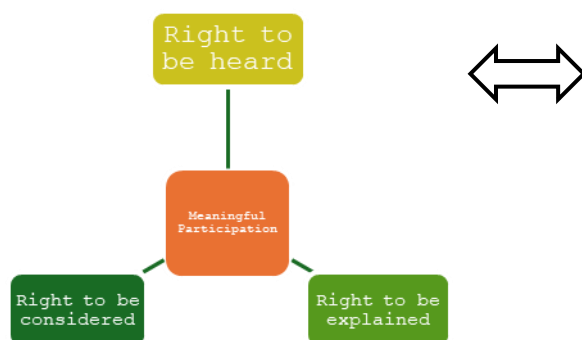
authority	or deemed null and void if enacted by an unauthorized state institution or official.
c. The compability between type, hierarchy, and material content	In the drafting of legislation, careful attention must be paid to ensuring that the content is appropriate for the type and hierarchy of the legislation.
d. Can be carried out	every piece of legislation must take into consideration its effectiveness within society—from philosophical, sociological, and legal perspectives.
e. Utility and effectiveness	every law is enacted because it is truly necessary and beneficial for regulating social, national, and state affairs.
f. Clarity of formulation	every piece of legislation must fulfill the technical requirements for drafting legislation, including its structure, choice of words or terms, and clear and easily understandable legal language, so as not to give rise to various interpretations in its implementation.
g. Transparency	in the formulation of legislation—from planning, drafting, deliberation, and enactment or adoption to promulgation—the process is transparent and open. As a result, all segments of society have the widest possible opportunity to provide input into the formulation of legislation.

Source : Law Number 12 of 2011

Based on Table 1 above, it is evident that the principle of transparency is crucial in the formulation of effective legislation. Constitutional Court Decision No. 91/PUU-VIII/2020 further explains that such meaningful public participation must meet at least three prerequisites: first, the right to be heard; second, the right to be considered; and third, the right to be explained. These public participation rights are primarily intended for community groups directly affected by or having a stake in the draft legislation under discussion. In addressing this issue, AI is available and can be utilized as a potential tool to bridge the dynamics of the digital space with the formal legislative process. The role of AI in facilitating and accommodating the fulfillment of public participation is as follows:

Figure 1. The Role of AI in Facilitating Public Participation





Source : The Author's Analysis of Constitutional Court Decision No. 91/PUU-VIII/2020 and Law No. 13 of 2022

According to Figure 1 above, it can be seen that Article 96(1) and (2) of Law No. 13 of 2022 opens the possibility of using artificial intelligence as a potential tool to bridge the dynamics of the digital space with the formal legislative process. This is reflected in the provisions of Article 96(2) of Law No. 13 of 2022, which stipulates that public input may be provided online and/or offline. From a normative legal perspective, this is entirely feasible to implement. Therefore, members of the public—whether individuals or groups directly affected by and/or having an interest in the content of draft legislation—can provide input, thereby ensuring genuine public participation and engagement. Thus, artificial intelligence (AI) can bridge the digital public sphere with formal decision-making processes, particularly in lawmaking by establishing technical legal provisions, given Article 96(1) and (2) of Law No. 13 of 2022 opens the possibility of utilizing artificial intelligence as a potential instrument to bridge the dynamics of the digital space with the formal legislative process, while still accommodating the principles of security, confidentiality, and the protection of the public's personal data to prevent misuse and remain in line with data protection principles within the Indonesian legal system..

CONCLUSION

The evolution of artificial intelligence (AI) has the potential to transform public participation in the legislative process, particularly through the management of public opinion in digital public spaces. Deliberative democracy requires a rational public discourse process to legitimize political decisions, yet traditional participation mechanisms are often formal and limited. On the other hand, digital media allows millions of citizens to express their opinions quickly, which in turn requires big data analysis. AI has the potential to process public data on a large scale through text analysis and natural language processing techniques, enabling legislative bodies to systematically identify patterns and themes in public aspirations. For example, Wardana (2025) points out that AI, combined with NLP and legislative automation, can support faster and more accurate data-driven decision-making. However, the implementation of AI also raises legal and ethical challenges. Algorithmic systems can produce biases or “hallucinations” that replicate social biases, thereby risking the exclusion of minority voices and undermining the legitimacy of public processes. Article 96, paragraphs (1) and (2) of Law No. 13 of 2022 opens the possibility of utilizing artificial intelligence as a potential instrument to bridge the dynamics of the digital space with formal legislative processes. The issue of personal data protection is also a critical aspect that must be addressed in the implementation of artificial intelligence (AI), particularly when public

participation in the legislative process occurs through digital public spaces. General protections for personal data must be accommodated in accordance with the provisions of Article 4 of Law No. 27 of 2022 on Personal Data Protection. These provisions regulate the types of personal data that must be protected during data processing. Therefore, the application of AI technology in managing public participation must ensure the security, confidentiality, and protection of the public's personal data to prevent misuse and remain consistent with data protection principles within Indonesia's legal system. Additionally, the lack of transparency and accountability in public AI systems raises questions regarding oversight and fairness in decision-making. Consequently, the use of AI in legislation should function as a decision-support tool accompanied by algorithmic governance and strict oversight policies. This article, through a conceptual-normative and comparative approach, argues that AI can strengthen deliberative democracy if integrated with the principles of transparency, institutional accountability, and the protection of citizens' digital rights.

Acknowledgment

The author would like to express gratitude to the Faculty of Law at Warmadewa University for the support and funding provided during the preparation of this article. The author also appreciates the opportunity and support provided to participate in the International Conference on Artificial Intelligence and the Digital Commons.

Author Contributions

This research was conducted with contributions from each author. The conceptualization, methodology, and analysis regarding Artificial Intelligence and Deliberative Democracy: Enhancing Public Participation in the Lawmaking Process were carried out by each author in their respective roles. All authors have read and approved the final published version of the manuscript.

Conflicts of Interest

The author declares that there are no conflicts of interest in this study. The author has no personal circumstances or interests that could be considered to unduly influence the presentation of the results of this research.

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