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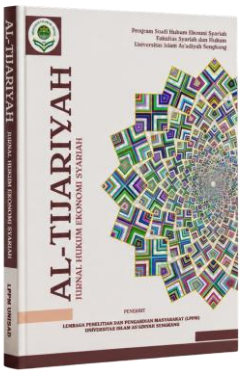

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The Ethics of Artificial Intelligence (AI) Use in Digital Marketing Strategies

Etika Penggunaan Artificial Intelligence (AI) dalam Strategi Pemasaran Digital

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Abstract

The development of Artificial Intelligence (AI) has transformed digital marketing through personalised content, automated market segmentation, chatbots, and consumer behaviour analysis. Although AI improves marketing efficiency and enables more targeted strategies, its use raises ethical concerns regarding personal data privacy, algorithmic transparency, bias, discrimination, and consumer manipulation. This study aims to examine ethical issues arising from AI-based digital marketing and identify the principles required for responsible business practices. It employs a library research method with a descriptive qualitative approach, drawing on scientific journals, books, research reports, and relevant regulations, particularly the Personal Data Protection Law. The findings indicate that AI implementation in digital marketing is not always supported by adequate ethical governance. Consumer data may be collected and processed without clear consent, while opaque algorithms limit transparency in automated decision-making and advertising practices. Furthermore, targeted advertising may exploit consumer vulnerabilities, and biased training data can result in discriminatory outcomes. These issues highlight the importance of implementing transparency, accountability, fairness, privacy protection, data security, and social responsibility in AI-based marketing. This study concludes that technological innovation must be balanced with ethical considerations to ensure responsible and sustainable digital marketing. Therefore, business actors need to establish effective AI governance to protect consumer rights, maintain public trust, and ensure that technological advancements generate benefits not only for businesses but also for society.

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Keywords: Artificial Intelligence, Digital Marketing, Business Ethics, Data Privacy, Algorithmic Transparency.

Abstrak

Perkembangan Artificial Intelligence (AI) telah mendorong perubahan dalam pemasaran digital melalui personalisasi konten, segmentasi pasar, chatbot, dan analisis perilaku konsumen. Meskipun mampu meningkatkan efisiensi dan ketepatan strategi pemasaran, penggunaan AI juga menimbulkan persoalan etika, terutama terkait privasi data pribadi, transparansi algoritma, bias, diskriminasi, serta manipulasi konsumen. Penelitian ini bertujuan menganalisis permasalahan etika dalam penggunaan AI pada strategi pemasaran digital serta mengidentifikasi prinsip-prinsip yang perlu diterapkan oleh pelaku usaha. Penelitian menggunakan metode studi kepustakaan (library research) dengan pendekatan deskriptif kualitatif melalui penelaahan jurnal ilmiah, buku, laporan penelitian, dan peraturan terkait, khususnya Undang-Undang Perlindungan Data Pribadi. Hasil kajian menunjukkan bahwa penerapan AI dalam pemasaran digital belum sepenuhnya didukung tata kelola etis yang memadai. Pengumpulan dan pemanfaatan data konsumen berpotensi dilakukan tanpa persetujuan yang jelas, sedangkan algoritma yang kurang transparan menyulitkan konsumen memahami proses pengambilan keputusan dan penargetan iklan. Selain itu, iklan tertarget dapat mengeksploitasi kerentanan konsumen, sementara bias data berpotensi menghasilkan diskriminasi. Oleh karena itu, diperlukan penerapan prinsip transparansi, akuntabilitas, keadilan, perlindungan privasi, keamanan data, dan tanggung jawab sosial. Penelitian ini menyimpulkan bahwa inovasi AI dalam pemasaran digital perlu diimbangi dengan etika bisnis dan tata kelola yang bertanggung jawab guna melindungi hak konsumen, menjaga kepercayaan publik, serta mewujudkan praktik pemasaran yang adil dan berkelanjutan.

***Kata-kata Kunci**: Artificial Intelligence, pemasaran digital, etika bisnis, privasi data, transparansi algoritma.*

Introduction

The development of digital technology has changed marketing activity patterns and encouraged business actors to utilise Artificial Intelligence (AI) to enhance the effectiveness of marketing strategies. AI can be used in various activities, such as analysing consumer data, personalising advertisements, identifying target markets, and predicting consumer behaviour. (Sukoco, 2026). This development is supported by the increasing use of the internet in Indonesia. Based on the 2026 Indonesian Internet Profile Survey, the Indonesian Internet Service Providers Association (APJII) recorded the number of internet users in Indonesia reaching 235,261,078 people with a penetration rate of 81.72%. The high internet usage creates opportunities for business actors to utilise AI-based technology to reach consumers more accurately and efficiently. (APJII Survey Portal, n.d.).

The use of AI in digital marketing not only benefits business actors but also raises ethical issues in the use of technology and consumer data. Processing large amounts of data can pose risks if carried out without regard to privacy, security, transparency, and user interests. The Indonesian government, through the Circular Letter of the Minister of Communication and Informatics Number 9 of 2023 concerning Ethics of Artificial Intelligence, emphasises that the implementation of AI must consider the values of inclusivity, humanity, security, accessibility, transparency, credibility and accountability, as well as personal data protection. These provisions indicate that the use of AI by business actors must be accompanied by responsibility to prevent misuse of technology and losses to users. (Hasanah, 2023).

This issue is becoming increasingly important in digital marketing because AI can be used to process information about consumer characteristics and behaviour as a basis for marketing decision-making. The use of consumer data without proper management can raise issues regarding the limits of companies' authority in collecting and using personal information. In this regard, Law Number 27 of 2022 concerning Personal Data Protection (PDP Law) provides a legal basis

regarding the rights of personal data subjects, personal data processing, obligations of data controllers and processors, data security, and sanctions for violations. The PDP Law places personal data protection as part of efforts to guarantee the constitutional rights of data subjects in the process of personal data processing (Personal Data Protection | Regulation Database | JDIH BPK, n.d.-a).

Besides data protection aspects, the development of AI in Indonesia also shows a need for more comprehensive governance. The Ministry of Communication and Digital will prepare the White Paper on the National Artificial Intelligence Roadmap and the Concept of Ethical Guidelines for Artificial Intelligence in 2025 as part of efforts to promote inclusive, sustainable, safe, and responsible AI utilisation. The government is also continuing to draft national regulations on AI ethics and the roadmap by 2026. These policy developments indicate that AI utilisation needs to be accompanied by governance principles that can safeguard security, user rights, and public trust. (Berita Kini - Public Consultation on the White Paper on the National Artificial Intelligence Roadmap and Concept of Artificial Intelligence Ethics Guidelines, n.d.).

Based on the above explanation, the use of AI in digital marketing strategies needs to be viewed not only from its benefits for efficiency and achieving business goals but also from the ethical responsibility of business actors towards consumers. Therefore, this study discusses the ethics of using Artificial Intelligence (AI) in digital marketing strategies by focusing on the principles of transparency, security, personal data protection, fairness, and accountability. This discussion is linked to Law Number 27 of 2022 concerning Personal Data Protection and the Minister of Communication and Information Technology Circular Letter Number 9 of 2023 concerning Artificial Intelligence Ethics to examine how the utilisation of AI in digital marketing can be carried out effectively while being responsible and respecting consumer rights.

Problem Formulation

1. What ethical issues arise in the use of Artificial Intelligence (AI) in digital marketing strategies?
2. How are the principles of business ethics and applicable legal provisions applied in the use of AI in digital marketing strategies to protect consumer rights?

Research Objectives

1. To analyse ethical issues arising from the use of Artificial Intelligence (AI) in digital marketing strategies.
2. To analyse the application of business ethics principles and applicable legal provisions in the use of AI in digital marketing strategies to protect consumer rights.

Literature Review

Digital marketing uses AI to automate, analyse, and predict marketing actions based on data. AI-based digital marketing also enables marketers to evaluate campaign performance in real-time so that strategies can be adjusted more quickly and accurately. Thus, the decision-making process no longer relies solely on intuition but is supported by accurate and sustainable performance metrics. (Aditya Nirwana et al., 2023, p. 5).

In business ethics, businesses must be conducted based on moral norms, which Keraf formulated into five principles: autonomy, honesty, justice, common interest, and moral integrity. The literature notes that these principles face threats in the context of artificial intelligence. These threats arise when algorithmic systems make business decisions without clear accountability, making the principles of responsibility and fairness difficult to enforce for the affected parties (Hamid & Zubair, 2019, p. 13). Therefore, an ethical framework based on muamalah values is seen as important as a normative guideline for digital business actors so that practices such as algorithmic fraud and misleading advertising can be prevented.

From a legal perspective, the use of AI in marketing is not yet regulated in separate laws, so its assessment relies on sectoral regulations: the PDP Law for personal data processing, the Consumer Protection Law and Government Regulation Number 80 of 2019 for information and promotion, as well as the Minister of Communication and Information Technology Circular Number 9 of 2023 as ethical guidelines.

Results and Discussion

Ethical Issues in the Use of AI in Digital Marketing Strategies

The application of Artificial Intelligence (AI) has brought significant changes to digital marketing strategies, especially through consumer behaviour analysis, ad personalisation, product recommendation presentation, and automated communication with customers. These capabilities enable business actors to develop more targeted and efficient marketing strategies based on consumer data. Nevertheless, the use of AI also raises several ethical issues, particularly concerning privacy protection, information transparency, algorithmic fairness, and potential manipulation of consumer behaviour. (Pratama, 2025, pp. 3–4).

The first ethical issue relates to privacy violations and misuse of personal data. AI-based marketing generally requires data collection and processing to understand consumer preferences, shopping habits, and needs. (Silaen & Riofita, 2026). However, problems arise if data is obtained without adequate consent, used outside the original purpose of collection, or distributed to third parties without a clear legal basis. This condition has the potential to reduce consumer control over their personal information. Therefore, the use of consumer data for advertising personalisation must consider processing purposes, legal basis, information transparency, and data security. This policy aligns with Law Number 27 of 2022 concerning Personal Data Protection, which regulates the rights of data subjects as well as the obligations of controllers and processors of personal data in processing data.

The next ethical issue is the lack of transparency and honesty in marketing communication. AI systems can produce advertisements, product descriptions, reviews, or recommendations that appear convincing, but are not necessarily entirely accurate. Ethical risks increase if AI-generated content contains excessive claims, misleading information, or does not disclose that consumers are interacting with automated systems. As a result, consumers may make purchase decisions based on incomplete or unaccountable information. Therefore, promotional information must be delivered honestly and accurately, and it must not hide facts that could influence consumer decisions. The principles of transparency and credibility are also emphasised in AI ethics policies in Indonesia, which encourage AI-generated information to be trusted and accountable to the public. (Saputra, n.d.).

The third ethical issue relates to algorithmic bias and manipulation of consumer behaviour. AI can group consumers based on certain behavioural patterns or characteristics to determine the ads shown. If training data contains bias, the system has the potential to produce unfair recommendations or exclude certain consumer groups. Additionally, overly aggressive personalisation can be exploited to encourage impulsive purchases, for example through repeated ad impressions, recommendations exploiting consumer weaknesses, or promotional messages that create pressure to buy immediately. Such practices become unethical if they reduce consumers' freedom to assess their needs and financial capabilities. (Karami et al., 2024, pp. 13–14) This emphasises that bias and manipulation are significant risks in AI-based marketing personalisation; therefore, the use of algorithms must prioritise the principle of fairness and respect consumer autonomy.

Based on this explanation, the use of AI in digital marketing cannot be judged solely by increased sales or business efficiency, but also by its impact on consumer protection. The Circular Letter of the Minister of Communication and Informatics Number 9 of 2023 concerning Artificial Intelligence Ethics emphasises the values of transparency, security, inclusivity, credibility, accountability, and

personal data protection as the foundation for the development and utilisation of AI. These principles can serve as ethical references for business actors in managing AI-based digital marketing strategies. Thus, the development of digital marketing strategies must ensure that technology is used responsibly, not misleadingly, and without harming consumers. The application of business ethics principles and compliance with legal provisions are important steps to realise fair, safe, and sustainable digital marketing.

Application of Business Ethics Principles in AI-Based Digital Marketing

The use of Artificial Intelligence (AI) in digital marketing needs to be based on business ethics principles so that technological efficiency does not sacrifice consumer rights protection. AI can be utilised to analyse customer preferences, create personalised advertisements, and produce promotional content more efficiently. However, its implementation must still consider the values of honesty, transparency, fairness, responsibility, and consumer privacy. The application of these principles becomes increasingly important because personal data collected for personalisation purposes can be used non-transparently if not accompanied by adequate regulations and honest communication with consumers. Therefore, companies need to build accountable data governance mechanisms and ensure that every algorithm-based personalisation practice can be audited and accounted for to the public. (Sholihah & Putra, 2026).

The principles of honesty and transparency require business actors to ensure that information about products, prices, benefits, and promotional claims generated by AI has been verified before publication. AI technology must not be used as a means to spread false information, create fictitious testimonials, or disguise advertisements as if they are authentic consumer reviews. If the use of AI has the potential to affect consumers' understanding of content, business actors need to provide adequate transparency regarding the use of the technology. This step aligns with the Circular Letter of the Minister of Communication and Informatics Number 9 of 2023 concerning Ethics of Artificial Intelligence, which places transparency, credibility, and accountability as the main values in the

implementation of AI (Circular Letter of the Minister of Communication and Informatics Number 9 of 2023, n.d.).

Responsibility and accountability affirm that business actors remain responsible for advertising content, product recommendations, and all marketing activities using AI, even though part of the process has been automated. The application of this principle includes checking AI output, evaluating risks before campaigns are run, human supervision, as well as providing complaint and remediation mechanisms if consumers suffer losses. (Judijanto & Harsya, 2025). This provision is important because decisions produced by algorithms are not always accurate and may contain bias. Therefore, the use of AI must be accompanied by adequate supervision so that every marketing decision remains accountable.

Justice and respect for consumer autonomy demand that ad personalisation truly helps consumers find products that suit their needs, not exploit psychological weaknesses or push purchases through misleading pressure. Business actors need to regularly evaluate algorithms to reduce potential discrimination against certain consumer groups and avoid manipulative marketing techniques, such as false product scarcity claims or urgent messages that do not match the facts. (Fitriasari & Wardiono, 2026). This principle places consumers in the position to make conscious decisions without undue coercion.

Consumer privacy and data protection require that the use of AI to analyse shopping behaviour must be supported by legitimate data management, limited to clear purposes, and protected from unauthorised access or exploitation. Business actors need to explain the purpose of data collection, ensure an appropriate legal basis for processing, maintain information security, and respect consumer rights as personal data subjects. This principle aligns with Law Number 27 of 2022 concerning Personal Data Protection, which regulates the rights of data subjects as well as the obligations of controllers and processors of personal data (Personal Data Protection | Regulation Database | JDIH BPK, n.d.-b, pp. 35–36). Thus, consumer data should not be treated merely as an instrument to enhance

advertising effectiveness, but rather as information whose processing must respect the rights and dignity of individuals. Penerapan etika bisnis dalam pemasaran digital berbasis AI memerlukan integrasi antara kejujuran, transparansi, akuntabilitas, keadilan, dan perlindungan privasi. Nilai-nilai tersebut perlu diterjemahkan ke dalam kebijakan internal perusahaan, proses pemeriksaan konten, pengawasan algoritma, serta mekanisme penanganan keluhan konsumen. Pendekatan tersebut memungkinkan pelaku usaha memanfaatkan AI secara bertanggung jawab sekaligus mempertahankan kepercayaan konsumen. Namun, komitmen etika bisnis perlu didukung oleh kepatuhan terhadap ketentuan hukum yang berlaku agar perlindungan konsumen tidak berhenti pada komitmen sukarela perusahaan.

Legal Review of AI Use and Consumer Rights Protection

The use of Artificial Intelligence (AI) in digital marketing is not only related to business ethics but must also pay attention to legal compliance and consumer protection. The use of AI to analyse behaviour, process personal data, provide recommendations, and display advertisements must be carried out in accordance with applicable regulations. This aims to prevent consumer losses, especially related to privacy, data security, information accuracy, and freedom of choice.

One of the legal bases regulating this aspect is Law Number 27 of 2022 concerning Personal Data Protection (PDP Law). Article 20 requires a valid legal basis for processing personal data. Therefore, the use of consumer data for AI analysis must be accompanied by clarity of the processing objectives. Consumers also have the right to withdraw consent, access data, and file objections to automatic decisions that cause legal consequences or significant impacts on themselves.

The use of AI must also comply with the provisions of Law Number 8 of 1999 concerning Consumer Protection. Article 4 guarantees consumers' rights to obtain true, clear, and honest information about goods or services. This provision applies to advertisements, product recommendations, and promotional information generated by AI. Thus, business actors are obliged to ensure that marketing

content does not contain misleading information, excessive claims, or information that does not correspond to the product's condition. (Consumer Protection| Regulation Database | JDIH BPK, n.d., pp. 9-10–17).

This provision is reinforced by Government Regulation Number 80 of 2019 concerning Trade Through Electronic Systems. Article 13 paragraph (1) requires business actors to provide and convey true, clear, and honest information regarding the identity of legal subjects as well as the conditions and guarantees of the traded goods and/or services, while also complying with advertising ethics provisions. Thus, the use of artificial intelligence in creating advertisements and promotions remains the responsibility of business actors. Marketing automation does not eliminate legal obligations if the content produced is misleading or harmful to consumers. (Consumer Protection | Regulation Database | JDIH BPK, n.d., p. 13).

In addition, the Circular Letter of the Minister of Communication and Informatics Number 9 of 2023 concerning Artificial Intelligence Ethics serves as a guideline for AI usage that contains the principles of inclusivity, transparency, humanity, security, credibility, accountability, and personal data protection. In digital marketing, these principles can be realised through openness in AI use, consumer data security, and oversight of information and recommendations generated by the system. However, this circular serves as an ethical guideline and therefore does not replace legal obligations under legislation.

Conclusion

The use of Artificial Intelligence (AI) in digital marketing strategies provides benefits such as efficiency, targeting accuracy, and the ability to analyse consumer behaviour. However, its use also raises three main ethical issues. First, privacy violations and misuse of personal data occur when data is collected without adequate consent, used for purposes beyond its original purpose, or shared with third parties without a clear legal basis. Second, lack of transparency and honesty in marketing communication, such as AI content containing exaggerated or misleading claims and the absence of information that consumers interact with

automated systems. Third, algorithmic bias and manipulation of consumer behaviour, which can cause discrimination and encourage impulsive buying by exploiting consumer weaknesses. All three show that the success of AI-based marketing cannot be measured solely by sales increases but also by its impact on consumer protection.

To address these issues, business actors need to apply business ethics principles consistently. The principles of honesty and transparency require verifying all information and promotional claims generated by AI, as well as being open about the use of the technology. The principles of responsibility and accountability affirm that business actors remain responsible for all AI outputs, through human supervision, risk evaluation, and the provision of complaint mechanisms. The principles of fairness and respect for consumer autonomy demand regular algorithm evaluations and avoidance of manipulative techniques. The principles of privacy and data protection require legitimate data management, limited to clear and secure purposes. These values need to be realised in the company's internal policies, not stop at normative commitments.

Dari sisi hukum, penggunaan AI dalam pemasaran digital belum diatur dalam undang-undang tersendiri sehingga penilaiannya bertumpu pada peraturan sektoral. UU Nomor 27 Tahun 2022 tentang Pelindungan Data Pribadi mensyaratkan dasar hukum yang sah dalam pemrosesan data dan menjamin hak subjek data. UU Nomor 8 Tahun 1999 tentang Perlindungan Konsumen serta PP Nomor 80 Tahun 2019 tentang Perdagangan Melalui Sistem Elektronik menjamin hak konsumen atas informasi yang benar, jelas, dan jujur. Adapun SE Menkominfo Nomor 9 Tahun 2023 tentang Etika Kecerdasan Artifisial berfungsi sebagai pedoman etika yang tidak menggantikan kewajiban hukum dalam peraturan perundang-undangan. Otomatisasi pemasaran tidak menghapus tanggung jawab hukum pelaku usaha apabila konten yang dihasilkan menyesatkan atau merugikan konsumen.

Dengan demikian, pemasaran digital berbasis AI harus menyeimbangkan inovasi teknologi dengan etika bisnis dan kepatuhan hukum. Pelaku usaha

disarankan membangun tata kelola AI yang bertanggung jawab agar praktik pemasaran tetap adil, berkelanjutan, dan melindungi hak konsumen. Bagi penelitian selanjutnya, kajian empiris tentang penerapan prinsip-prinsip tersebut pada perusahaan tertentu serta perkembangan regulasi AI nasional dapat melengkapi kajian kepustakaan ini.

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Dengan demikian, pemasaran digital berbasis AI harus menyeimbangkan inovasi teknologi dengan etika bisnis dan kepatuhan hukum. Pelaku usaha disarankan membangun tata kelola AI yang bertanggung jawab agar praktik pemasaran tetap adil, berkelanjutan, dan melindungi hak konsumen. Bagi penelitian selanjutnya, kajian empiris tentang penerapan prinsip-prinsip tersebut pada perusahaan tertentu serta perkembangan regulasi AI nasional dapat melengkapi kajian kepustakaan ini.

From a legal perspective, the use of AI in digital marketing is not yet regulated in its own law, so its assessment relies on sectoral regulations. Law Number 27 of 2022 concerning Personal Data Protection requires a valid legal basis for data processing and guarantees the rights of data subjects. Law Number 8 of 1999 concerning Consumer Protection and Government Regulation Number 80 of 2019 concerning Trade Through Electronic Systems guarantee consumers' rights to

true, clear, and honest information. Meanwhile, the Minister of Communication and Information Technology's Circular Letter Number 9 of 2023 concerning Artificial Intelligence Ethics functions as an ethical guideline that does not replace legal obligations in legislation. Marketing automation does not remove the legal responsibility of business actors if the content produced is misleading or harms consumers.

Thus, AI-based digital marketing must balance technological innovation with business ethics and legal compliance. Business actors are advised to build responsible AI governance so that marketing practices remain fair, sustainable, and protect consumer rights. For future research, empirical studies on the application of these principles in specific companies, as well as developments in national AI regulations, can complement this literature review.

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