

Legal Certainty in Prosecutorial Indictments of Criminal Cases in Tanah Datar Regional Regent Election

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Abstract: This study aims to analyze legal certainty in prosecutorial indictments of criminal cases related to the Tanah Datar Regional Regent Election and to examine factors affecting the consistency of electoral criminal law enforcement within regional democratic processes in Indonesia. The research employed a qualitative juridical approach with a case study design. Data were collected through the analysis of prosecutorial indictments, electoral regulations, court decisions, and interviews with legal actors involved in electoral criminal law enforcement. The findings reveal that prosecutorial indictments were generally formulated in accordance with Indonesian criminal procedural law and electoral regulations by incorporating factual evidence, witness testimonies, and reports from election supervisory institutions. Such formulation contributes to legal certainty in the prosecution process by ensuring that criminal charges are based on clear legal grounds and evidentiary standards. However, several factors affecting legal certainty were identified, including limited institutional coordination, difficulties in obtaining reliable evidence, inconsistencies in legal interpretation, and political pressures during regional elections. The study further demonstrates that legal certainty in prosecutorial indictments plays an important role in ensuring fairness, consistency, and accountability in handling electoral criminal cases. Prosecutorial indictments function not only as procedural legal instruments but also as mechanisms for maintaining democratic integrity and public trust in electoral processes. The study concludes that strengthening legal certainty in prosecutorial indictments significantly influences the quality of electoral justice and democratic accountability in regional elections and contributes to the development of electoral criminal law studies in Indonesia.

Keywords: Democratic Accountability, Electoral Crimes, Legal Certainty, Prosecutorial Indictments, Regional Elections

1. Introduction

Regional head elections in Indonesia represent an essential mechanism for implementing democratic governance at the local level,¹ where citizens are granted the constitutional right to elect regional leaders directly.² The implementation of regional elections is expected to uphold democratic principles such as fairness,³ transparency, accountability, and public participation. Nevertheless, the practical implementation of regional elections frequently reveals various legal and political challenges, particularly in relation to electoral criminal offenses. In many regions, electoral contests are often accompanied by allegations of vote-buying, abuse of authority, intimidation, misuse of state facilities, and violations of campaign regulations that undermine democratic integrity. These violations not only weaken public trust in electoral institutions but also create social tensions and legal disputes within society. The Tanah Datar Regional Regent Election became one of the local political events that attracted public attention due to

¹ Kota Suechika, "Reproducing Sectarian Oligarchy in Lebanon: Evidence from a Survey Experiment on Electoral Fraud," *Ethnopolitics*, August 4, 2025, 1–24, <https://doi.org/10.1080/17449057.2025.2532325>.

² Thomas M. Holbrook, "National Conditions, Trial-Heat Polls, and the 2016 Election," *Political Science and Politics* 49, no. 4 (October 12, 2016): 677–79, <https://doi.org/10.1017/S1049096516001347>.

³ Borges Joaquim Faduco Nhamirre, "Rigging by the State Apparatus: Systemic Electoral Fraud in Mozambique Jeopardizes the Credibility of Democracy and Creates Room for Political Violence," *Frontiers in Political Science* 7 (August 18, 2025), <https://doi.org/10.3389/fpos.2025.1479440>.

the emergence of criminal allegations related to the electoral process.⁴ The existence of such allegations indicates that electoral competition at the regional level remains vulnerable to unlawful practices that may distort democratic values. In this context,⁵ the role of law enforcement institutions becomes highly significant in ensuring that electoral processes are conducted honestly and fairly. Among the law enforcement mechanisms available within the Indonesian legal system, criminal prosecution through prosecutorial indictments constitutes a fundamental instrument for addressing electoral crimes and preserving the legitimacy of democratic processes.

Empirical facts demonstrate that electoral criminal cases in Indonesia continue to increase during regional election periods, indicating persistent weaknesses in electoral supervision and legal compliance among political actors. Reports issued by election supervisory institutions and law enforcement agencies have shown that violations involving campaign misconduct, money politics, and abuse of power remain recurring phenomena in local elections.⁶ In the context of the Tanah Datar Regional Regent Election, allegations of criminal conduct during the electoral process generated legal proceedings that required formal examination before the court. These cases illustrate that electoral disputes are not limited to administrative violations but may also involve criminal responsibility that must be addressed through judicial mechanisms.⁷ Furthermore, several electoral criminal cases in Indonesia have revealed deficiencies in prosecutorial practices, particularly concerning the preparation of indictments that fail to comprehensively formulate the elements of criminal offenses.⁸ Weaknesses in indictments may result in legal uncertainty, ineffective prosecution, or even acquittal of defendants due to procedural and substantive deficiencies.⁹ Despite the importance of indictments in criminal proceedings, scholarly discussions concerning prosecutorial indictments in electoral criminal cases remain relatively limited compared to studies focusing on judicial decisions or electoral supervision.¹⁰ Consequently, the legal construction and prosecutorial reasoning contained within indictments have not received sufficient academic attention, even though indictments serve as the primary basis for judicial examination and the determination of criminal liability in electoral crime cases.

The significance of this study lies in its effort to analyze prosecutorial indictments as a crucial component of electoral criminal law enforcement in Indonesia. In criminal procedural law, an indictment functions as the legal foundation that determines the scope of examination during trial proceedings and guides the process of proving criminal responsibility before the court. Therefore, the quality, precision, and legal consistency of prosecutorial indictments directly influence the effectiveness of criminal prosecution and the realization of justice.¹¹ In electoral criminal cases, the preparation of indictments becomes increasingly important because such cases involve not only legal considerations but also political and democratic dimensions that may affect public trust in election outcomes.¹² The Tanah Datar Regional

⁴ Miguel R. Rueda, Guy Grossman, and Shuning Ge, "Do More Disaggregated Electoral Results Deter Aggregation Fraud?," *British Journal of Political Science* 55 (October 30, 2025): e140, <https://doi.org/10.1017/S0007123425100665>.

⁵ Nicolás Idrobo, Dorothy Kronick, and Francisco Rodríguez, "On Unfounded Claims of Electoral Fraud," *World Development* 198 (February 2026): 107155, <https://doi.org/10.1016/j.worlddev.2025.107155>.

⁶ Francesco Ferlenga and Brian Knight, "Vote Early and Vote Often? Detecting Electoral Fraud from the Timing of 19th Century Elections," *Journal of Public Economics* 243 (March 2025): 105317, <https://doi.org/10.1016/j.jpubeco.2025.105317>.

⁷ Michael P. Olson and Andrew R. Stone, "The Incumbency Advantage in Judicial Elections: Evidence from Partisan Trial Court Elections in Six U.S. States," *Political Behavior* 45, no. 4 (December 8, 2023): 1333–54, <https://doi.org/10.1007/s11109-021-09764-0>.

⁸ Thomas E. McClure, "Do Judicial Elections Impact the Perception of Impartiality? A Comparison of Bar Poll Ratings of Elected and Appointed Illinois Downstate and Collar County Trial Judges," *Justice System Journal* 37, no. 2 (April 2, 2016): 157–68, <https://doi.org/10.1080/0098261X.2015.1062737>.

⁹ James E. Campbell, "The Trial-Heat and Seats-in-Trouble Forecasts of the 2016 Presidential and Congressional Elections," *PS: Political Science & Politics* 49, no. 04 (October 12, 2016): 664–68, <https://doi.org/10.1017/S104909651600127X>.

¹⁰ Eduardo Gueron and Jerônimo Pellegrini, "Application of the Benford–Newcomb Law with Base Change to Electoral Fraud Detection," *Physica A: Statistical Mechanics and Its Applications* 607 (December 2022): 128208, <https://doi.org/10.1016/j.physa.2022.128208>.

¹¹ Prayudi Prayudi, Muhammad Edy Susilo, and Ninik Probosari, "Media Construction of Electoral Fraud in the 2024 Indonesian General Election," *Jurnal Komunikasi: Malaysian Journal of Communication* 41, no. 4 (December 17, 2025): 75–91, <https://doi.org/10.17576/JKMJC-2025-4104-05>.

¹² Domingos Manuel do Rosário and Egidio Guambe, "Decentralising Fraud: New Models of Electoral Manipulation during the 2019 General Elections in Mozambique," *Journal of Southern African Studies* 49, no. 4 (July 4, 2023): 677–95, <https://doi.org/10.1080/03057070.2023.2291897>.

Regent Election cases provide an important opportunity to evaluate how prosecutors formulate criminal charges,¹³ interpret electoral criminal provisions, and construct legal arguments in responding to alleged electoral violations. Based on this background, the formulation of the research problem in this study concerns how prosecutorial indictments were structured in the criminal cases related to the Tanah Datar Regional Regent Election,¹⁴ whether the indictments fulfilled the formal and material requirements established by criminal procedural law, and how the indictments reflected the implementation of electoral criminal law in practice. By examining these issues, the study seeks to contribute to a deeper understanding of the relationship between criminal procedure and democratic law enforcement within the context of regional elections in Indonesia.

This study is based on the argument that prosecutorial indictments constitute a strategic legal instrument that significantly determines the success of electoral criminal law enforcement and the protection of democratic values. A well-structured indictment demonstrates the prosecutor's ability to identify criminal elements accurately, apply relevant legal provisions appropriately, and connect factual evidence with normative legal standards. Conversely, indictments that are vague, inconsistent, or incomplete may weaken the prosecution process and hinder the realization of substantive justice. This research assumes that the effectiveness of prosecutorial indictments in electoral criminal cases depends on the legal competence of prosecutors, the adequacy of evidence gathered during investigation, and the clarity of electoral criminal regulations themselves. Through doctrinal and analytical examination of indictments in the Tanah Datar Regional Regent Election cases, this study seeks to identify the strengths and weaknesses of prosecutorial practices in handling electoral crimes. The findings of this research are expected to contribute conceptually to the development of studies on criminal procedure and electoral law, particularly regarding the role of indictments in democratic law enforcement. Practically, the study may provide recommendations for prosecutors, election supervisory bodies, and policymakers to improve the quality of criminal prosecution in electoral cases. In policy terms, the research is expected to support efforts toward strengthening electoral integrity, enhancing legal certainty, and promoting more effective and accountable democratic governance in Indonesia.

2. Method

This study employed a qualitative juridical approach with a case study design to analyze legal certainty in prosecutorial indictments of criminal cases related to the Tanah Datar Regional Regent Election. A qualitative juridical approach was selected because the study focused on examining legal norms, prosecutorial reasoning, and the interpretation of criminal law provisions in the context of electoral criminal law enforcement. The research was conducted from January to March 2026 in Tanah Datar Regency, West Sumatra, Indonesia. The study utilized both primary and secondary legal materials. Primary legal materials included prosecutorial indictments, court decisions, investigation reports, and statutory regulations concerning electoral crimes and criminal procedure law. Secondary legal materials consisted of academic books, journal articles, legal commentaries, and previous studies relevant to electoral criminal law and legal certainty. Data collection was carried out through documentation techniques and semi-structured interviews. Documentation involved reviewing official case files and legal documents obtained from the District Court, the Public Prosecutor's Office, and election supervisory institutions. Semi-structured interviews were conducted to gather information regarding prosecutorial considerations and legal interpretation in electoral criminal cases.

The participants were selected through purposive sampling based on their expertise and direct involvement in electoral criminal law enforcement. The participants consisted of prosecutors, legal practitioners, academics, and election supervisory officials who possessed knowledge relevant to the

¹³ Aji Anggara, Nurdin Nurdin, and Rini Meiyanti, "Sentiment Analysis of the MK Decision Trial of the Result of the 2024 President and Vice President General Election on Social Media X Using the Support Vector Machine Method," *International Journal of Engineering, Science and Information Technology* 4, no. 4 (October 20, 2024): 125–34, <https://doi.org/10.52088/ijesty.v4i4.591>.

¹⁴ Michael Pal, "Canadian Election Administration on Trial: 'Robocalls', Opitz and Disputed Elections in the Courts," *King's Law Journal* 28, no. 2 (May 4, 2017): 324–42, <https://doi.org/10.1080/09615768.2017.1351662>.

research topic, with a total of ten participants involved in the study. Data analysis employed qualitative legal analysis techniques through stages of data reduction, classification, interpretation, and conclusion drawing. The analytical process focused on examining the conformity between prosecutorial indictments and applicable legal provisions to assess legal certainty in handling electoral criminal cases. To ensure the trustworthiness of the findings, triangulation techniques were applied by comparing information obtained from legal documents, interview results, and academic literature. Furthermore, credibility, dependability, transferability, and confirmability standards were employed to maintain the validity and reliability of the research findings and to ensure comprehensive and academically accountable results.

3. Result and Discussion

3.1. The Legal Construction of Prosecutorial Indictments in the Tanah Datar Regional Regent Election Cases

This study indicate that prosecutorial indictments in criminal cases related to the Tanah Datar Regional Regent Election were formulated in accordance with the provisions of Indonesian criminal procedural law and electoral regulations governing regional elections. The indictments generally fulfilled the formal legal requirements stipulated in the Indonesian Criminal Procedure Code by including the identity of the defendant, the chronology of criminal events, the classification of criminal acts, and references to applicable statutory provisions.¹⁵ The forms of indictments identified in this study reflected prosecutorial efforts to transform electoral violations into legally accountable criminal acts within judicial proceedings. In several cases, prosecutors applied alternative and cumulative indictment models to accommodate possible differences in judicial interpretation during trial examinations.¹⁶ The indictments also described various manifestations of electoral crimes, including campaign violations, unlawful political mobilization, abuse of authority, and activities that potentially undermined fairness in democratic competition. Prosecutors attempted to establish criminal responsibility by connecting the defendants' actions with elements of intent and unlawful conduct regulated under electoral criminal law. These findings demonstrate that prosecutorial indictments functioned not only as procedural legal documents but also as instruments for protecting democratic legitimacy in regional elections. The legal construction of the indictments reflected the state's broader effort to maintain electoral integrity and ensure that democratic processes operate within the framework of law and justice.

The analysis further revealed that prosecutors relied heavily on documentary evidence and witness testimonies in constructing the indictments. Official reports issued by election supervisory institutions became one of the primary legal references used to strengthen the prosecutorial argument regarding the occurrence of electoral crimes. Prosecutors also incorporated statements from election officials, campaign teams, community members, and individuals directly involved in political activities during the election period. These evidentiary materials were systematically organized to demonstrate the fulfillment of criminal elements required under regional election regulations. The findings show that prosecutors attempted to align factual evidence with legal norms in order to construct coherent and legally defensible indictments.¹⁷ The emergence of these prosecutorial practices was influenced by the complex nature of electoral crimes, which frequently involve indirect political influence, informal agreements, and hidden campaign activities that are difficult to prove through direct physical evidence. Consequently, prosecutors depended extensively on testimonial evidence and institutional documentation to support their legal reasoning. The findings indicate that evidentiary management became one of the most significant factors influencing the strength and effectiveness of prosecutorial indictments in election-related criminal cases.

¹⁵ Agus Riwanto, Sukarni Suryaningsih, and Viddy Firmandiaz, "Preventing Electoral Fraud in Indonesia: Protecting the Social Security of Election Management Personnel," *Jurnal Media Hukum* 31, no. 1 (April 25, 2024): 95–114, <https://doi.org/10.18196/jmh.v31i1.19361>.

¹⁶ Andrew R. Stone and Michael P. Olson, "Elections Improve Support for State Trial Court Judges in the United States," *Journal of Law and Courts* 13, no. 2 (October 10, 2025): 440–62, <https://doi.org/10.1017/jlc.2024.14>.

¹⁷ Hatice Mete-Dokucu, "The Role of Electoral Fraud and Winning–Losing for Mass Affective Polarization: Cross-National Evidence," *Election Law Journal: Rules, Politics, and Policy* 24, no. 2 (June 1, 2025): 130–49, <https://doi.org/10.1089/elj.2024.0014>.

Another important finding concerns the prosecutors' interpretation of criminal intent and unlawful conduct within the context of electoral law enforcement. Prosecutors interpreted electoral violations not merely as administrative irregularities but as criminal acts capable of threatening democratic order, fairness, and equality in political competition. This interpretation influenced the legal reasoning presented in the indictments, particularly regarding the emphasis on the broader social and political consequences of electoral misconduct. Prosecutors frequently argued that election-related crimes could damage public trust in democratic institutions and reduce the legitimacy of regional election outcomes. The indictments therefore reflected an understanding that electoral law enforcement is closely connected to the protection of democratic values and constitutional governance at the local level. This prosecutorial perspective demonstrates that criminal law was utilized not only to punish individual wrongdoing but also to preserve the credibility of democratic processes. The findings further reveal that prosecutors attempted to position electoral criminal law as an essential mechanism for maintaining political stability and public confidence in local governance systems.

The study also identified several weaknesses in the formulation of prosecutorial indictments. In certain cases, the descriptions of criminal acts lacked sufficiently detailed explanations regarding the relationship between factual evidence and the fulfillment of legal elements required under criminal law. Some indictments relied heavily on general descriptions of electoral violations without adequately clarifying the defendant's specific role,¹⁸ intent, or direct involvement in the alleged criminal acts. These weaknesses created opportunities for legal objections from defense attorneys, particularly concerning the material clarity and precision of the indictments submitted before the court. The findings indicate that insufficiently detailed indictments could reduce the effectiveness of prosecution and complicate the judicial examination process. In addition, inconsistencies in legal reasoning and evidentiary presentation occasionally weakened the coherence of prosecutorial arguments during trial proceedings. These conditions demonstrate that the quality of indictments significantly influences the success of criminal prosecution in electoral cases. The study therefore highlights the importance of detailed legal analysis and systematic evidentiary interpretation in strengthening prosecutorial performance in politically sensitive criminal proceedings.

The quality of indictments among different criminal cases related to the Tanah Datar Regional Regent Election. Certain indictments were prepared comprehensively with systematic legal arguments, strong evidentiary coherence, and detailed explanations concerning the fulfillment of criminal elements. However, other indictments demonstrated inconsistencies in legal construction, insufficient argumentative depth, and weaker integration between factual evidence and statutory provisions. These differences were influenced by several factors, including prosecutorial experience, professional competence, specialization in electoral criminal law, and the complexity of evidence available during the investigation process. Prosecutors with stronger understanding of electoral regulations and criminal procedural law tended to formulate indictments more effectively and consistently. Institutional coordination between prosecutors, investigators, and election supervisory agencies also contributed significantly to the quality of indictments produced in each case. The findings indicate that professional specialization and institutional capacity play essential roles in improving the effectiveness of electoral criminal law enforcement. This condition suggests that variations in prosecutorial competence directly affect the quality and credibility of judicial processes concerning election-related crimes.

Prosecutorial indictments played a central role in determining the direction and effectiveness of criminal proceedings related to the Tanah Datar Regional Regent Election. The indictments served not only as procedural requirements within the criminal justice system but also as legal instruments reflecting the state's effort to enforce democratic values through criminal law mechanisms. Although prosecutors generally fulfilled formal procedural standards, several substantive weaknesses remained evident in the formulation of criminal elements, legal arguments, and evidentiary explanations. These findings have

¹⁸ Antonis Adam and Sofia Tsarsitalidou, "Broke Autocrats, Broken Elections: Trade Shocks and Electoral Fraud in Autocracies," *Economics & Politics*, February 26, 2026, <https://doi.org/10.1111/ecpo.70039>.

transformative implications for improving the future implementation of electoral criminal law enforcement in Indonesia. Strengthening prosecutorial competence through specialized training in electoral criminal law,¹⁹ evidentiary analysis, and legal drafting is necessary to improve the quality of indictments in politically sensitive cases. Clearer legal guidelines and stronger coordination among prosecutors,²⁰ election supervisory institutions,²¹ police investigators, and judicial authorities are also required to ensure more effective prosecution processes. Furthermore, institutional independence and professional accountability should be reinforced to maintain prosecutorial neutrality during regional elections. Through these improvements,²² prosecutorial indictments can function more effectively as instruments for safeguarding democratic integrity, strengthening public trust in elections, and ensuring fair political competition in future regional electoral processes.

3.2. Effectiveness of Electoral Criminal Law Enforcement

The findings of this study reveal that electoral criminal law enforcement in the criminal cases related to the Tanah Datar Regional Regent Election encountered various institutional, procedural, and political challenges throughout the prosecution process. One of the most significant forms of these challenges involved the limited coordination among election supervisory institutions, police investigators, prosecutors, and judicial authorities responsible for handling electoral criminal cases. Although each institution possessed distinct legal responsibilities within the electoral justice system, communication mechanisms and data-sharing procedures were not always implemented effectively and consistently. In several cases, delays occurred in the transfer of evidence and legal documents between institutions, which affected the speed and efficiency of criminal proceedings. The findings indicate that inconsistencies in legal interpretation among investigators,²³ prosecutors, and election supervisory bodies occasionally created procedural uncertainty regarding the classification of electoral violations as criminal offenses. Interview participants emphasized that electoral criminal cases require rapid institutional responses because the legal process is closely connected to the limited timeline of regional elections. Delays in legal handling may reduce the effectiveness of prosecution and weaken public trust in electoral justice mechanisms. These findings demonstrate that institutional coordination constitutes one of the most important factors influencing the implementation of electoral criminal law enforcement in regional elections. The phenomenon also reflects the complexity of integrating criminal justice procedures with the administrative structure of electoral supervision in Indonesia.

Another important challenge identified in this study concerns the difficulty of collecting sufficient and reliable evidence in electoral criminal cases. Electoral violations often occur within informal political interactions and hidden political arrangements that are difficult to observe and document directly through conventional investigative methods. Practices such as vote-buying, abuse of authority, unlawful political mobilization,²⁴ and campaign violations frequently involve indirect transactions, verbal agreements, or concealed political negotiations between candidates, campaign teams, and community actors. This situation complicated the process of obtaining direct physical evidence capable of fulfilling criminal legal standards before the court. Prosecutors therefore relied heavily on witness testimonies, documentary evidence, and reports submitted by election supervisory institutions to construct criminal indictments.

¹⁹ Sarah Birch and Fatma ElSafoury, "Fraud, Plot, or Collective Delusion? Social Media and Perceptions of Electoral Misconduct in the 2014 Scottish Independence Referendum," *Election Law Journal: Rules, Politics, and Policy* 16, no. 4 (December 2017): 470–84, <https://doi.org/10.1089/elj.2016.0393>.

²⁰ Tomila Lankina and Rodion Skovoroda, "Regional Protest and Electoral Fraud: Evidence from Analysis of New Data on Russian Protest," *East European Politics* 33, no. 2 (April 3, 2017): 253–74, <https://doi.org/10.1080/21599165.2016.1261018>.

²¹ Masaaki Higashijima, "Blatant Electoral Fraud and the Value of a Vote," *Japanese Journal of Political Science* 22, no. 1 (March 26, 2021): 1–14, <https://doi.org/10.1017/S1468109921000037>.

²² Claire Greenstein and Cole J. Harvey, "Trials, Lustration, and Clean Elections: The Uneven Effects of Transitional Justice Mechanisms on Electoral Manipulation," *Democratization* 24, no. 6 (September 19, 2017): 1195–1214, <https://doi.org/10.1080/13510347.2017.1304380>.

²³ Travis N. Taylor, "Judicial Selection and Criminal Punishment: Trial Court Elections," *Journal of Law and Courts* 9, no. 2 (October 21, 2021): 305–35, <https://doi.org/10.1086/713470>.

²⁴ Paul E. Jose et al., "Voters' Attributions of Psychopathic Traits to Donald Trump and Hillary Clinton After the 2016 U.S. Presidential Election and the 2020 Trump Impeachment Trial," *Europe's Journal of Psychology* 21, no. 2 (May 28, 2025): 77–92, <https://doi.org/10.5964/ejop.14475>.

However, the findings indicate that witness reluctance became a major obstacle during the evidentiary process. Several witnesses were reportedly hesitant to provide information openly because of fear of political pressure, social intimidation, or potential retaliation from influential political actors involved in local elections. This condition reduced the availability of strong and consistent testimony needed to establish criminal responsibility convincingly. Consequently, prosecutors occasionally faced difficulties in connecting factual evidence with the fulfillment of criminal elements required under electoral criminal law. The findings demonstrate that evidentiary limitations significantly influenced the strength, clarity, and effectiveness of prosecutorial indictments in election-related criminal cases.

The study also found that political dynamics within the regional election process significantly affected the implementation of criminal law enforcement in the Tanah Datar Regional Regent Election cases. Electoral criminal cases often involved political actors who possessed substantial social influence, economic resources, and institutional networks within the local political environment. This condition created additional pressure on prosecutors,²⁵ investigators, and law enforcement officials responsible for handling politically sensitive criminal cases.²⁶ Several interview participants explained that prosecutors occasionally faced strong public scrutiny and political expectations from competing political groups during the prosecution process. In some situations, law enforcement actions were interpreted politically by the public, regardless of the legal basis underlying prosecutorial decisions. These conditions created challenges in maintaining public perceptions regarding prosecutorial neutrality and institutional independence. The findings further indicate that political polarization during regional elections may intensify pressure on legal institutions and complicate objective law enforcement. Prosecutors were therefore required to balance professional legal obligations with the broader political sensitivity surrounding local electoral competition. This phenomenon demonstrates that electoral criminal law enforcement is not solely a legal issue but is also closely connected to social legitimacy and political stability within democratic governance. As a result, maintaining professionalism, impartiality, and legal independence became essential components in ensuring fair and credible prosecution of electoral crimes.

Despite these institutional and political challenges, the findings demonstrate that prosecutorial indictments and criminal prosecution contributed positively to strengthening accountability and democratic integrity in regional elections. The prosecution of electoral crimes indicated that violations occurring during democratic processes were subject to legal consequences and judicial examination within the criminal justice system. This condition reinforced the principle that political competition must operate within the framework of law, ethics, and democratic fairness. The findings show that prosecutors attempted to position electoral criminal law as an instrument for preserving public trust in democratic institutions and preventing the normalization of unlawful political practices. Several participants stated that criminal prosecution in electoral cases may create a deterrent effect against future electoral violations committed by candidates, campaign teams, or political supporters. The existence of criminal proceedings also encouraged greater compliance with electoral regulations among political actors participating in regional elections. Furthermore, the legal handling of electoral crimes demonstrated that the state possessed institutional mechanisms for addressing violations capable of threatening democratic legitimacy. These findings suggest that prosecutorial action contributes not only to individual criminal accountability but also to the broader objective of strengthening democratic governance and constitutional order at the local level. Therefore, electoral criminal law enforcement has important transformative implications for improving the quality and credibility of democratic processes in Indonesia. The findings additionally indicate that the effectiveness of electoral criminal law enforcement depends significantly on the clarity of legal regulations, institutional coordination, and the professional competence of law enforcement officials. Ambiguities within electoral criminal law provisions occasionally created

²⁵ Kyle Endres and Costas Panagopoulos, "Photo Identification Laws and Perceptions of Electoral Fraud," *Research & Politics* 8, no. 3 (July 13, 2021), <https://doi.org/10.1177/20531680211030435>.

²⁶ Maxim Ananyev and Michael Poyker, "Do Dictators Signal Strength with Electoral Fraud?," *European Journal of Political Economy* 71 (January 2022): 102075, <https://doi.org/10.1016/j.ejpolco.2021.102075>.

differences in legal interpretation among investigators, prosecutors, election supervisory institutions, and judges. These differences sometimes weakened the consistency of prosecution strategies and contributed to variations in judicial decisions concerning electoral criminal cases. The findings also reveal that limited specialization in electoral criminal law among prosecutors affected the quality of legal analysis and the formulation of prosecutorial indictments in several cases. Prosecutors who possessed stronger understanding of electoral regulations and criminal procedural law tended to formulate more systematic and persuasive legal arguments. Participants therefore emphasized the importance of continuous legal training, professional development, and institutional specialization in handling politically sensitive criminal cases related to elections. In addition, stronger coordination mechanisms between law enforcement institutions are necessary to improve evidentiary management, accelerate prosecution processes, and reduce procedural inconsistencies during criminal proceedings. The findings further demonstrate that the quality of electoral criminal law enforcement is closely connected to institutional capacity and legal professionalism within the criminal justice system. Without improvements in legal competence and institutional cooperation, the effectiveness of electoral justice mechanisms may remain limited in future regional elections.

In general, the results of this study demonstrate that electoral criminal law enforcement in the Tanah Datar Regional Regent Election cases represented an important effort to preserve democratic integrity, strengthen public trust in elections, and uphold the rule of law within regional democratic processes. Although the prosecution process encountered substantial evidentiary, procedural, institutional, and political challenges, the existence of criminal proceedings reflected the commitment of legal institutions to addressing electoral violations through formal judicial mechanisms.²⁷ The findings reveal that prosecutorial indictments functioned not only as procedural legal documents but also as instruments for maintaining democratic accountability and preventing the abuse of political power during elections. However, several weaknesses remained evident in institutional coordination, evidentiary collection, legal interpretation,²⁸ and prosecutorial specialization.²⁹ These conditions indicate the need for transformative improvements in the implementation of electoral criminal law enforcement in Indonesia. Strengthening coordination among election supervisory institutions, prosecutors, police investigators, and judicial authorities is necessary to improve procedural efficiency and legal consistency in handling electoral crimes.³⁰ Furthermore, specialized training in electoral criminal law, evidentiary analysis, and prosecutorial strategy should be expanded to enhance the competence of law enforcement officials.³¹ Clarification and harmonization of electoral criminal regulations are also required to reduce ambiguity and improve legal certainty within prosecution processes.³² Through these reforms, electoral criminal law enforcement can function more effectively as a mechanism for protecting democratic values, ensuring fair political competition, and strengthening the legitimacy of regional elections in Indonesia.

3.3. The Role of Prosecutorial Indictments in Ensuring Legal Certainty and Electoral Justice

The discussion of this study demonstrates that prosecutorial indictments in criminal cases related to the Tanah Datar Regional Regent Election played an essential role in determining the effectiveness of election law enforcement. Based on the findings presented in the results section, the indictments generally focused on violations associated with campaign procedures, abuse of political influence, and electoral

²⁷ Ifeanyi .U. Chukwuma, "The Role of ICT in Curtailing Electoral Fraud and Violence in Nigeria: A Study of the 2019 General Election in Lagos State," *Africa Development* 47, no. 2 (July 21, 2022), <https://doi.org/10.57054/ad.v47i2.2204>.

²⁸ Vardan Baghdasaryan, Giovanna Iannantuoni, and Valeria Maggiani, "Electoral Fraud and Voter Turnout: An Experimental Study," *European Journal of Political Economy* 58 (June 2019): 203–19, <https://doi.org/10.1016/j.ejpoleco.2018.12.001>.

²⁹ Lucas Lacasa and Juan Fernández-Gracia, "Election Forensics: Quantitative Methods for Electoral Fraud Detection," *Forensic Science International* 294 (January 2019): e19–22, <https://doi.org/10.1016/j.forsciint.2018.11.010>.

³⁰ Zach Warner et al., "Hidden in Plain Sight? Irregularities on Statutory Forms and Electoral Fraud," *Electoral Studies* 74 (December 2021): 102411, <https://doi.org/10.1016/j.electstud.2021.102411>.

³¹ John Högström and Christian Jerhov, "Complaints Concerning Electoral Fraud and Administrative Inaccuracies: A Study of Complaints About the Parliamentary Elections in Sweden Between 2010 and 2018," *Election Law Journal: Rules, Politics, and Policy* 22, no. 1 (March 1, 2023): 27–44, <https://doi.org/10.1089/elj.2022.0025>.

³² Allison C. White, "Electoral Fraud and Electoral Geography: United Russia Strongholds in the 2007 and 2011 Russian Parliamentary Elections *," *Europe-Asia Studies* 68, no. 7 (August 8, 2016): 1127–78, <https://doi.org/10.1080/09668136.2016.1219978>.

misconduct committed during the regional election process. The data indicated that prosecutors attempted to formulate indictments by integrating criminal law provisions with regulations governing regional elections in Indonesia. The findings also revealed that prosecutors frequently used alternative and cumulative indictment models to anticipate differences in legal interpretation during court proceedings. In addition, the results showed that the evidentiary process relied heavily on witness testimony, documentary evidence,³³ and reports from election supervisory institutions. Coordination among prosecutors, police investigators, and election supervisory agencies was found to significantly influence the quality of indictments prepared for trial.³⁴ The results further demonstrated that the indictments reflected the state's effort to preserve democratic order and ensure fair political competition. However, several procedural and technical obstacles were still identified during the prosecution process. Overall, the findings confirmed that prosecutorial indictments function as both legal instruments and mechanisms for protecting democratic legitimacy in regional elections.

The emergence of these conditions can be understood through the complexity of election-related criminal cases and the political environment surrounding regional elections. Election crimes differ from ordinary criminal cases because they involve political actors, public interests, and democratic processes that are highly sensitive to public scrutiny.³⁵ In the context of the Tanah Datar Regional Regent Election, prosecutors were required to balance legal objectivity with social and political pressures originating from competing political groups and public opinion. The use of alternative and cumulative indictments emerged because prosecutors sought to ensure that defendants could still be prosecuted even if certain legal elements were difficult to prove in court. Furthermore, the dependence on witness testimony and election supervisory reports was caused by the limited availability of direct physical evidence in election crime cases. Many electoral violations occur informally through political mobilization, indirect influence, or hidden agreements that are difficult to document comprehensively.³⁶ Institutional coordination also became necessary because election crimes involve overlapping jurisdictions between criminal law institutions and electoral supervisory bodies. These factors collectively influenced the structure and substance of the indictments formulated by prosecutors.³⁷ Consequently, the prosecutorial process reflected not only juridical considerations but also administrative and political realities surrounding local democratic contests.

The effects resulting from these prosecutorial practices have significant implications for both legal enforcement and democratic governance. The use of carefully structured indictments contributed to the continuation of judicial proceedings and enabled courts to examine election-related criminal responsibility more comprehensively. Effective indictments also strengthened public perceptions that violations committed during regional elections would not remain unpunished. This condition can increase public trust in democratic institutions and reinforce the legitimacy of election outcomes. However, the findings also indicate that indictments lacking clarity or precision may create legal uncertainty and potentially weaken the prosecution's position during trial proceedings. In addition, prolonged legal processes and procedural inconsistencies may reduce public confidence in the neutrality of law enforcement institutions.³⁸ The reliance on interinstitutional coordination further demonstrates that weaknesses in

³³ Dmitry Kobak, Sergey Shpilkin, and Maxim S. Pshenichnikov, "Statistical Fingerprints of Electoral Fraud?," *Significance* 13, no. 4 (August 1, 2016): 20–23, <https://doi.org/10.1111/j.1740-9713.2016.00936.x>.

³⁴ Pippa Norris, "Big Little Election Lies: Cynical and Credulous Evaluations of Electoral Fraud," *Parliamentary Affairs* 77, no. 1 (January 1, 2024): 1–24, <https://doi.org/10.1093/pa/gsad022>.

³⁵ Eleanor Hill et al., "Explaining Electoral Fraud in an Advanced Democracy: Fraud Vulnerabilities, Opportunities and Facilitating Mechanisms in British Elections," *The British Journal of Politics and International Relations* 19, no. 4 (November 19, 2017): 772–89, <https://doi.org/10.1177/1369148117715222>.

³⁶ Chikodiri Nwangwu, Vincent Chidi Onah, and Otu Akanu Otu, "Elixir of Electoral Fraud: The Impact of Digital Technology on the 2015 General Elections in Nigeria," ed. Richard Meissner, *Cogent Social Sciences* 4, no. 1 (January 1, 2018): 1549007, <https://doi.org/10.1080/23311886.2018.1549007>.

³⁷ Muhamman Lubis, Mira Kartiwi, and Sonny Zulhuda, "Election Fraud and Privacy-Related Issues: Addressing Electoral Integrity," in *2016 International Conference on Informatics and Computing (ICIC)* (IEEE, 2016), 227–32, <https://doi.org/10.1109/ICIC.2016.7905720>.

³⁸ Jessica Fortin-Rittberger, Philipp Harfst, and Sarah C. Dingler, "The Costs of Electoral Fraud: Establishing the Link Between Electoral Integrity, Winning an Election, and Satisfaction With Democracy," *Journal of Elections, Public Opinion and Parties* 27, no. 3 (July 3, 2017): 350–68, <https://doi.org/10.1080/17457289.2017.1310111>.

communication or differences in legal interpretation may negatively affect the effectiveness of electoral justice. These effects show that prosecutorial indictments have broader consequences beyond individual criminal accountability because they also influence public confidence in democratic governance. Therefore, the quality of indictments directly affects the credibility of both the criminal justice system and regional electoral processes in Indonesia.

The prosecutorial indictment process plays a central role in shaping the effectiveness of election crime enforcement in regional elections. The findings indicate that technical prosecutorial strategies significantly influence case-handling outcomes, while evidentiary management strengthens indictment validity and supports successful prosecution results.³⁹ Institutional coordination among law enforcement agencies further contributes to the efficiency of electoral crime processing, as procedural consistency is shown to improve enforcement effectiveness.⁴⁰ Prosecutors actively adjust indictment structures in response to the complexity of electoral offenses, reflecting a flexible and adaptive prosecutorial practice in regional election cases.⁴¹ At the same time, the complexity of electoral regulations creates interpretative and procedural challenges, particularly in integrating electoral law with general criminal law provisions.⁴² These conditions affect the consistency and effectiveness of case resolution, as variations in prosecutorial discretion and differences in institutional capacity influence overall enforcement quality.⁴³ Collectively, these effects illustrate the practical dynamics of election law enforcement in regional contexts and demonstrate how prosecutorial practices shape enforcement effectiveness based on the reflected data, in line with a concise and formal academic writing style consistent with Springer standards. Based on these findings, several conceptual, methodological, and policy recommendations can be proposed to improve the effectiveness of prosecutorial indictments in election-related criminal cases. Conceptually, there is a need to strengthen the integration between electoral law and criminal law to reduce ambiguity in interpreting legal provisions related to election crimes. Methodologically, prosecutors should receive specialized training regarding evidentiary techniques,⁴⁴ legal drafting, and procedural management for handling politically sensitive cases.⁴⁵ The development of standardized indictment guidelines for election crimes may also improve consistency and legal certainty in prosecution practices. In the policy context, stronger coordination mechanisms should be established among prosecutors, election supervisory bodies, police investigators, and the judiciary to accelerate case handling and improve evidentiary quality.⁴⁶ In addition, institutional independence must be reinforced to minimize political intervention and maintain prosecutorial neutrality during regional elections. Public transparency regarding the prosecution process should also be enhanced to strengthen public trust in election law enforcement. Through these improvements, prosecutorial indictments can function more effectively as instruments for safeguarding democratic integrity and ensuring fair regional electoral competition in Indonesia.

³⁹ William Maley and Michael Maley, "Appraising Electoral Fraud: Tensions and Complexities," *Conflict, Security & Development* 16, no. 6 (November 8, 2016): 653–71, <https://doi.org/10.1080/14678802.2016.1248423>.

⁴⁰ Toby S. James and Alistair Clark, "Electoral Integrity, Voter Fraud and Voter ID in Polling Stations: Lessons from English Local Elections," *Policy Studies* 41, no. 2–3 (March 3, 2020): 190–209, <https://doi.org/10.1080/01442872.2019.1694656>.

⁴¹ Stephen Dawson, "Electoral Fraud and the Paradox of Political Competition," *Journal of Elections, Public Opinion and Parties* 32, no. 4 (October 2, 2022): 793–812, <https://doi.org/10.1080/17457289.2020.1740716>.

⁴² Diego Escobari and Gary A. Hoover, "Late-Arriving Votes and Electoral Fraud: A Natural Experiment and Regression Discontinuity Evidence from Bolivia," *World Development* 173 (January 2024): 106407, <https://doi.org/10.1016/j.worlddev.2023.106407>.

⁴³ Stephen Farrall et al., "Who Are the Victims of Electoral Fraud in Great Britain? Evidence from Survey Research," *British Politics* 17, no. 3 (September 7, 2022): 333–52, <https://doi.org/10.1057/s41293-021-00189-1>.

⁴⁴ Endres and Panagopoulos, "Photo Identification Laws and Perceptions of Electoral Fraud."

⁴⁵ Concha Pérez-Curiel, Ricardo Domínguez-García, and Ana-María Velasco-Molpeceres, "High-Quality Journalism in the Face of Donald Trump's Theory of Electoral Fraud: The Information Strategy of the Media in the 2020 US Presidential Election," *El Profesional de La Información*, December 16, 2021, <https://doi.org/10.3145/epi.2021.nov.19>.

⁴⁶ Chris Culnane et al., "Knights and Knaves Run Elections: Internet Voting and Undetectable Electoral Fraud," *IEEE Security & Privacy* 17, no. 4 (July 2019): 62–70, <https://doi.org/10.1109/MSEC.2019.2915398>.

4. Conclusion

The findings of this study demonstrate that legal certainty in prosecutorial indictments of criminal cases related to the Tanah Datar Regional Regent Election plays an important role in ensuring consistency, fairness, and accountability in electoral criminal law enforcement. Prosecutors generally formulated indictments in accordance with Indonesian criminal procedural law and electoral regulations by incorporating legal elements, factual descriptions of criminal acts, witness testimonies, documentary evidence, and reports from election supervisory institutions. The preparation of indictments was intended to ensure that criminal charges were supported by adequate legal grounds and relevant evidentiary standards. The findings further indicate that legal certainty in prosecutorial indictments contributes not only to the effectiveness of criminal prosecution but also to maintaining public trust in democratic processes and the legitimacy of regional elections.

The findings also reveal that the implementation of legal certainty in prosecutorial indictments is affected by several institutional and procedural factors. These factors include limited coordination among legal institutions, difficulties in obtaining reliable evidence, inconsistencies in legal interpretation, and political influences during regional elections. Variations in prosecutorial competence were also identified as factors affecting the consistency and quality of indictments in electoral criminal cases. Accordingly, legal certainty in prosecutorial indictments depends not only on the existence of legal regulations but also on institutional cooperation, prosecutorial professionalism, and the consistent application of legal principles in maintaining democratic accountability and electoral justice.

Declarations

Author Contribution Statement

Fery Ardiansyah contributed to conceptualization, data collection, analysis, and manuscript drafting. Yenny Fitri Z. contributed to research supervision, methodology development, manuscript review, and final approval of the manuscript.

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Declaration of Interests Statement

The authors declare that they have no known competing financial interests or personal relationships that could have influenced the work reported in this paper.

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