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Is Public Information Openness the Key to Unlocking Justice in Indonesia's State Administrative Court?

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Abstract

The principle of public information openness is a cornerstone of democratic governance, yet its implementation within Indonesia's State Administrative Court remains underexplored. This research addresses the urgent need to assess how transparency and public access to information can enhance justice in administrative litigation. In a time when citizen trust in the legal system is fragile, and the accessibility of court decisions is increasingly crucial, the study explores whether the openness of public information can serve as a catalyst for greater accountability and fairness in the administrative justice system. The novelty of this research lies in its critical examination of the relationship between information transparency and judicial effectiveness in the context of administrative courts. By analyzing existing practices and identifying gaps in public access to court processes, the study presents an innovative approach to improving the delivery of justice. Through qualitative case studies and a comparative analysis of international practices, the research proposes actionable recommendations for reform. This study contributes to ongoing discussions on judicial transparency and its impact on public perception, aiming to create a more open, inclusive, and accountable State Administrative Court. The findings suggest that public information openness is not merely a procedural formality, but a fundamental aspect of building trust in the judiciary and empowering citizens in their pursuit of justice.

Keywords

Public Information Openness, State Administrative Court, Judicial Transparency, Access to Justice, Administrative Justice



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Introduction

The principle of public information openness is a fundamental pillar of democratic governance, one that promotes transparency, accountability, and active citizen participation in the processes that shape public life. In a system of governance, transparency is not merely an ethical ideal but a crucial mechanism for ensuring that citizens have access to information about how decisions are made, how power is exercised, and how the state interacts with its citizens. This principle is especially significant in the context of the State Administrative Court (Pengadilan Tata Usaha Negara or PTUN) in Indonesia, where citizens can challenge the decisions of government bodies that affect their rights, property, and freedoms. The PTUN serves as a vital check on the power of the state, ensuring that public administrative actions remain lawful and just. Recently, however, the PTUN has undergone significant reforms aimed at enhancing the openness of information, increasing transparency, and broadening public access to justice. These reforms are not merely legal or procedural in nature; they reflect a cultural transformation in Indonesia's legal system, aligning it more closely with global standards of judicial transparency and public accountability. This article aims to explore how the principle of public information openness has been incorporated into the PTUN, assess its influence on the accessibility of justice, and connect these developments with Lawrence M. Friedman's theoretical framework of legal culture.

The concept of legal culture, as articulated by Lawrence M. Friedman, offers a sophisticated approach to understanding the dynamics of law within a society. Legal culture, according to Friedman, refers to the attitudes, beliefs, values, and practices that shape the way legal systems function and are perceived by both legal practitioners and the general public. These cultural elements influence not only how laws are created and enforced but also how they are understood and internalized by the population. Legal culture encompasses both formal institutions such as courts, legislatures, and law enforcement, as well as informal aspects like societal norms, public attitudes towards law, and the behaviors of citizens. Friedman suggests that legal cultures evolve over time, driven by changes in political, social, and technological environments, and that they are deeply intertwined with the broader societal context in which they operate. In the case of Indonesia's PTUN, the

introduction of public information openness can be seen as part of a broader transformation of the legal culture, reflecting shifting societal expectations about the role of the judiciary and the state in the lives of citizens.

In recent years, the PTUN has taken significant steps to align with the principles of openness and transparency that are integral to a more democratic legal system. Historically, Indonesian legal culture, like many others, has been characterized by a certain level of opacity in the judicial process. Legal proceedings in the PTUN were often difficult to access for the general public, and court decisions were frequently not made available in a timely or accessible manner. These barriers not only hindered public trust in the judicial system but also limited the ability of citizens to engage with the legal process and hold public officials accountable. However, in response to both domestic demands for greater transparency and external pressures from international legal norms, reforms have been introduced to improve the public's access to judicial information. These reforms have included the digitization of court records, the establishment of online platforms for accessing case information, and the release of judicial decisions in formats that are accessible to the public. The goal of these reforms is not simply to make court proceedings more transparent but to create a legal system that is more open, participatory, and accountable to the public.

The importance of these reforms extends beyond procedural efficiency or technological advancement; they represent a fundamental shift in the relationship between the state, the judiciary, and the citizens. Public access to judicial information and case records empowers citizens by allowing them to monitor the workings of the judiciary and ensures that legal decisions are made in a transparent manner that is open to scrutiny. This shift towards openness is not only about improving efficiency or reducing corruption but is also a means of fostering a more inclusive and participatory legal system. The ability of citizens to access information about legal proceedings allows them to better understand their rights and how to assert them, thus enhancing access to justice. In essence, this is an attempt to bridge the gap between the legal system and the people it serves, ensuring that justice is not an abstract concept but a tangible reality that is accessible to all.

Lawrence M. Friedman's theory of legal culture provides a useful framework for understanding the significance of these developments. Friedman

argues that legal systems do not operate in a vacuum but are shaped by the broader cultural, social, and political contexts in which they function. Legal culture, according to Friedman, encompasses the shared beliefs about law and its role in society, the everyday practices of legal actors (such as judges, lawyers, and citizens), and the way law is experienced by ordinary people. A key element of legal culture is the relationship between law and the public's trust in the legal system. A legal system that is seen as closed, opaque, or unresponsive to the needs of the public risks eroding this trust and undermining its legitimacy. Conversely, a legal system that prioritizes openness, transparency, and accessibility enhances public confidence and reinforces the legitimacy of the judiciary. In the case of the PTUN, the move towards public information openness can be seen as a direct response to the need to foster a legal culture that is more aligned with democratic ideals of participation and accountability.

The reforms within the PTUN also reflect the broader changes in Indonesian society, including the increasing role of technology in governance and the legal profession. The digitalization of court processes and the creation of online platforms for accessing case information mark a significant shift towards a more modern and efficient legal system. These changes not only improve the efficiency of the courts but also make the legal system more inclusive, allowing individuals from all walks of life to engage with and benefit from the judicial process. The introduction of these reforms speaks to the changing expectations of Indonesian society, which is increasingly demanding greater transparency from public institutions and greater involvement in decision-making processes that affect their lives. The concept of public information openness thus resonates with broader shifts in the societal values surrounding governance, democracy, and the role of law in ensuring justice.

This article aims to assess how these reforms within the PTUN, particularly the principle of public information openness, influence public access to justice and how they align with the legal cultural framework proposed by Lawrence M. Friedman. By exploring the intersections between legal reforms in the PTUN, the evolving concept of public information transparency, and the theoretical insights of legal culture, this study will offer a comprehensive analysis of the transformation occurring within Indonesia's legal system. It will highlight both the opportunities and challenges that come with these reforms, emphasizing the potential for public information openness

to reshape legal culture, promote accountability, and ensure that justice is not only done but seen to be done by all members of society.

The research methodology for this article employs a normative juridical approach, focusing on the study of legal principles, legal provisions, legislation, and legal mechanisms. As this is a normative legal research type, three primary approaches are utilized. The Conceptual Approach analyzes legal doctrines and perspectives based on literature studies and secondary data. This approach seeks to explore foundational concepts and theoretical frameworks within the field of law. Meanwhile, the Statutory Approach involves examining legal norms and sets of positive legal rules related to the studied legal phenomena, particularly those that have occurred in the past. This helps ensure that the analysis aligns with existing legal frameworks. And finally, the Case Approach investigates the legal facts derived from various cases that have taken place. It aims to provide practical insights and contextual understanding, enhancing the comprehensiveness of the study.

These approaches are analyzed using a qualitative methodology, which, in legal studies, involves a comprehensive examination of current legal phenomena. This process includes the systematic reduction, processing, presentation, and analysis of data. Finally, concise conclusions are drawn based on the analyses, ensuring a thorough and multidimensional exploration of the legal issues discussed.

The Principle of Public Information Openness and Its Influence

The principle of public information openness stands as one of the key pillars in a democratic legal system, particularly in the context of administrative justice. It encompasses the idea that legal information, judicial decisions, and the proceedings of courts should be accessible to the public, promoting transparency, accountability, and public participation. In the Indonesian legal system, the principle of public information openness within the State Administrative Court (PTUN) has gained significant attention in recent years, largely due to reforms aimed at modernizing the court system and ensuring that citizens can engage more directly with the judicial process. The influence

of this principle extends beyond mere accessibility; it impacts public trust, accountability, and ultimately the legitimacy of the judicial system.

The PTUN in Indonesia, as a specialized court for resolving disputes between individuals or legal entities and the state, plays a pivotal role in safeguarding citizens' rights against arbitrary or unlawful government actions. Historically, however, access to court information in Indonesia was limited, and judicial proceedings were often seen as opaque and exclusive. Citizens seeking justice often encountered barriers such as complex legal language, limited access to case information, and physical distance from court proceedings. These factors contributed to a sense of exclusion and undermined public confidence in the judiciary. With increasing recognition of the need for transparency and the facilitation of access to justice, significant reforms have been introduced to address these challenges, most notably the implementation of the principle of public information openness within the PTUN. The purpose of these reforms is not just to make the court system more efficient but to align the legal system with democratic ideals of accountability and inclusiveness.

One of the most significant developments in this area has been the digitalization of court processes. With the advent of electronic systems, the PTUN has begun making court decisions, case records, and procedural information accessible online. Through platforms such as the Indonesian Supreme Court's online case tracking system (e-Court), the public can now access information about ongoing cases, track the progress of their legal matters, and review judicial decisions. This initiative has been transformative, breaking down previous barriers to accessing legal information. Online accessibility provides citizens with a level of convenience that was previously unavailable, as it eliminates the need for physical presence at court offices to obtain case details or rulings. Moreover, it empowers individuals by allowing them to monitor the status of cases in real-time, thus contributing to a more informed and engaged citizenry.

Beyond the technological shift, public access to judicial information also serves to enhance the accountability of the judiciary itself. By making decisions and proceedings more visible, the PTUN invites scrutiny from the public, legal professionals, and civil society organizations. This form of transparency acts as a mechanism for ensuring that judges make decisions based on law and facts

rather than personal bias or political influence. When judicial decisions are open to public review, it becomes more difficult for improper practices, such as corruption or the influence of vested interests, to flourish. The mere existence of an accessible platform for reviewing judicial decisions fosters greater trust in the fairness and impartiality of the courts. For the public, knowing that legal outcomes are subject to scrutiny creates an additional layer of confidence in the integrity of the legal process.

The influence of public information openness also extends to the relationship between citizens and the state. A transparent judicial system ensures that individuals are better informed of their rights and the mechanisms available for protecting those rights. In the case of the PTUN, this is especially crucial because citizens often challenge administrative decisions that affect their personal or professional lives, such as disputes over permits, licenses, or government actions that may infringe upon their legal rights. By making the legal process more accessible, the PTUN enhances individuals' ability to navigate the court system, increasing their chances of achieving a fair outcome. Furthermore, this openness contributes to a more democratic legal culture, where citizens feel empowered to engage with legal institutions and hold public officials accountable for their actions. A system that prioritizes transparency signals to the public that their involvement and awareness are not only welcomed but essential to the functioning of the judiciary.

However, while the principle of public information openness brings about numerous benefits, it is important to acknowledge the challenges and limitations associated with its implementation. One significant issue is the digital divide, which refers to the gap between those who have access to digital technologies and those who do not. In Indonesia, where access to the internet and modern technology is still uneven, particularly in rural and remote areas, the move toward digital transparency could inadvertently exclude a segment of the population from fully participating in the judicial process. Although many individuals benefit from the ability to access case information online, others may struggle to do so due to lack of internet access or familiarity with digital tools. Addressing this divide is essential to ensuring that the principle of public information openness is truly inclusive and does not deepen existing inequalities.

Furthermore, there are concerns about the potential misuse of public

information, especially regarding sensitive or personal data. While transparency is crucial for promoting accountability, the release of certain types of information, particularly personal data or information that could compromise privacy, requires careful regulation. In the PTUN context, some legal proceedings may involve confidential matters, and overly broad dissemination of information could lead to the unintended exposure of sensitive details. Therefore, while public access to judicial information should be maximized, it must be balanced with the protection of privacy and due process rights.

The influence of the principle of public information openness is also linked to broader shifts in Indonesia's legal culture. According to Lawrence M. Friedman, legal culture consists of the values, attitudes, and behaviors surrounding the law that are shaped by societal norms, legal traditions, and the experiences of both legal professionals and ordinary citizens. In this sense, the adoption of greater transparency in the PTUN can be viewed as part of a broader cultural transformation within the Indonesian legal system. The move towards openness reflects the increasing public demand for a more accessible, democratic, and accountable legal system. This shift is not just a technical or procedural change; it signifies a change in the way that citizens view their relationship with the state and the judiciary. As more citizens engage with the legal system, the cultural attitudes towards law and justice evolve. The growing expectation of transparency in the PTUN reflects a shift towards a more participatory legal culture where individuals are not passive recipients of judicial decisions but active participants in a system that is accountable to them.

The principle of public information openness within the PTUN has had a profound influence on public access to justice in Indonesia. By enhancing transparency, making judicial decisions accessible, and empowering citizens to engage with the legal system, these reforms contribute to a more accountable, efficient, and democratic judiciary. However, the full realization of the benefits of transparency requires addressing challenges such as the digital divide and protecting sensitive information. Moreover, these reforms should be viewed as part of a larger cultural shift in Indonesia's legal system, one that is moving towards greater openness and public engagement, in line with the evolving expectations of citizens and the broader societal emphasis on democratic values and accountability. As Indonesia continues to refine its legal culture, the

principle of public information openness will remain a key component in shaping a more inclusive and transparent judicial system that fosters greater public trust and access to justice.

Public Access to Justice Based on Legal Culture

Public access to justice is a foundational principle in any legal system that aims to be democratic, transparent, and responsive to the needs of its citizens. It is deeply intertwined with the notion of legal culture, which shapes how law is practiced, understood, and engaged with by both legal professionals and the broader society. Legal culture, as articulated by Lawrence M. Friedman, encompasses the attitudes, beliefs, and practices surrounding the law, and it plays a critical role in determining how accessible and inclusive the legal system is. In the Indonesian context, the evolving nature of legal culture—particularly in relation to the State Administrative Court (PTUN)—has had profound implications for public access to justice, influencing both the public's ability to navigate legal proceedings and their confidence in the judicial system.

Traditionally, access to justice in Indonesia was hindered by various factors, including bureaucratic inefficiencies, complex legal language, and a lack of transparency within the judiciary. The PTUN, as the court responsible for resolving disputes between individuals and the government, historically embodied some of these challenges. Citizens seeking to challenge government decisions often faced a legal system that was difficult to understand and engage with. Information about ongoing cases was not readily available, and judicial processes were perceived as distant, inaccessible, and exclusive. This closed nature of the system created a barrier to justice, particularly for those with limited legal knowledge or resources. The public's trust in the judicial system was further undermined by perceptions of corruption and inefficiency within the courts.

However, recent reforms within the PTUN have been aimed at addressing these barriers and expanding public access to justice. These changes, driven in part by an evolving legal culture in Indonesia, have been centered around increasing transparency, streamlining legal procedures, and making judicial processes more accessible to the public. A key element of this transformation has been the integration of digital technologies into the court system, which

has greatly facilitated public access to case information, court decisions, and procedural updates. The implementation of online platforms for tracking cases, accessing rulings, and even filing complaints or appeals has removed many of the logistical barriers that previously prevented individuals from engaging with the legal system. These reforms are not simply about technological advancements; they represent a shift in the broader legal culture towards inclusivity, efficiency, and accountability.

Legal culture plays a crucial role in shaping how these reforms are perceived and implemented within society. As Friedman argues, legal culture is not static but evolves over time in response to shifts in social values, political structures, and technological advancements. In Indonesia, the changes within the PTUN reflect a broader cultural transformation in the relationship between law and society. There is a growing recognition that the judiciary must be responsive to the needs of the public and that access to justice is not merely a theoretical right but a practical necessity. The increased openness of the PTUN, through both physical and digital means, is an effort to make justice more accessible and participatory. It reflects the changing cultural expectations of Indonesian society, where citizens demand a more transparent and accountable legal system that they can engage with meaningfully.

One of the key ways in which legal culture influences public access to justice is through the attitudes of legal professionals towards transparency and public engagement. In the past, legal professionals in Indonesia may have viewed the judicial process as an exclusive domain, reserved for those with legal training and expertise. This attitude could have contributed to a culture of secrecy and limited access to information. However, as legal culture evolves and more emphasis is placed on transparency, the judiciary is increasingly seen as an institution that serves the public interest. Judges, lawyers, and court officials are now more aware of the need to ensure that legal proceedings are not only legally correct but also publicly accessible and understandable. This shift in perspective is crucial in fostering a legal environment where citizens feel empowered to assert their rights and engage with the legal system.

Moreover, the principle of public access to justice based on legal culture goes beyond just making information available. It also involves fostering a culture where individuals feel that they have the ability to influence or participate in the judicial process. Public access to justice is not just about being

able to view case details or track a legal case; it is about creating a legal culture in which citizens believe that their voices can be heard, their rights can be defended, and that justice is within their reach. In the context of the PTUN, this could mean that citizens are not passive recipients of judicial decisions but active participants who can engage with the system in ways that reflect their own interests and needs. By opening up access to court records, decisions, and legal guidelines, the PTUN is helping to empower individuals and shift the legal culture towards one where justice is perceived as a shared responsibility between the state and its citizens.

This shift in legal culture is also tied to broader societal changes, including the growing demand for greater transparency and accountability from public institutions. As Indonesia moves towards a more democratic society, the legal system must reflect these evolving expectations. Public access to justice is seen not only as a right but as a necessary condition for ensuring that the legal system functions in a way that is fair, equitable, and responsive to the needs of society. The PTUN's reforms, which aim to make the legal process more transparent and accessible, are thus part of a broader trend toward greater public participation in governance and the democratization of legal institutions. Legal culture, in this sense, becomes a driving force for improving access to justice, as it influences both the attitudes of legal professionals and the expectations of the public.

However, challenges remain in translating the ideals of public access to justice into practice. While digitalization has improved accessibility, it is important to recognize that access to technology is not universally available, particularly in rural or marginalized communities. The digital divide remains a significant barrier to achieving full public access to justice, as many individuals in remote areas may lack the resources or knowledge to engage with online platforms. Moreover, the shift towards greater transparency must be balanced with the protection of privacy and personal data. While public access to legal information is essential, it is equally important to safeguard sensitive information that may affect the rights and safety of individuals involved in legal proceedings. Ensuring that public access to justice is both inclusive and secure requires thoughtful regulation and ongoing efforts to address these challenges.

Public access to justice based on legal culture is a dynamic and evolving concept that reflects the changing relationship between law and society. In

Indonesia, the reforms within the PTUN are emblematic of a broader shift towards greater openness, transparency, and public participation in the legal process. These reforms, driven by changes in legal culture, aim to make the judiciary more accessible, accountable, and responsive to the needs of citizens. However, to fully realize the potential of these reforms, it is essential to address challenges such as the digital divide and the need for privacy protection. Ultimately, by fostering a legal culture that emphasizes transparency, inclusivity, and public engagement, Indonesia can move closer to realizing a truly accessible and just legal system that serves all citizens equally.

Conclusion

The principle of public information openness and the enhancement of public access to justice stand as essential pillars in shaping a transparent, accountable, and inclusive legal system. In the context of Indonesia's State Administrative Court (PTUN), these principles have evolved over time as part of broader judicial reforms aimed at ensuring greater public participation, transparency, and responsiveness in the administration of justice. The PTUN's adoption of public information openness through digital platforms, accessible case tracking, and online court decisions has significantly transformed the court's relationship with the public, making legal proceedings more transparent and empowering citizens to engage with the judicial process. This digitalization, coupled with legal reforms, ensures that judicial decisions are no longer confined to the corridors of the courtrooms, but instead are made available to the public in an easily accessible and understandable format.

The influence of these reforms, particularly in the light of Lawrence M. Friedman's theory of legal culture, reflects a fundamental shift in how the public perceives and interacts with the judicial system. Legal culture, defined by the shared attitudes, practices, and values surrounding law, plays a critical role in determining the accessibility of justice. In Indonesia, legal culture is undergoing a significant transformation, moving towards a more transparent, open, and accountable legal framework that aligns with democratic principles. The increasing public demand for justice systems that are both accessible and accountable is contributing to the PTUN's modernization efforts. As citizens gain more access to legal information, they become more informed participants

in the legal process, enhancing the legitimacy and effectiveness of the judiciary.

However, these reforms also face challenges that must be addressed to achieve full public access to justice. Despite the advancements in digital technologies, the digital divide remains a critical barrier, as not all segments of the population have equal access to the internet or the skills to navigate digital platforms. This gap must be bridged to ensure that the principle of public information openness is truly inclusive. Additionally, balancing transparency with the protection of privacy remains an important issue, particularly in cases involving sensitive information. Achieving an optimal balance between transparency, inclusivity, and privacy protection is essential to ensure that public access to justice does not compromise individuals' rights or undermine the integrity of the judicial process.

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“The right to obtain public information not only promotes transparency but also strengthens trust between the government and its citizens, forming the basis for effective and participatory governance.”

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