

TRANSPARENCY OF VITAE OF LEGISLATIVE CANDIDATES IN THE 2024 ELECTIONS

TRANSPARANSI DAFTAR RIWAYAT HIDUP CALON ANGGOTA LEGISLATIF DALAM PEMILU 2024

Septiani Jesika Adisty^{1*}, Antikowati², Ratih Listyana³, Chandra⁴

**Faculty of Law, Universitas Jember*

** septianijessica9@gmail.com*

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ABSTRACT

One of the information provided by the The General Election Commission a curriculum vitae of legislative candidates in the legislative elections. Historical life list information is useful for voters as material for consideration in determining their choice according to their preferences. In this article, we will examine how public information disclosure is implemented, especially the curriculum vitae of legislative candidates in the 2024 Legislative Election and how it will affect the The General Election Commission if it does not implement election information disclosure. The method used in this writing is normative juridical with a statutory and contextual approach. The research results show that in the 2024 Legislative Election the percentage of legislative candidates who open their curriculum vitae is greater than the legislative candidates who do not open their curriculum vitae. This phenomenon is caused by the absence of binding regulations that require legislative candidates to open a curriculum vitae. The General Election Commission gives each legislative candidate the freedom to open or not make a curriculum vitae. This step is a form of The General Election Commission effort to carry out public information disclosure. The General Election Commission will be subject to criminal sanctions if it does not carry out information disclosure in accordance with Public Information Openness Law.

Keywords : Curriculum Vitae, Elections, Transparency.

ABSTRAK

Salah satu informasi yang disediakan oleh KPU adalah daftar riwayat hidup Caleg pada Pemilihan Legislatif. Informasi daftar riwayat hidup berguna bagi pemilih sebagai bahan pertimbangan menentukan pilihannya sesuai dengan preferensinya. Pada tulisan ini akan meneliti bagaimana pelaksanaan keterbukaan informasi publik utamanya daftar riwayat hidup Caleg pada Pemilu Legislatif 2024 dan bagaimana implikasi terhadap KPU apabila tidak melaksanakan keterbukaan informasi Pemilu. Metode yang digunakan pada penulisan ini adalah yuridis normatif dengan pendekatan perundang-undangan dan konseptual. Hasil penelitian menunjukkan bahwa pada Pemilu Legislatif 2024 persentase jumlah Caleg yang membuka daftar riwayat hidup lebih banyak dari Caleg yang tidak membuka daftar riwayat hidup. Fenomena tersebut disebabkan tidak adanya aturan mengikat yang mewajibkan Caleg membuka daftar riwayat hidup. KPU memberikan kebebasan bagi setiap Caleg untuk membuka atau tidak daftar riwayat hidup. Langkah tersebut merupakan bentuk usaha KPU melaksanakan keterbukaan informasi publik. KPU akan dikenakan sanksi pidana apabila tidak melaksanakan keterbukaan informasi sesuai Undang-Undang Keterbukaan Informasi Publik.

Kata Kunci : Daftar Riwayat Hidup, Pemilu, Transparansi.

I. INTRODUCTION

Elections are also a form of realization of Article 1 paragraph (2) of the Constitution of the Republic of Indonesia, which states “Sovereignty is in the hands of the people and shall be exercised according to the Constitution”. Direct election by the people of officials who represent the people in the seat of government is considered as a legitimization of people's power in the form of surrendering their powers and rights even if only partially¹. Elections are a form of implementation of popular sovereignty where the people are fully involved in planning, organizing and carrying out supervisory function². The next characteristic of a democratic country is information disclosure, one of which is information disclosure related to state administration which is also a demand for reform³. The trauma of the past during the New Order era has made the Indonesian people demand transparency of public information. Public information disclosure is guaranteed through the passing of Law Number 14 of 2008 concerning Public Information Disclosure which is also a

¹ Jurdi Fajlurrahman, Pengantar Hukum Pemilihan Umum, (Jakarta: Prenadamedia Group, 2018), hlm 1

² Jimly Asshiddiqie, Konstitusi dan Konstitusionalisme di Indonesia, (Jakarta: Sekretariat Jenderal dan Kepaniteraan MK RI, 2006), hlm 115-116

³ Hanina Nafisa Azka dan Fatma Ulfatun Najicha, Penerapan Keterbukaan Informasi Publik Sebagai Upaya Mewujudkan Pemerintahan Yang Transparan Dan Akuntabel, Jurnal Kewarganegaraan, Vol. 6 No. 1, 2022, h 598

form of state commitment to the right to transparency of citizens. Article 1 paragraph (2) of the KIP Law explains that public information is information that is produced, received and managed by a public body, both executive, legislative and judicial. The disclosure of all information provided by state institutions is an effort to achieve the ideals of good governance⁴. In the current era of technological development, state institutions utilize technology in organizing information disclosure through an internet page. A website is an important component of any organization, including government agencies, to help meet public information needs.

The General Election Commission is a state institution that organizes elections is obliged to implement election information disclosure in accordance with Article 14C of Law No. 7/2017 on Elections. Availability of all kinds of information Election is one form of realization of the principle of transparency in the process of organizing elections by the The General Election Commission as the organizer of elections⁵. To facilitate the transparency of this information, KPU utilizes technological advances that are currently accessible all groups. The utilization of election technology by the KPU is required to meet the legal and constitutional basis that has become the main principle in organizing elections⁶. In the 2024 elections, The General Election Commission has determined 9,919 legislative candidates who meet the requirements and are included in the Temporary Candidate List public shed on the General Election Commission website⁷. After the determination of Provisional Voters List , the General Election Commission then determines 9,917 Permanent Voters List. In the Permanent Voters List determination process, the General Election Commission will ask the candidates whether they are willing to disclose their curriculum vitae. In the determination of the Permanent Candidate List, not all legislative candidates are willing to disclose their personal data. For this action, The General Election Commission is considered not implementing the principle of transparency in the verification process of legislative candidates, which is contrary to the General Election Commission's obligation to convey all information about the elections including verification to the public. This statement is strengthened by the KPU's attitude that does not open and provide access to the Election

⁴ Lely Indah Mindarti, Choirul Saleh, dan Aulia Puspaning Galih, Penerapan Inovasi Sistem Informasi Manajemen Guna Mewujudkan Keterbukaan Informasi Publik, JMM (Jurnal Masyarakat Mandiri), Vol. 6 No. 1, 2022, hlm 259

⁵ Feniliona Ferdana, Usaha KPU Mempertahankan Prinsip Transparansi Pada Proses Pencalonan Melalui Sistem Informasi Pencalonan (SILON), Jurnal PolGlow, Vol. 2 No. 2, 2020, hlm 278

⁶ Heroik M. Pratama dan Nurul Amalia Salabi, Panduan Penerapan Teknologi Pungut Hitung di Pemilu: Buku Panduan untuk Indonesia (International IDEA and Perludem, 2020), hlm 65

⁷ Komisi Pemilihan Umum, DCS Ditetapkan, 9.919 Bacaleg DPR 2024 Memenuhi Syarat, <https://www.kpu.go.id/berita/baca/11817/dcs-ditetapkan-9925-bacaleg-dpr-2024-memenuhi-syarat>, diakses pada 10 September 2023

Supervisory Agency (hereinafter referred to as Bawaslu) to examine and supervise all documents of the Bacaleg registration requirement⁸. The General Election Commission's attitude is considered contrary to Article 93 letter d number 4 of the Election Law. The disclosure of the curriculum vitae of Bacaleg aims to minimize the occurrence of cases of fake documents that are a requirement in the registration of legislative candidates as regulated in Article 240 paragraph (2) of the Election Law. Reflecting on the implementation of the 2019 elections in which 34 election crimes occurred and cases involving forgery were the most common⁹.

A number of parties consider that voters should know in advance about the curriculum vitae of legislative candidates as a consideration when determining their votes. Early knowledge from voters about legislative candidates can also be an assessment of voters and Bawaslu to determine whether or not a legislative candidate on the Provisional Candidate List is determined to be a Permanent Candidate List. Not only that, the curriculum vitae that can be accessed by voters will make voters smart voters. Smart voters choose legislative candidates based on track records not only making money politics as a benchmark. This is in accordance with the principle of honest elections. From this issue, the author is interested in discussing the transparency of the curriculum vitae of legislative candidates in elections and its relation to the protection of personal data.

In the reform era, national law has legally guaranteed information disclosure in transparent and responsible state administration¹⁰. Public information disclosure is defined as the ability of state and non-state public bodies to provide information related to policy making and governance¹¹. The government has utilized civic tech in ensuring public information disclosure because this technology makes it easier for the government to connect with the public. Civic tech is an information and communication technology that focuses on public service and participation¹². In relation to elections, the

⁸ Cahya Sari, 2023, Bawaslu Minta KPU Segera Buka Akses Silon Untuk Cegah Pelanggaran, <https://www.antaranews.com/berita/3790962/bawaslu-minta-kpu-segera-buka-akses-silon-untuk-cegah-pelanggaran> diakses pada 25 Desember 2023

⁹ Reza Jurnaliston dan Sabrina Asril, 2019, Polri Tangani 34 Kasus Tindak Pidana, Paling Banyak Tindak Pemalsuan, https://nasional.kompas.com/read/2019/01/03/19592831/polri_tangani-34-kasus-tindak-pidana-pemilu-paling-banyak-tindak-pemalsuan diakses pada 25 Desember 2023

¹⁰ Fara Merian Sari dkk, Keterbukaan Informasi Publik dalam Penyelenggaraan Pemilu oleh Pejabat Pengelola Informasi dan Dokumentasi Komisi Pemilihan Umum Riau, Joels: Journal of Election and Leadership, Vol. 3 No. 2, 2022, hlm 64

¹¹ Muhammad Tanzil Aziz Rahimallah, et. all, Tren Penelitian Keterbukaan Informasi Publik di Indonesia Sebagai Kajian Ilmu Pemerintahan: Sebuah Tinjauan Analisis Bibliometrik, NeoRespublica: Jurnal Ilmu Pemerintahan, Vol. 4 No. 11, 2022, hlm 193

¹² United States Agency for the Internasional Development (USAID) dan Perkumpulan untuk Pemilu dan Demokrasi (Perludem), *Enable Civic Tech Ecosystems and Open Election Data Eradliness to Improve the Integrity of Elections in Indonesia* (Jakarta: The Indonesian Institute Center for Public Policy Research, 2021), hlm 4

issue of information disclosure and transparency regarding elections is one of the signs that elections have guaranteed fairness and democratically and the right to information¹³. The right to information transparency refers to information that is complete, correct, timely, and not hidden from all stakeholders¹⁴.

Previous research was conducted by Salsabiila Puteri Permatasari with the title Constitutional Rights to Personal Data Protection on the Use of Civic Tech in the Development of Election Implementation in Indonesia. The author's research focuses on the relationship between civic tech election technology and voter data protection. Researchers made the application of civic tech in organizing elections in Kenya and Belarus as a comparative study. The similarity of this research lies in the author's concern about personal data protection. However, this research focuses on the protection of Caleg's personal data while the previous research focuses on the protection of voters' personal data. When discussing information disclosure, it will be closely related to data protection. Personal data protection is a limitation on the discussion of information disclosure. In this research, the limitation of the discussion is the implementation of information disclosure, especially in the 2024 elections. The purpose of the research is to find out what information should be contained in the curriculum vitae of candidates that are eligible to be published as material for voters' consideration with reference to laws and regulations.

II. METHOD

This research uses normative juridical research. Normative juridical research is a study of legal concepts and principles based on laws and regulations, court decisions, and laws and regulations other than laws¹⁵. The approach taken is statutory approach, which provides the types of public information as well as information that cannot be published under Law No. IX 14 of 2008 on Public Information Disclosure, Law No. 27 of 2022 on Personal Data Protection, and General Election Commission Regulation No. 22 of 2023 on Management and especially Election information based on Public Information Services at the General Election Commission, Provincial General Election Commission, and Regency / City General Election Commission. A conceptual approach was also taken in this research to obtain basic concepts about elections and vitae transparency. The analysis applied

¹³ Sintia Kartini Haniandaresta et al., "Transparansi Informasi Publik Oleh Komisi II DPR RI Dalam Penyelenggaraan Pemilu 2024," *Jurnal Media Administrasi* Vol. 8 No. 1 (Maret 2023): hlm 62

¹⁴ Wahyu Wiji Utomo, "Analisis Transparansi KPU Dalam Meloloskan Partai Ummat Implementasi PKPU No 6 Tahun 2018," *Politica: Jurnal Hukum Tata Negara dan Politik Islam*, Vol. 10 No. 1 (Mei 2023), hlm 30

¹⁵ Aan Effendi, Dyah Ochtorina Susanti, dan Rahmadi Indra Tektona, *Penelitian Hukum Doktrinal*, (Yogyakarta: LaksBang Justitia, 2019), hlm 50

in this writing is deductive-inductive, meaning that the analysis is carried out by describing general matters first followed by a more specific explanation.

III. ANALYSIS AND DISCUSSION

a. Disclosure of Personal Data Information of Legislative Candidates in Legislative Regulations

The universal definition of information is data that is processed in such a way as to provide and improve one's knowledge¹⁶. The development of information is needed by every individual because it brings influence and change in every field of human life¹⁷. Obtaining information is a basic right of every individual that has been stated in Article 19 of the International Covenant on Civil and Political Rights as well as in Article 19 of the UN General Statement of Common Freedoms¹⁸. Public information is a collection of information delivered, received and managed by individuals and the public submitted by public bodies. Based on the KIP Law, state institutions and non-state institutions that are obliged to implement information disclosure are called public bodies. Public agencies are state institutions that run the government with funding from APBN / APBD and public donations. Public information will be effective for the community if public information disclosure can be implemented properly. Information transparency, especially related to state administration, is very important because regimes that seem to close information are prone to irregularities and abuse of power. Currently, digitalization affects the life of society, nation and state. Digitalization has been utilized and pursued as best as possible by governments around the world to improve services, one of which is related to the implementation of public information disclosure. With digitalization, information created by public bodies will quickly reach and be received by the public, also making it easier for the public to submit responses to the information received¹⁹. This situation creates a good relationship between the government and citizens because there is two-way communication²⁰.

The implementation of public information disclosure related to information restrictions is important. The urgency related to the grouping of privacy and public domain is something that must be taken into account. Indeed, digitalization is like two sides of a coin that brings good and bad

¹⁶ Sri Ati, et.al., Modul Dasar-Dasar Informasi (Universitas Terbuka, 2014), hlm 111

¹⁷ Eka Kusmayadi, Modul Dasar-Dasar Teknologi Informasi dan Komunikasi (Universitas Terbuka, 2009), hlm 1

¹⁸ Nur Hansal dan Imam Fachruddin, Implementasi Undang-Undang Nomor 14 Tahun 2008 Tentang Keterbukaan Informasi Publik, Jurnal Interaksi, Vol, 01 No. 1, 2024, hlm 39

¹⁹ Taufiqurohkan, et.all, Tranformasi E-Government: Mengevaluasi Dampak Digitalisasi Terhadap Pelayanan Publik, Jurnal Cahaya Mandalika, Vol. 3 No. 2, 2024, hlm 1797

²⁰ Taufiqurohkan, et.all, Tranformasi E-Government: Mengevaluasi Dampak Digitalisasi Terhadap Pelayanan Publik, Jurnal Cahaya Mandalika, Vol. 3 No. 2, 2024, hlm 1797

impacts. In disclosure, there are two serious legal issues, namely related to individual privacy rights and the right to obtain information that has implications for the interests of many people²¹. Related to public information disclosure, UU KIP divides two components, namely public information applicants and public bodies. Based on UU KIP, state institutions and non-state institutions that are obliged to implement public information disclosure are called public bodies. Public bodies are state institutions that run the government with funding from the APBN / APBD or public donations.

UU KIP has classified information into 2 (two): public information and exempt information. Public information is regulated in Chapter IV on information that must be provided and announced in Article 9 to Article 16 of UU KIP. The information in question includes information that is announced periodically; information that could endanger people's lives and public order if not announced; information on important matters concerning public bodies; information announced by political parties regarding political party profiles; information announced by non-governmental organizations regarding organizational profiles. However, not all information can be provided by public bodies. There is information that is exempted under UU KIP so that the information cannot be published. The types of exempted information are regulated in Article 17 of UU KIP, including public information that may hinder the process of law enforcement; information that may interfere with the protection of intellectual property rights and protection from unfair business competition; information that may endanger national defense and security; information that may reveal Indonesia's natural resources; information that may harm national economic resilience; information that may harm the interests of foreign relations; information that may reveal the contents of authentic deeds of a personal nature and the last will or testament of a person; Public Information that if opened and provided to the Public Information Applicant can reveal personal secrets; and memoranda or letters between Public Bodies or intra Public Bodies, which by their nature are confidential except for the decision of the Information Commission or the court. Transparency obtained from information disclosure is like two sides of a knife, especially regarding personal data. There are two human rights that are recognized and must be protected by the state, namely the right to information and the right to privacy²². The issue of personal data leakage is always contrary to the principle of information disclosure. The role of the state is needed in overcoming the problem of personal data protection

²¹ Rahandy Rizki Prananda, Batasan Hukum Keterbukaan Data Medis Pasien Pengidap Covid-19: Perlindungan Privasi VS Transparansi Informasi Publik, *Law, Development & Justice Review*, Vol. 2 No. 1, 2020, hlm 143

²² Nenny Rianarizkiwati, *Kebebasan Informasi Versus Hak Atas Privasi: Tanggung Jawab Negara Dalam Perlindungan Data Pribadi*, Disertasi (Jakarta: Universitas Indonesia Program Pasca Sarjana Ilmu Hukum), hlm 2

because personal data is an important part of the human rights related to effective government administrative activities²³. As a form of the state's responsibility to protect citizens' personal data, Law No. 27 of 2022 on Personal Data Protection (hereinafter referred to as the PDP Law) was passed. Personal data in Article 1 paragraph (1) is defined as a person's data that is affiliated with other information and can be identified through electronic or non-electronic systems. In the PDP Law, the classification of personal data is distinguished based on its nature, namely specific personal data and general personal data. There are 7 (seven) kinds of specific personal information regulated in Article 4 paragraphs (2) and (3) of the PDP Law. These include: health data and information; biomedical data; genetic data; crime records; child data; and personal financial data (Article 4 paragraph (2) of the PDP Law). Meanwhile, general personal information is regulated in Article 4 paragraph (3) of the PDP Law, including full name; gender; nationality; religion; and marital status.

In relation to elections, the issue of information disclosure and transparency regarding elections is one of the markers that elections have guaranteed justice and democracy and the right to information. In the implementation of the General Election, the General Election Commission is an institution that has the responsibility for the transparency of information services on the implementation of the General Election because the KPU acts as the organizing body of the General Election²⁴. The transparency in question is in the form of complete, correct, timely information, nothing is hidden from all stakeholders²⁵. The General Election Commission has committed to implementing transparency of all kinds of information, especially regarding the nomination process and who becomes legislative candidates. The information that can be provided by The General Election Commission is the actual information and the actual situation regarding the ongoing nomination process²⁶.

In the implementation of the General Election, the classification of personal data is regulated in the General Election Commission Regulation Number 22 of 2023 concerning Management and Public Information Services at the General Election Commission, Provincial General Election Commission, and Commission Regency/City General Elections. Electoral Commission Regulation Number 22 of 2023 regulates information that includes public information and personal data. Personal data is called the exempted public information clause, as in the KIP Law. Article 18 paragraph (1) General Election Commission Regulation Number 22 of 2023 requires the The General Election Commission to conduct identification and consequence test as well

²³ *ibid*

²⁴ Wahyu Wiji Utomo, *Op.Cit*, hlm 30

²⁵ *Ibid*

²⁶ Feniliona Ferdana, *Op.Cit*, hlm 279

as protection of data that will be published. The information that includes exempted information is regulated in Article 18 paragraph (2) to paragraph (5), namely information that can hamper the legal process and performance of the General Election Commission in the implementation of elections; information related to memoranda between the General Election Commission and intra The General Election Commission that are confidential except for court decisions and The General Election Commission decisions; information that can hamper the legal process related to violations of election crimes; and information that can publish a person's personal data. However, a person's personal information can be legally published if it has received approval from the owner of the information according to Article 18 paragraph (6) General Election Commission Regulation Number 22 of 2023.

b. Legislative Election Result of 2024

According to Ali Murtopo, Legislative Election is basically a forum for people's democracy to elect and determine the people's representatives in The House of Representatives, Local People's Representative Council, House of Regional Representatives, which later if elected and won will be tasked together with the government in determining political policies and running the government system²⁷. Another opinion is voiced by Ramlan Surbakti who defines Elections are a system of selecting and transferring sovereignty to people or parties that have been trusted²⁸.

The implementation of legislative elections is carried out by guaranteeing the principle of representation. This means that every citizen is ensured to have representatives who are in representative institutions that will represent the aspirations of the people at every level of government from the center to the regions²⁹. Strong and accountable representation is the result of the

²⁷ Ali Murtopo, *Strategi Politik Nasional*, (Jakarta: CIS, 1974) sebagaimana dikutip dalam Ade Silvi, *Pelanggaran Hukum Terhadap Penggunaan Alat Peraga Kampanye Dalam Pemilihan Umum Legislatif di Kabupaten Jember*, Skripsi (Jember: Program Studi Ilmu Hukum Fakultas Hukum Universitas Jember, 2019), hlm 16

²⁸ Surbakti, Ramlan, *Memahami ilmu Politik*, (Jakarta: Gramedia 1992), sebagaimana dikutip dalam Parlin Azhar Harahap, Gomgom T.P, dan Syawal Amry Siregar, *Peran Kepolisian Daerah Sumatera Utara (Polda-SU) Dalam Penegakan Hukum Terhadap Tindak Pidana Pemilihan Umum*, *Jurnal Retentum*, Vol. 2 No. 1, 2021, hlm 92

²⁹ Republik Indonesia, "Undang-Undang tentang Pemilihan Umum", Undang-Undang Nomor 7 Tahun 2017, *Lembaran Negara Republik Indonesia Tahun 2017 Nomor 182 Tambahan Lembaran Negara Republik Indonesia Nomor 6109*, Penjelasan Umum yang mengatur sebagai berikut

"Pemilu anggota DPR, anggota DPD, dan anggota DPRD diselenggarakan dengan menjamin prinsip keterwakilan, yang artinya setiap Warga Negara Indonesia dijamin memiliki wakil yang duduk di lembaga perwakilan, yang akan menyuarakan aspirasi rakyat di setiap tingkatan pemerintahan, dari pusat hingga ke daerah, Pemilu yang terselenggara secara langsung, urnrun, bebas, rahasia, jujur, dan adil merupakan syarat mutlak untuk mewujudkan wakil rakyat yang berkualitas, dapat dipercaya, dan dapat menjalankan fungsi kelembagaan legislatif secara optimal. penyelenggaraan Pemilu yang baik dan berkualitas

implementation of quality elections³⁰. The election of people's representatives through legislative elections is expected to select and produce representative members with integrity, quality, honesty, and can represent the voice of the community well in order to gain the trust of the people³¹.

In relation to the elections, in the legislative elections, the participants are political parties³². The first step that must be taken by political parties to be involved in the contestation of elections is to submit to The General Election Commission as the organizer accompanied by party documents that have been previously determined³³. The factual verification conducted by The General Election Commission includes factual verification of membership and factual verification of management³⁴.

In the 2024 Legislative Elections, there are 24 political parties participating in the elections where 18 of them are national parties and the remaining 6 are local Aceh political parties sourced from the General Election Commission Decree Number 551 of 2022 concerning Amendments to the General Election Commission Decree Number 518 of 2022 concerning Determination of Political Parties Participating in the General Election of Members of the House of Representatives and the Regional House of Representatives and Aceh Local Political Parties Participating in the General Election of Members of the Aceh People's Representative Council and Regency / City People's Representative Council in 2024. The national political parties are:

- a. Indonesian Democratic Party of Struggle;
- b. Prosperous Justice Party;
- c. PERINDO Party;
- d. NasDem Party;
- e. Moon Star Party;
- f. Nusantara Awakening Party;
- g. Indonesian Guardians of Change Party;
- h. Democratic Party;
- i. Indonesian People's Wave Party;

akan meningkatkan derajat kompetisi yang sehat, partisipatif, dan keterwakilan yang makin kuat dan dapat dipertanggungjawabkan”

³⁰ Muhamad Zamhuri, Penetapan Kuota 30% Keterwakilan Perempuan Di Legislatif Demi Terciptanya Keadilan Pancasila, Prosiding Mewujudkan Sistem Hukum Nasional Berbasis Pancasila, Vol. 1, 2024, hlm 19

³¹ Wilar, W.F, Stakeholder Pemilu Dalam Menyukkseskan Pelaksanaan Pemilu Serentak 17 April Tahun 2019, Jurnal Holistik, Vol. 12 No. 0 (April 2019), sebagaimana dikutip dalam Metrima Tosika, Khairul Fahmi, & Asrinaldi, Analisa Yuridis Standarisasi Syarat Keterangan Kesehatan Calon Legislatif, Pandecta, Vol. 16 No. 1 (Juni 2021), hlm 2

³² Ahmad Gelora Mahardika, Rekontruksi Verifikasi Partai Politik Sebagai Penegakan Asas Efisiensi Dan Efektivitas Pemilihan Umum, Era Hukum, Vol. 18 No. 2, 2020, hlm 16

³³ Madin Silalahi dkk, Pola Rekrutment Calon Legislatif Perempuan Partai Politik Perindo Pada Pemilihan Umum 2019 Di Sumatera Utara, Jurnal Governance Opinion, Vol. 4 No. 1 (2019), hlm 139

³⁴ *Ibid*

- j. People's Conscience Party;
- k. Greater Indonesia Movement Party;
- l. National Revival Party;
- m. Indonesian Solidarity Party;
- n. National Mandate Party;
- o. Golkar Party;
- p. United Development Party;
- q. Labor Party;
- r. Ummat Party.

The following is a list of 6 local Aceh political parties, among others:

- a. Aceh Nanggroe Party;
- b. Atjeh Generation Party Beusaboh Tha'at Dan Taqwa;
- c. Daruh Aceh Party;
- d. Aceh Party;
- e. Aceh Prosperous Fair Party;
- f. Aceh People,s Independent Solidarity Party

The results of the votes in the legislative elections are listed in the General Election Commission Decree Number 360 of 2024 concerning the Determination of the Election Results of the President and Vice President, Members of the House of Representatives, Regional Representatives Council, Provincial Regional Representatives Council, and Regency / City Regional Representatives Council Nationally in the General Election of 2024. However, not all parties participating in the elections can qualify and get seats in parliament. In the results of the 2024 Legislative Elections, there were 8 (eight) political parties that qualified for parliament³⁵. The following is the percentage of votes obtained by the 8 (eight) winning parties in the 2020 Legislative Election :

Tabel 1 Percentage of Vote Acquisition of the Winning Party of the 2024 Legislative Election

No.	Political Party	Percentage of Vote Acquisition
1	PDIP Party	16,72%
2	Golkar Party	15,28%
3	Gerindra Party	13,22%
4	ESC	10,61%
5	Nasdem Party	9,56%
6	MCC	10,61%
7	Democratic Party	7,43%
8	PAN	7,23%

Previously, the General Election Commission had announced the

³⁵ Badan Pengawas Pemilu, 8 Partai Politik Peserta Pemilu 2024 Lolos ke Senayan, <https://cimahikota.bawaslu.go.id/berita/8-partai-politik-peserta-pemilu-2024-lolos-ke-senayan> diakses pada 20 Agustus 2024

determination of Provisional Voters List and Permanent Voters List for the 2024 elections, namely 9,917 Provisional Voters List for Regional Representative Council of the Republic of Indonesia legislative candidates from the previous 9,919 provisional list of candidates and 668 legislative candidates³⁶. The General Election Commission official website also contains information about the national electoral districts and candidates where the information on the page includes the name of the province, the serial number of the legislative candidate, the latest photo of the legislative candidate, the name of the legislative candidate, gender, city / regency of residence, and the legislative candidate profile which contains a curriculum vitae of education history, work history, organizational history, and motivation as stipulated in the General Election Commission Regulation Number 10 of 2023 can also be known through The General Election Commission 's official portal³⁷. This shows that the KPU has performed its duties and obligations related to information disclosure mandated by law. In accordance with the rules of Article 18 paragraph (6) PKPU Number 22 of 2023 that the KPU requires approval if it is going to publish the curriculum vitae of candidates, therefore not all candidates in the 2024 Legislative Elections open their curriculum vitae. The following is data on the number of candidates who chose to open a curriculum vitae from each party winning the 2024 Election :

Tabel 2 Transparency of Curriculum Vitae of the Winning Party of the General Election³⁸

No.	Party Name	Percentage of Candidate Who Opened Curriculum Vitae	Percentage of Candidate Who Did Not Open the Curriculum Vitae
1	PDIP Party	98%	2%
2	Golkar Party	-	100%
3	Gerindra Party	70%	30%
4	PKB Party	99%	1%
5	Nasdem Party	83%	17%
6	MCC	97,74%	2,24%
7	Democratic Party	0,52%	99,48%
8	PAN	96,73%	3,72%

In Regional Representative Council of the Republic of Indonesia as many as 250 candidates chose not to open their curriculum vitae and the remaining

³⁶ Komisi Pemilihan Umum, Pengumuman DCT Pemilu 2024: DPR 9.917 Calon, DPD 668 Calon, <https://www.kpu.go.id/berita/baca/12058/pengumuman-dct-pemilu-2024-dpr-9917-calon-dpd-668-calon> diakses pada April 2024

³⁷ Martin Luther Manao, Data Transparency of Legislative Candidates Viewd form the Theory of Popular Sovereignty, Jurnal Pengabdian Pancasila, Vol. 3 No. 1, 20204, hlm 25

³⁸ Diolah berdasarkan sumber https://infopemilu.kpu.go.id/Pemilu/Dct_dpr

418 chose to open their curriculum vitae. Each candidate is not burdened with the obligation to open his curriculum vitae, but based on Article 4 paragraph (3) of Law Number 27 Year 2022 on Personal Data Protection that the information contained in the curriculum vitae is included in public information. This means that the information is information that should be legal to publish for the purpose of identifying and assessing candidates. Many parties then asked the KPU to consider the publication of the curriculum vitae of the candidates. However, the KPU argues that curriculum vitae is exempt information that requires special permission for voters to access³⁹.

Based on these results, most legislative candidates who chose to open their profiles received the most votes in each of their supporting political parties. This result explains that the disclosure of information about the curriculum vitae of candidates is very influential for voters to determine their choice. The open proportional system used in elections in Indonesia requires voters to determine their own choices by making the information that is available to them provided by candidates for assessment and consideration. Moreover, Indonesia currently benefits from a demographic bonus that causes the majority of voters to be young voters⁴⁰. One of the demands of young voters in the implementation of elections is information disclosure, one of which is the curriculum vitae of candidates⁴¹. This demand is supported by the fact that the younger generation is a generation that is very familiar with technology so that young voters are very easy to access the information needed, such as through social media⁴². Therefore, young voters will make candidates who open their curriculum vitae as their consideration and choice with the assumption that through the curriculum vitae they can assess the credibility and integrity of legislative candidates who will represent them in the government⁴³.

c. Legal Implications If KPU Does Not Implement Election Information Disclosure

As a state of law, there will be legal implications if state institutions do not carry out their obligations according to the law. Legal implications or legal

³⁹ Safir Makki, Data Riwayat Hidup Caleg DPR Tak Bisa Diakses, KPU Buka Suara, <https://www.cnnindonesia.com/nasional/20231107131237-617-1020987/data-riwayat-hidup-calegdpr-tak-bisa-diakses-kpu-buka-suara> diakses pada 25 Juni 2024

⁴⁰ Martin, Op.Cit, hlm 28

⁴¹ Komisi Pemilihan Umum, 55% Pemilih Didominasi Generasi Muda, Bantu KPU Dalam Penyelenggaraan Pemilu, <https://www.kpu.go.id/berita/baca/11684/55-pemilhididominasi-generasi-muda-bantu-kpu-dalam-penyelenggaraan-pemilu-2024>, diakses pada April 2024

⁴² Nur Hafifa, et.al, Partisipasi Generasi Muda dalam Pemilu 2024 di Kepulauan Riau, Jurnal Penelitian Ilmu-Ilmu Sosial, Vol. 1 No. 11, 2024, hlm 62

⁴³ Agung Satriyo, Kunastya Mulya, & Destriana Pasaribu, Pengaruh Faktor Geografis dalam Preferensi Pemilih Muda pada Pemilihan Presiden 2024, Spatial: Wahana Komunikasi dan Informasi Geografis, Vol. 24 No. 1, 2024, hlm 46

consequences are consequences that arise due to legal events from legal subjects. These consequences are legitimate consequences according to the law so that a legal event will cause legal implications if it is in accordance with the classification of consequences that have previously been regulated in a law⁴⁴.

Being a government with a good governance attitude is the goal of all governments in the world and one of the efforts to achieve this goal is through information disclosure. The benefits of public information disclosure are not only to increase people's trust, but also to have an impact on the government's performance positive impact on the quality of public service⁴⁵. Therefore, all public bodies are given the obligation to implement public information disclosure. Through public information disclosure, it is believed that it can maximize the effectiveness of policies, accuracy, and efficiency carried out by public bodies through the interaction stage in the form of information exchanged⁴⁶. The practice of corruption, collusion and nepotism is the impact of closed access to public information⁴⁷.

The General Election Supervisory Agency as a supervisory institution for organizing elections has the right to assess the credibility of organizing elections⁴⁸. In addition. The General Election Supervisory Agency also has the right to request information from the KPU regarding the information needed, including information regarding the curriculum vitae of candidates. Criminal sanctions will be imposed if the KPU ignores and does not implement information disclosure in accordance with the KIP Law. In the event of a dispute related to the negligence of a public body in implementing public information disclosure, the dispute resolution process can be pursued through litigation in court or settlement process through out-of-court cooperation⁴⁹. Submission of a lawsuit to the court is done only if one of the parties rejects the adjudication decision and is submitted through the State

⁴⁴ Nur Hafifa, Op.Cit, hlm 62

⁴⁵ Ricky & Muh. Tanzil Aziz, Keterbukaan Informasi Publik Di Indonesia (Perspektif Akuntabilitas, Transparansi dan Partisipasi), Jurnal Ilmiah Wahana Bhakti Praja, Vol. 12 No. 2, 2022, hlm 60

⁴⁶ Yang & Maxwell, Informationsharing in public organizations: A literature review of interpersonal, intra-organizational and inter-organizational success factors. Government Information Quarterly (2011) sebagaimana dikutip dalam Ricky & Muh. Tanzil Aziz, Keterbukaan Informasi Publik Di Indonesia (Perspektif Akuntabilitas, Transparansi dan Partisipasi), Jurnal Ilmiah Wahana Bhakti Praja, Vol. 12 No. 2, 2022, hlm 66

⁴⁷ Ade Suhendar, Keterbukaan Informasi Publik Bentuk Keseriusan Pemerintahan Menuju Good Governance (Implementasi Undang-Undang Nomor 14 Tahun 2008), Jurnal Wacana Kinerja, Vol. 13 No. 2, 2020, hlm 243

⁴⁸ Ahmad Sahroni, Konflik Kelembagaan Antara Badan Pengawas Pemilu dan Komisi Pemilihan Umum Dalam Sengketa Proses Pemilu di Pemilihan Umum Serentak Tahun 2019 (Studi Kasus: Calon Anggota Legislatif Mantan Koruptor dan Partai Bulan Bintang), Tesis (Jakarta: Studi Magister Ilmu Politik Universitas Nasional), hlm 3

⁴⁹ Hibdza Meiridha Badar, et.all, Analisa Hukum Terhadap Kewenangan Komisi Informasi Dalam Penyelesaian Sengketa Informasi Di Provinsi Sumatera Selatan, Lex Stricta: Jurnal Ilmu Hukum, Vol. 1 No. 3, 2023, hlm 189

Administrative Court with a hearing open to the public except regarding exempted information.

Although The General Election Supervisory Agency has the authority to request the entire curriculum vitae of candidates to the KPU, it does not necessarily make all candidates for the 2024 elections open their curriculum vitae. There are still candidates who choose not to open a curriculum vitae. There is even an anomaly when one of the political parties whose candidates do not open their curriculum vitae but become the second highest vote-getter in the 2024 elections. This indicates that there are other factors besides the transparency of candidates' curriculum vitae that affect the victory of candidates and parties.

d. The Anomaly of Golkar Party Which Won the Second Most Votes in the 2024 Election

In the 2024 Election, the major political parties won election with the most votes. On average, the major political parties that won the 2024 elections implemented public information disclosure through the transparency of their candidates. Even so, it does not rule out the possibility of an anomaly when one of the major political parties winning the 2024 General Election all of its candidates choose not to implement vitae transparency. This shows that the winning factor of these candidates and political parties does not come from public information disclosure efforts as carried out by the other winning parties of the 2024 elections.

Tabel 3 Transparency of Curriculum Vitae of Candidates from 5 (Five) Election Winning Parties⁵⁰

No.	Party Name	Percentage Candidates Opened Curriculum Vitae	of Who the Candidate	Percentage of
1	PDIP Party	98%		2%
2	Golkar Party	-		100%
3	Gerindra Party	70%		30%
4	PKB	99%		1%
5	Nasdem Party	83%		17%

Based on the data above, it is produced that 4 (four) out of 5 (five) parties winning the Legislative Election are more parties whose candidates choose to open a curriculum vitae. From the data above it can also be interpreted that by opening a curriculum vitae curriculum vitae is more effective in obtaining the maximum number of votes. PKB is the party with almost all candidates disclosing their curriculum vitae. This is in contrast to the Golkar Party,

⁵⁰ Diolah berdasarkan sumber https://infopemilu.kpu.go.id/Pemilu/Dct_dpr

where all of its candidates chose to close the information about their curriculum vitae. There is an anomaly when Golkar Party 100% (one hundred percent) does not disclose the curriculum vitae of its candidates but still gets the second highest number of votes in the 2024 elections. There are other factors that make Golkar Party still get the second highest number of votes even though all of its candidates do not disclose their curriculum vitae.

e. Trends Information Disclosure Regarding the Curriculum Vitae of Legislatif Candidates in the 2024 Elections in the Implementation of the 2024 Legislative Elections

The trend of information disclosure is a form of implementation of Article 28F, which states that all people have the right to obtain and process information. Information disclosure will be closely related to transparency. Transparency in government will have a good impact on public trust and as an effort to implement ideal governance⁵¹. The trend of information disclosure requires government implementers to open and provide as easy access as possible for the community in obtaining basic and general information⁵². In the political sector, transparency will produce clean politics and can prioritize the interests of the community⁵³. In the implementation of elections, the public wants to find transparent and accurate election results as a form of public trust in the election organizing agency⁵⁴. One of the public's needs for transparency of candidates in elections is the curriculum vitae, which is also included in the information that must be fulfilled by the KPU as an election organizer. Of the 5 (five) winning parties in the 2024 elections, there are 4 (four) parties with more candidates who open their curriculum vitae.

By knowing the curriculum vitae of the candidates, voters can determine which candidates have a good track record in the hope of realizing their aspirations⁵⁵. Through curriculum vitae, candidates can also show their achievements and attract voters' attention. In the current era of progress, voters' knowledge about politics has developed better from various sources of information so that voters tend to choose candidates who open curriculum vitae because voters can assess and choose according to their political preference⁵⁶. This shows how information can influence a person's mindset. Voters will choose rationally where voters think critically both retrospectively

⁵¹ Sri Agustini, Hak Keterbukaan Informasi Publik Berdasarkan Undang-Undang Keterbukaan Informasi Publik, Jurnal Ensiklopedia, Vol. 4 No. 2, 2022, hlm 187

⁵² Muhammad Tanzil Rahimallah, Op.Cit, hlm 192

⁵³ Bintang Rahmatullah, et.all, Dinamika Publikasi Riwayat Hidup Calon Anggota Legislatif Pemilu 2024 Ditinjau Dari Perlindungan Data Pribadi, Jurnal Actual, Vol. 13 No. 2, 2023, hlm 83

⁵⁴ *Ibid*

⁵⁵ *Ibid*

⁵⁶ Wasisto Raharjo Jati, Perilaku Memilih Rasional Dalam Pemilu Indonesia Kontemporer: Perbandingan Pemilu 2014 dan Pemilu 2019, Jurnal Adhyasta Pemilu, Vol. 5 No. 2, 2022, hlm 72

and prospectively. Retrospective analysis is a way for voters to consider previous achievements and related economic consequences. Prospective is defined as a voter analysis that prioritizes critically evaluating the work programs initiated by candidates and parties⁵⁷. All materials that can be used as retrospective and prospective considerations can be found if candidates provide transparency regarding curriculum vitae. This proves that information disclosure regarding curriculum vitae has a significant role and impact on election results.

However, the Golkar Party's success in receiving the second highest number of votes despite not disclosing its curriculum vitae is an anomaly. Voters cannot analyze retrospectively or prospectively because candidates do not implement information disclosure. Even so, the Golkar Party still dominates the vote in the 2024 elections. This situation is due to the success of the Golkar Party in building and maintaining a good image to the public. This factor is called the reification dimension, where political parties gain loyalty and support from the public by presenting a good image of the parties. The reification dimension is also related to track record of a political party⁵⁸. However, building a good image by the Golkar Party in the current era of technological advancement is inevitable from the role of social media⁵⁹. The ease of use of media by political parties also benefits from the commitment to implement public information disclosure⁶⁰. This shows that Golkar Party candidates succeeded in getting voters' votes by relying on the good image of the Golkar Party. It also indicates that the role of transparency and the good image of the party is quite effective in obtaining maximum votes in the 2024 Legislative Elections.

IV. CONCLUSION

The right to information and the right to privacy are two rights that must be protected and fulfilled by the state. Therefore, the government classifies various kinds of information to distinguish between information that should be published and personal information through legislation. A person's curriculum vitae is one of the classified information. In UU KIP, the curriculum vitae is classified as exempt information with conditions. This means that there is some information in the curriculum vitae that is indeed

⁵⁷ *Ibid*

⁵⁸ Vicky Randall dan Lars Svasand, *Party Institutionalization and the New Democracies*, Mannheim: ECPR, sebagaimana dikutip dalam Okadarmi Dwi Kaypama, *Dominasi Partai Golkar Di Kabupaten Tanah Data Pada Pemilihan Legislatif Tahun 2014*, *Jurnal Demokrasi dan Politik Lokal*, Vol. 1 No. 2, 2019, hlm 153

⁵⁹ Adrianto, et.all, *Sistem Proporsional Terbuka Bukan Akar Politik Uang Dalam Pemilu*, *Jurnal Hukum, Politik, dan Ilmu Sosial*, Vol. 3 No.3, 2024, hlm 348

⁶⁰ Ambia B. Bostam, Adi Prakosa, dan Bhakti Nur Avianto, *Upaya Partai Politik Dalam Memanfaatkan Demokrasi Virtual Di Era Digital*, *Jurnal Pustaka Komunikasi*, Vol. 6 No. 1, 2023, hlm 2

private but can be published on condition that it has received the consent of the person concerned. Meanwhile, in the PDP Law, the curriculum vitae includes general personal data information. Information related to the curriculum vitae of candidates in the 2024 elections is regulated in PKPU Number 22 of 2023 and states that the curriculum vitae is included in exempt public information. This means that the KPU can publish a curriculum vitae if the candidate concerned agrees to have his/her curriculum vitae published on the KPU's official website. In the 2024 General Election, the KPU has carried out its obligations as a public body in terms of implementing information disclosure. Information disclosure through page https://infopemilu.kpu.go.id/Pemilu/Dct_dpr The KPU has published the list of although not all candidates open their curriculum vitae. Legal implications occur if the KPU as a public body does not carry out obligations related to public information disclosure. The legal implications will lead to criminal charges if it can be proven that the KPU does not carry out information disclosure. In the 2024 General Election, the KPU has carried out its obligations in fulfilling election information disclosure, including the publication of curriculum vitae. However, the publication of curriculum vitae still requires approval from each candidate, therefore there are still candidates who do not open their curriculum vitae. Of the 5 (five) election-winning political parties, namely PDIP, Golkar, Gerindra, PKB, and Nasdem, only Golkar Party has 100% (one hundred percent) of its candidates who do not disclose their curriculum vitae, in contrast to PKB, which is the party with the highest percentage of candidates who do disclose their curriculum vitae at 99% (ninety-nine percent). It can be concluded that there are other factors besides curriculum vitae transparency that affect vote acquisition in the 2024 elections, namely the reification dimension factor.

KPU can take advantage of technological developments to maximize the implementation of elections. KPU should encourage voters choose and assess candidates based on their curriculum vitae. KPU can utilize media https://infopemilu.kpu.go.id/Pemilu/Dct_dpr and https://infopemilu.kpu.go.id/Pemilu/Dct_dpd so that voters can find out the curriculum vitae of each candidate. The author suggests that the KPU review the obligation of all candidates to carry out curriculum vitae transparency the consideration that in the 2024 Election there will be candidates who open their curriculum vitae, especially those from the winning party. This obligation is accompanied by the assertiveness of what information must be included on the KPU website so that there is uniformity among all candidates.

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