



The Right to Explanation in Artificial Intelligence–Based Decision-Making: A Normative Perspective on Due Process and Legal Accountability

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Abstract

The increasing adoption of artificial intelligence (AI) in legally significant decision-making has generated fundamental challenges concerning procedural fairness, transparency, and legal accountability. This article examines the juridical status of the right to explanation in AI-based decision-making through a normative and doctrinal legal research approach supported by comparative analysis of contemporary regulatory frameworks and legal theories. The study analyzes international legal instruments, administrative law principles, data protection regulations, accountability doctrines, and scholarly debates addressing explainability, due process, and algorithmic governance. The findings demonstrate that explanation performs a constitutive legal function within procedural justice by enabling meaningful participation, contestation, review, and accountability. Existing legal frameworks increasingly recognize the necessity of explainability, although regulatory approaches remain fragmented regarding its normative scope and enforceability. The analysis further reveals that accountability for AI-generated decisions must remain attached to identifiable human and institutional actors, regardless of technological complexity. Recognition of the right to explanation as an enforceable procedural guarantee strengthens legality, safeguards individual rights, and preserves rule-of-law values within automated governance systems. The study contributes a coherent normative framework connecting explainability, due process, and legal accountability in contemporary AI regulation.

Keywords: Artificial Intelligence, Right to Explanation, Due Process, Legal Accountability, Algorithmic Governance.



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INTRODUCTION

The rapid diffusion of artificial intelligence (AI) into decision-making environments that were historically governed by human discretion has transformed the architecture of legal, administrative, financial, and judicial governance across jurisdictions, generating unprecedented debates concerning transparency, procedural fairness, and institutional accountability. Contemporary AI systems are increasingly entrusted with functions ranging from credit scoring and welfare allocation to predictive policing, judicial assistance, and administrative adjudication, reflecting a broader transition toward algorithmically mediated governance in both public and private sectors. While these technological developments promise enhanced efficiency, consistency, and scalability of decision-making processes, they simultaneously challenge foundational legal principles that presuppose the intelligibility of reasons underlying authoritative decisions. Scholarly discussions have consequently shifted from questions of technical capability toward normative concerns regarding whether individuals affected by automated decisions possess a legally protected entitlement to understand the rationale behind such determinations. This concern has acquired heightened significance as AI systems become embedded within governmental decision-making structures, public administration, and dispute resolution mechanisms, where procedural legitimacy traditionally depends upon reason-giving obligations and opportunities for meaningful contestation (Heriansyah, 2024; Salsabila et al., 2024; Aristawati et al., 2026; Mecca et al., 2025).

Existing scholarship has produced a substantial body of literature examining the legal implications of AI deployment, particularly in relation to privacy protection, data governance,

administrative transparency, and institutional responsibility. Studies investigating AI-driven public decision-making emphasize the capacity of automated systems to improve administrative efficiency while simultaneously exposing citizens to opaque decision-making processes that are difficult to scrutinize through conventional legal mechanisms (Salsabila et al., 2024; Heriansyah, 2024). Research on data protection frameworks further demonstrates that algorithmic decision-making relies heavily upon large-scale data processing practices, creating significant tensions between technological innovation and individual informational autonomy (Judijanto et al., 2024; Wulandari, 2025; Kirana & Silalahi, 2025). Parallel analyses within financial and commercial contexts reveal that AI-generated decisions may produce tangible legal harms, particularly when automated assessments affect access to credit, economic opportunities, or contractual relationships, thereby necessitating clearer attribution of legal responsibility among developers, operators, and institutional users of algorithmic systems (Fitrianto, 2025). Collectively, these studies converge on the proposition that transparency constitutes a critical condition for preserving legal legitimacy in AI governance, yet they diverge regarding the precise normative content, scope, and enforceability of transparency obligations.

Despite these important contributions, the literature remains characterized by significant conceptual fragmentation concerning the relationship between transparency requirements and the emerging notion of a right to explanation. A considerable proportion of existing studies conceptualizes transparency primarily as a data protection concern, focusing on information disclosure obligations rather than examining explanation as an independent procedural right grounded in principles of due process and legal accountability (Kirana & Silalahi, 2025; Wulandari, 2025; Judijanto et al., 2024). Other contributions emphasize institutional responsibility for AI-assisted decisions but frequently treat explainability as a technical feature rather than a normative legal requirement capable of enabling effective review, challenge, and remediation of potentially erroneous decisions (Fitrianto, 2025; Mecca et al., 2025). The resulting analytical landscape reveals an unresolved tension between technological conceptions of explainable AI and legal conceptions of reason-giving obligations. Equally important, the majority of contemporary discussions remain oriented toward sector-specific applications of AI, leaving insufficient theoretical engagement with the broader jurisprudential question of whether the right to explanation should be understood as an indispensable component of procedural justice applicable across diverse domains of algorithmic governance (Taufiqurrahman, 2025; Heriansyah, 2024).

The persistence of these conceptual ambiguities carries profound implications for both legal theory and regulatory practice because opaque algorithmic decisions possess the capacity to affect fundamental rights while simultaneously obscuring the causal pathways through which legal consequences are imposed. When individuals are unable to understand the reasons underlying decisions that influence their liberty, property, reputation, access to services, or procedural standing, traditional safeguards associated with due process become increasingly difficult to operationalize. The challenge extends beyond concerns regarding technical opacity, as the absence of meaningful explanations can weaken judicial review, hinder administrative accountability, and undermine public confidence in institutions that rely upon automated systems. Contemporary debates regarding transparency in AI-assisted administrative decisions increasingly acknowledge that explanation serves not merely as an informational mechanism but as a structural condition for the exercise of procedural rights, including the right to contest, appeal, and obtain remedies against potentially unlawful decisions (Taufiqurrahman, 2025; Heriansyah, 2024). Similar concerns emerge in discussions surrounding AI applications within judicial and dispute-resolution settings, where legitimacy depends not only upon accurate outcomes but also upon the demonstrable fairness of the reasoning process itself (Aristawati et al., 2026; Mecca et al., 2025).

Against this backdrop, the present study positions itself within the growing interdisciplinary discourse on AI governance by shifting analytical attention from general transparency obligations toward the normative foundations of the right to explanation as an essential element of due process and legal accountability. Rather than treating explainability as a subsidiary aspect of data protection compliance or technological design, this research conceptualizes the right to explanation as a distinct legal construct situated at the intersection of procedural justice, rule-of-law values, and accountability theory. Such a perspective enables a more rigorous examination of whether existing legal approaches adequately address the justificatory deficit created by algorithmic decision-making and whether traditional principles of reasoned decision-making can be adapted to emerging forms of automated

governance. The study consequently seeks to bridge the divide between doctrinal discussions concerning procedural fairness and contemporary debates regarding AI regulation by developing a coherent normative framework through which explanation can be evaluated as a legally enforceable entitlement rather than a discretionary governance practice.

This research aims to critically examine the legal foundations, normative justification, and doctrinal implications of the right to explanation in AI-based decision-making through the lens of due process and legal accountability. The study contributes theoretically by articulating a principled framework that reconceptualizes explanation as a constitutive requirement of procedural legitimacy within algorithmic governance. It contributes methodologically by employing a normative legal analysis that integrates procedural justice theory, accountability principles, and contemporary AI governance scholarship into a unified analytical model capable of evaluating the adequacy of existing legal responses to automated decision-making. Through this approach, the research seeks to advance scholarly understanding of how legal systems can preserve transparency, contestability, and accountability in increasingly automated environments while maintaining fidelity to the fundamental values of the rule of law.

RESEARCH METHODS

This study adopts a non-empirical legal research design grounded in a normative and doctrinal methodology, complemented by a comparative examination of contemporary regulatory and theoretical developments concerning artificial intelligence governance. The research relies exclusively on secondary legal materials, including international legal instruments, statutory frameworks, regulatory guidelines, judicial and quasi-judicial interpretations, scholarly literature on artificial intelligence and administrative law, as well as academic works addressing due process, procedural justice, transparency, explainability, and legal accountability. Particular attention is devoted to normative sources governing automated decision-making and algorithmic accountability, including transnational regulatory models and emerging legal standards that articulate transparency obligations in AI-based systems. The selection of these materials is intended to facilitate a comprehensive examination of the legal foundations and conceptual evolution of the right to explanation within modern algorithmic governance.

The analytical framework is constructed through doctrinal legal analysis and normative interpretation, employing conceptual, systematic, and comparative methods to evaluate the juridical status of the right to explanation in relation to due process and legal accountability. The study interprets legal norms and theoretical doctrines through a rule-of-law perspective, examining the extent to which explanation functions as a constitutive element of procedural fairness, effective review, and institutional responsibility in automated decision-making. Comparative analysis is utilized to identify convergences and divergences among existing legal approaches, while conceptual analysis is employed to clarify the relationship between transparency, explainability, accountability, and procedural legitimacy. The interpretative process is directed toward developing a coherent normative framework capable of assessing whether current legal regimes adequately protect individuals affected by AI-generated decisions and whether the right to explanation should be recognized as an enforceable procedural guarantee within contemporary legal systems.

RESULTS AND DISCUSSION

Reconceptualizing the Right to Explanation as an Enforceable Procedural Guarantee in Contemporary AI Governance

The juridical debate concerning the right to explanation in artificial intelligence-based decision-making originates from a broader transformation of public and private governance structures in which algorithmic systems increasingly perform functions traditionally exercised by human decision-makers. Legal systems historically grounded procedural legitimacy upon the obligation of public authorities and private actors to provide intelligible reasons for decisions affecting rights and obligations. Contemporary AI architectures challenge this foundational assumption because machine-learning models frequently generate outputs through computational processes that are inaccessible to affected individuals and, in certain circumstances, even to system operators themselves. The doctrinal significance of this development extends beyond technical opacity because the absence of legally meaningful explanations directly affects the procedural guarantees embedded within due process traditions. Scholarly analyses consistently argue that explanation constitutes a normative prerequisite

for accountability, contestability, and procedural fairness rather than a merely technical attribute of algorithmic systems (Doshi-Velez et al., 2017; Deeks, 2019; Kim & Routledge, 2022).

The concept of due process has traditionally required notice, participation, reason-giving, and reviewability as indispensable elements of lawful decision-making. International human rights law reflects these requirements through provisions such as Article 8 of the Universal Declaration of Human Rights and Article 14 of the International Covenant on Civil and Political Rights, which emphasize procedural protections against arbitrary exercises of power. Similar normative commitments appear within administrative law traditions that recognize the obligation of authorities to justify decisions affecting individual legal interests. AI-assisted decisions introduce a structural challenge because automated systems can produce outcomes without generating explanations capable of satisfying established standards of procedural fairness. The resulting tension concerns not technological innovation itself but the compatibility of algorithmic governance with pre-existing constitutional commitments to due process and legality (Butt, 2024; Suksi, 2021).

Interpretation of Article 22 of the General Data Protection Regulation reveals one of the most influential contemporary legal frameworks addressing automated decision-making. Academic debates initially characterized Article 22 as establishing a right to explanation, although subsequent doctrinal analyses demonstrated that the regulation more accurately creates rights relating to human intervention, contestation, and protection against exclusively automated decisions. The legal significance of this distinction remains substantial because explanation operates as the practical mechanism through which contestation rights become meaningful. Normative interpretation of Articles 13, 14, and 15 GDPR further suggests that information concerning the logic involved in automated processing forms an essential element of procedural transparency. Legal scholarship consequently regards explanation as an implicit procedural guarantee necessary for the effective exercise of substantive and procedural rights (Bayamlioğlu, 2022; Gacutan & Selvadurai, 2020).

The doctrinal relationship between explanation and legality becomes particularly evident when examined through rule-of-law theory. Classical legality requires decisions affecting rights to be predictable, reviewable, and capable of justification through legally recognizable reasons. Algorithmic outputs that cannot be meaningfully explained risk transforming lawful authority into a form of technological discretion lacking adequate juridical control. Such circumstances generate concerns regarding arbitrary decision-making because affected individuals cannot evaluate whether relevant legal standards have been correctly applied. Jurisprudential scholarship increasingly associates explainability with the preservation of legality in technologically mediated governance environments (de Oliveira Fornasier, 2022; Canalli, 2024).

Comparative analysis demonstrates that multiple jurisdictions have begun integrating transparency and explainability requirements into emerging AI governance frameworks. The European Union Artificial Intelligence Act adopts a risk-based regulatory architecture emphasizing transparency obligations for high-risk AI systems. Regulatory developments within democratic jurisdictions similarly reflect growing recognition that automated decisions affecting legal interests require procedural safeguards capable of preserving individual autonomy and accountability mechanisms.

The comparative trend indicates convergence around the principle that explainability performs a juridical rather than exclusively technical function. Normative developments increasingly treat explanation as a legal instrument for safeguarding procedural legitimacy within automated governance structures (Fatima, Narveen, & Schneider, 2025; Satyo et al., 2026). The systematic relationship between due process and explainability may be illustrated through the following normative mapping of relevant legal standards and procedural requirements.

Table 1. Normative Mapping of Explainability Requirements and Due Process Guarantees in International and Administrative Legal Frameworks

Legal Instrument	Relevant Provision	Due Process Element	Explainability Function
GDPR	Arts. 13, 14, 15, 22	Information contestation rights	and Disclosure of decision logic
ICCPR	Art. 14	Fair hearing	Ability to challenge decisions

Legal Instrument	Relevant Provision	Due Process Element	Explainability Function
UDHR	Art. 8	Effective remedy	Access to justificatory reasons
EU AI Act	Transparency obligations	Procedural safeguards	Risk-based explanation duties
Administrative Doctrine	Law Reason-giving principle	Accountability	Reviewability of decisions

The table demonstrates that explanation functions as a connecting mechanism between transparency obligations and procedural rights rather than as an isolated legal entitlement. Normative interpretation of these instruments reveals a recurring legal expectation that affected individuals must possess sufficient information to understand and challenge decisions. Procedural fairness loses substantive effectiveness when decision subjects cannot identify the reasons underlying adverse outcomes. Legal accountability correspondingly depends upon the existence of explanations capable of supporting review and correction processes. The doctrinal architecture of due process consequently presupposes a meaningful degree of explainability.

The significance of explanation becomes more apparent when analyzed through contestation theory. Procedural rights are not exhausted by the opportunity to object because effective contestation requires access to information capable of revealing potential errors, biases, or unlawful considerations. An unexplained decision deprives affected individuals of the evidentiary basis necessary to formulate legal objections. Rights of appeal and review become formally available yet practically ineffective under conditions of algorithmic opacity. Contemporary scholarship therefore conceptualizes explainability as a prerequisite for meaningful contestation within AI-mediated governance systems (Metikos & Van Domselaar, 2025; Bayamlıoğlu, 2022).

Indonesian legal developments reinforce this interpretation despite the absence of a dedicated statutory right to explanation in AI governance. Law Number 30 of 2014 concerning Government Administration establishes principles requiring administrative decisions to comply with legality, transparency, and accountability standards. Article 10 recognizes principles of good governance, while provisions relating to administrative decisions presuppose the existence of reasons capable of judicial examination. Governmental reliance upon AI-generated recommendations does not extinguish these obligations because technological mediation cannot derogate from constitutional and administrative guarantees. The normative implications become increasingly significant as public authorities adopt AI-assisted systems within decision-making processes (Heriansyah, 2024; Taufiqurrahman, 2025).

Doctrinal examination of procedural justice theory further supports recognition of the right to explanation as an independent legal value. Procedural legitimacy depends not solely upon outcome accuracy but also upon the perceived fairness of the decision-making process. Individuals are more likely to accept adverse outcomes when decision-makers provide intelligible reasons demonstrating that relevant considerations were evaluated fairly. Algorithmic systems that generate legally consequential decisions without accessible explanations risk undermining trust in institutions and weakening democratic accountability structures. Trust-based theories of explainability consequently complement traditional due process doctrines by emphasizing the relational dimensions of legitimate governance (Kim & Routledge, 2022; Butt, 2024).

Normative analysis indicates that the right to explanation should be understood as a constitutive component of due process rather than a derivative transparency obligation. Legal interpretation across international instruments, comparative regulatory frameworks, administrative law principles, and procedural justice theories reveals a convergent expectation that authoritative decisions require intelligible justification. The juridical rationale for explanation arises from its indispensable role in enabling review, contestation, accountability, and protection against arbitrariness. Contemporary AI governance frameworks increasingly recognize this relationship even where positive law has not yet explicitly codified a standalone right to explanation. The normative foundations of due process provide a sufficiently robust basis for recognizing explainability as a procedural guarantee applicable to algorithmic decision-making systems.

Legal Accountability and the Allocation of Responsibility for AI-Generated Decisions

Legal accountability in artificial intelligence-based decision-making raises a fundamental doctrinal question concerning the identification of the actor who bears responsibility when algorithmic outputs produce legally significant consequences. Traditional legal systems allocate responsibility on the assumption that decisions originate from identifiable natural or juridical persons capable of intention, discretion, and legal attribution. AI systems complicate this assumption because algorithmic outcomes emerge through interactions among developers, deployers, operators, data providers, and institutional users whose respective contributions may be difficult to disentangle. Contemporary regulatory debates increasingly reject the proposition that technological complexity should diminish accountability obligations. Legal scholarship consistently emphasizes that accountability must remain attached to human or institutional actors regardless of the sophistication of the technological system involved (Doshi-Velez et al., 2017; Satyo et al., 2026).

The concept of accountability derives from the broader principles of legality and responsibility embedded within constitutional and administrative law traditions. Administrative authorities are generally required to justify their actions, demonstrate compliance with applicable norms, and remain subject to judicial or institutional review. The use of AI in governmental decision-making does not alter these foundational obligations because the source of authority remains the public institution rather than the algorithm itself. Legal interpretation of accountability therefore requires distinguishing between technological causation and juridical responsibility. This distinction preserves the normative premise that public power cannot escape legal scrutiny through technological delegation (Suksi, 2021; Heriansyah, 2024).

The accountability challenge becomes particularly acute when algorithmic systems generate recommendations that substantially influence administrative or judicial outcomes. Contemporary AI models often function as decision-support mechanisms rather than autonomous legal actors. Institutional actors nevertheless may become excessively reliant upon algorithmic outputs, creating what scholars describe as automation bias and reducing meaningful human oversight. The resulting phenomenon blurs the boundary between human discretion and machine-generated influence. Normative legal analysis identifies this situation as problematic because accountability structures depend upon demonstrable human responsibility for legally consequential decisions (Deeks, 2019; Canalli, 2024).

The European regulatory framework provides an instructive example of accountability preservation within algorithmic governance. The GDPR and the EU AI Act both emphasize obligations imposed upon controllers, providers, deployers, and operators rather than attributing legal responsibility to AI systems themselves. These instruments reflect a doctrinal commitment to maintaining human-centered accountability despite increasing technological sophistication. Legal obligations relating to transparency, risk management, documentation, and oversight serve as mechanisms for ensuring traceability and reviewability. Accountability consequently operates as a systemic governance principle rather than a post hoc liability mechanism (Bayamlıoğlu, 2022; Fatima, Narveen, & Schneider, 2025).

Indonesian legal developments reveal similar concerns regarding the allocation of responsibility for AI-assisted decisions. Law Number 27 of 2022 concerning Personal Data Protection imposes obligations upon data controllers and processors in relation to automated processing activities affecting individuals. Regulatory discourse concerning AI governance increasingly emphasizes that technological systems cannot function as substitutes for legally accountable decision-makers.

Academic analyses examining governmental and private-sector AI deployment repeatedly stress the necessity of preserving institutional responsibility despite reliance upon algorithmic systems. Legal accountability remains attached to entities exercising authority and control over AI deployment rather than to the technological system itself (Kirana & Silalahi, 2025; Wulandari, 2025). The allocation of accountability among relevant actors may be mapped through the following normative framework.

Table 2. Allocation of Legal Responsibility and Accountability in AI-Based Decision-Making Ecosystems

Actor	Primary Function	Source of Responsibility	Legal Accountability Basis
AI Developer	Design and training of system	Product and regulatory obligations	Design defects and foreseeable risks
AI Provider	Distribution and deployment	Compliance obligations	Documentation and transparency
Public Authority	Administrative decision-making	Administrative law	Legality and due process
Private Institution	Commercial decision-making	Contractual and statutory obligations	Consumer and data protection
Human Decision-Maker	Final approval or adoption	Personal and institutional responsibility	Exercise of discretion

The table demonstrates that accountability within AI ecosystems is distributed rather than eliminated. Legal responsibility emerges from specific roles performed within the lifecycle of algorithmic systems. Normative analysis rejects arguments suggesting that technological opacity justifies accountability gaps. Each actor occupies a distinct legal position associated with identifiable duties and obligations. Effective governance consequently depends upon coordinated accountability structures rather than singular attribution models.

The banking sector provides a useful doctrinal illustration of these challenges. AI-driven credit scoring systems increasingly influence lending decisions that directly affect contractual rights and economic opportunities. Adverse credit determinations generated through opaque models may cause measurable financial harm while simultaneously limiting the affected individual's ability to identify the reasons for rejection. Legal analyses concerning AI-assisted credit assessment emphasize that financial institutions remain accountable for decisions adopted through algorithmic systems because contractual and consumer protection obligations cannot be displaced by technological mediation. Responsibility follows institutional authority rather than computational functionality (Fitrianto, 2025; Kim & Routledge, 2022).

Public administration presents a parallel accountability problem. Government agencies utilizing AI to assist in resource allocation, licensing, welfare distribution, or regulatory enforcement continue to exercise public authority subject to constitutional constraints. Administrative legality requires not only lawful outcomes but also procedurally legitimate decision-making processes capable of review. Authorities relying upon algorithmic outputs remain obligated to explain decisions and demonstrate conformity with statutory standards. Scholarly evaluations of AI-assisted public decision-making consistently conclude that governmental accountability survives technological delegation because democratic legitimacy depends upon institutional answerability (Salsabila et al., 2024; Taufiqurrahman, 2025).

The judicial domain further illustrates the importance of preserving accountability structures. AI technologies increasingly support legal research, sentencing recommendations, dispute resolution, and evidentiary assessment processes. Judicial authority, however, derives from constitutional and statutory mandates requiring reasoned adjudication. Courts cannot satisfy accountability obligations through mere reference to algorithmic outputs because judicial legitimacy depends upon independently articulated legal reasoning. Comparative scholarship examining judicial AI consistently emphasizes that judges remain responsible for decisions even when technological tools contribute to analytical processes (Aristawati et al., 2026; Mecca et al., 2025).

Theoretical debates concerning legal personhood for AI systems occasionally propose expanding responsibility frameworks to include autonomous technologies. Normative legal analysis remains skeptical of such proposals because accountability presupposes legal capacities associated with agency, answerability, and sanctionability. Existing legal systems possess established mechanisms for attributing responsibility to institutions, officials, operators, and developers without recognizing AI as

an independent bearer of legal obligations. Emerging scholarship concerning anticipatory AI regulation similarly favors strengthening governance structures around human and institutional actors rather than creating autonomous algorithmic legal subjects. Accountability within AI governance consequently remains grounded in human-centered legal responsibility (Bimasakti & Saifulloh, 2026; Herawaty & Fitria, 2025).

Doctrinal interpretation across international frameworks, administrative law principles, data protection regulations, and accountability theory demonstrates that explainability and accountability possess an inseparable relationship. Explanation enables identification of responsible actors, evaluation of compliance, and assessment of legal consequences arising from algorithmic decisions. Accountability mechanisms become substantially weakened when decision pathways remain opaque because responsibility cannot be effectively traced or reviewed. Contemporary legal frameworks increasingly recognize that explainability functions as a procedural condition for accountability rather than a separate regulatory objective. The juridical architecture of AI governance consequently requires legal systems to preserve identifiable chains of responsibility notwithstanding increasing reliance upon automated decision-making technologies.

Reconceptualizing the Right to Explanation as an Enforceable Procedural Guarantee in Contemporary AI Governance

The increasing integration of artificial intelligence into legally significant decision-making processes necessitates a reconceptualization of the right to explanation from a transparency-oriented principle into an enforceable procedural guarantee. Existing regulatory approaches frequently treat explanation as an ancillary obligation linked to information disclosure requirements rather than as an autonomous legal entitlement capable of generating enforceable procedural consequences. Such an approach risks reducing explainability to a formal compliance exercise that satisfies documentation requirements without ensuring meaningful legal protection for affected individuals. Procedural guarantees derive their normative force from their capacity to facilitate participation, contestation, and review within decision-making processes. The juridical significance of explanation consequently depends upon its recognition as a substantive component of procedural justice rather than as a supplementary transparency mechanism (Gacutan & Selvadurai, 2020; Fatima, Narveen, & Schneider, 2025).

The doctrinal foundations of an enforceable right to explanation can be identified through the convergence of due process theory, administrative legality, and contemporary accountability scholarship. Due process traditions have historically recognized that individuals affected by authoritative decisions possess a legitimate interest in understanding the reasons upon which those decisions are based. Explanation serves a dual function by enabling both comprehension and legal challenge. An individual who lacks access to the reasoning underlying an adverse decision is deprived of the practical ability to assess legality, identify procedural irregularities, or formulate an effective response. The legal value of explanation therefore extends beyond informational access and enters the domain of procedural protection (Butt, 2024; Suksi, 2021).

Interpretative developments within international regulatory frameworks increasingly support this understanding. The GDPR introduced safeguards against exclusively automated decision-making while simultaneously establishing rights relating to information, access, and contestation. Scholarly debates concerning Article 22 initially focused upon whether the regulation explicitly created a right to explanation, yet subsequent doctrinal analysis has shifted attention toward the broader procedural ecosystem necessary for meaningful review. Explanation emerged as a central mechanism through which individuals can exercise rights of intervention and challenge. Contemporary legal scholarship consequently interprets explainability as a functional prerequisite for procedural effectiveness rather than a standalone disclosure obligation (Bayamlioğlu, 2022; Doshi-Velez et al., 2017).

The evolution of AI governance frameworks demonstrates a gradual transition from transparency-based regulation toward procedural accountability models. The European Union Artificial Intelligence Act, despite not expressly codifying a universal right to explanation, incorporates obligations relating to documentation, traceability, risk management, and human oversight. These requirements collectively indicate a regulatory movement toward institutionalizing explainability within legally consequential decision-making environments.

Similar developments appear in comparative regulatory initiatives emphasizing trustworthy AI, responsible innovation, and algorithmic accountability. The trajectory of these reforms suggests increasing recognition that procedural legitimacy depends upon the ability of affected individuals to understand and challenge algorithmic determinations (Canalli, 2024; Satyo et al., 2026). The normative structure of an enforceable right to explanation may be conceptualized through the following framework.

Table 3. Procedural Architecture of the Right to Explanation in AI-Based Decision-Making

Procedural Dimension	Legal Function	Required Element	Explanation	Juridical Objective
Notice	Inform affected individual	Existence of AI involvement		Procedural awareness
Comprehension	Understand decision basis	Core reasoning factors		Informed participation
Contestation	Challenge legality or accuracy	Reviewable justification		Effective remedy
Accountability	Identify responsible actor	Attribution pathway		Legal responsibility
Judicial Review	Facilitate adjudication	Evidentiary transparency		Rule-of-law compliance

The table illustrates that explanation performs multiple procedural functions extending beyond mere transparency. Each procedural dimension corresponds to a distinct legal objective associated with due process and accountability. Normative interpretation indicates that the effectiveness of notice, contestation, and review depends upon the availability of intelligible explanations. Procedural rights become difficult to exercise where explanation remains inaccessible or incomprehensible. Explainability consequently acquires juridical significance as a structural guarantee supporting the operation of broader legal protections.

The emergence of AI-assisted decision-making within public administration reinforces the necessity of this procedural approach. Government agencies increasingly employ algorithmic systems to assist in decisions relating to licensing, public services, social welfare, regulatory enforcement, and resource allocation. Citizens affected by such decisions retain constitutional and administrative rights regardless of the technological tools employed by public authorities. Legal analysis of administrative due process consistently recognizes that governmental decisions require justification capable of external scrutiny. AI-generated outputs cannot be exempted from this requirement because public authority remains subject to legality, transparency, and accountability principles (Heriansyah, 2024; Taufiqurrahman, 2025).

The private sector presents comparable concerns in contexts involving finance, employment, insurance, healthcare, and digital commerce. Algorithmic systems increasingly determine access to opportunities, resources, and contractual benefits that substantially affect individual rights and interests. Data protection legislation and consumer protection norms increasingly intersect with explainability requirements because adverse automated decisions may produce discriminatory, inaccurate, or disproportionate consequences. Academic analyses examining AI-driven financial decisions demonstrate that meaningful explanation functions as a safeguard against arbitrary exclusion and informational asymmetry. The juridical rationale for explanation becomes particularly compelling where algorithmic decisions generate significant economic or social impacts (Fitrianto, 2025; Elpina, 2024).

The relationship between explainability and privacy introduces an additional dimension requiring careful normative balancing. AI systems often rely upon extensive personal data processing activities that may expose sensitive information regarding individuals. Legal frameworks protecting privacy seek to prevent excessive disclosure while simultaneously promoting transparency concerning automated decision-making practices. Scholarly analyses indicate that explanation rights should not be interpreted as requiring disclosure of proprietary algorithms or unrestricted access to technical architectures. The relevant legal objective concerns meaningful understanding of decision rationale rather than

unrestricted transparency of technological infrastructure (Judijanto et al., 2024; Judijanto & Harsya, 2025).

Human rights discourse further strengthens the argument for recognizing explanation as an enforceable procedural guarantee. Contemporary scholarship increasingly links algorithmic opacity with risks to equality, dignity, autonomy, and access to justice. Decisions generated through opaque systems may reproduce bias, reinforce discrimination, or restrict opportunities without providing affected individuals with mechanisms for meaningful challenge. Human rights-oriented analyses emphasize that procedural safeguards must evolve in response to technological developments capable of reshaping the exercise of public and private power. Explainability functions within this framework as a protective instrument preserving individual agency against increasingly complex forms of automated governance (Adela et al., 2025; Satyo et al., 2026).

Comparative legal developments indicate growing convergence around the proposition that explainability must be connected to practical remedies rather than limited to informational disclosure. Emerging scholarship advocates a transition from reason-giving obligations toward legally enforceable recourse mechanisms capable of correcting erroneous or unlawful algorithmic decisions. The values of contestation, participation, and accountability increasingly inform judicial and regulatory approaches to AI governance. Legal systems demonstrating stronger procedural protections tend to treat explanation as part of an integrated framework encompassing review, appeal, oversight, and institutional responsibility. This evolution reflects a broader movement toward embedding explainability within enforceable procedural architectures (Metikos & Van Domselaar, 2025; Fatima, Narveen, & Schneider, 2025).

Normative analysis supports recognition of the right to explanation as a procedural guarantee capable of generating concrete legal consequences within contemporary AI governance regimes. Doctrinal interpretation of due process principles, accountability frameworks, administrative law traditions, data protection regulations, and human rights norms reveals substantial justification for treating explanation as a legally protected entitlement. Procedural legitimacy cannot be maintained where individuals are subjected to consequential decisions without access to intelligible reasons supporting those determinations. Regulatory developments across multiple jurisdictions increasingly reflect this understanding through obligations emphasizing transparency, reviewability, and human oversight. The future development of AI governance frameworks will likely depend upon the extent to which explanation is institutionalized as an enforceable procedural safeguard protecting legality, accountability, and the rule of law in algorithmically mediated decision-making environments.

CONCLUSION

Artificial intelligence-based decision-making has transformed the conditions under which legal authority is exercised, creating significant challenges for procedural legitimacy, transparency, and accountability within contemporary governance systems. Normative examination demonstrates that the right to explanation possesses a juridical foundation that extends beyond informational transparency and functions as an essential component of due process, enabling affected individuals to understand, evaluate, and challenge decisions with legal consequences. Analysis of international legal instruments, administrative law principles, data protection frameworks, and comparative regulatory developments reveals a converging recognition that meaningful explanation is indispensable for the realization of procedural fairness and the prevention of arbitrary exercises of algorithmically mediated power. Accountability analysis further confirms that responsibility for AI-generated outcomes remains attributable to identifiable public authorities, private institutions, developers, deployers, and decision-makers, since technological systems cannot independently bear legal obligations. Contemporary regulatory trends increasingly support the institutionalization of explainability through mechanisms of reviewability, contestation, human oversight, and traceable responsibility. The juridical relationship between explainability, accountability, and procedural justice ultimately supports recognition of the right to explanation as an enforceable procedural guarantee capable of preserving legality, protecting individual rights, and strengthening rule-of-law values in emerging AI governance frameworks.

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