



Democracy and the Political Rights of Former Prisoners in Indonesia: A Legal Perspective

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ABSTRACT:

Background; Debate persists over whether former prisoners may stand in Indonesia's local elections; Constitutional Court Decision No. 42/PUU-XIII/2015 reshapes the line between electoral integrity and rights protection.

Aims; To unpack the Court's reasoning and assess how it protects ex-prisoners' political rights while maintaining the credibility of local democratic contests.

Methods; Normative juridical study employing doctrinal analysis of the 1945 Constitution, pertinent statutes, and Decision No. 42/PUU-XIII/2015, read alongside scholarly commentary and case-based interpretation.

Result; The Court positions political participation as a basic right that cannot be curtailed arbitrarily, yet allows narrowly tailored, proportionate limits to deter abuse and uphold ethical governance. The ruling refines candidacy criteria, improves legal certainty, and aligns practice with justice, proportionality, and inclusive democracy.

Conclusion; By recognizing conditional eligibility for ex-prisoners, the Court advances democratic inclusion without diluting electoral standards, offering a pragmatic constitutional pathway for balancing rights and good governance in Indonesia's local elections.

Keyword: Candidacy eligibility; Constitutional law ; Ex-prisoners' rights; Local elections

INTRODUCTION

The question of whether former prisoners should be allowed to contest in Indonesia's local elections is not only a legal debate but a pressing democratic concern. It immediately shapes electoral inclusiveness, the credibility of governance, and public trust in local institutions (Kerr & Wahman, 2021; McKay et al., 2021). The 1945 Constitution promises equality and dignity to citizens who have completed their sentences. Communities, however, still expect demanding ethical standards for anyone seeking public office (Ali et al., 2021; Bhatt, 2022). Former prisoners stand precisely at this crossroads, carrying both a claim to rehabilitation and the weight of past wrongdoing. Public debate often reduces the issue to a yes-no choice, a simplification that hides the law's layered complexities. When rights collide with institutional integrity, binary framing tends to mislead rather than clarify. A careful, evidence-based framework is therefore urgently needed so that rules feel fair and function effectively in practice.

At a constitutional level, urgency arises because vague candidacy limits can quietly erode guarantees of equality and legal certainty. Articles 28D(1) and 28I(1) of the 1945 Constitution set the baseline that rights may not be curtailed arbitrarily. Those guarantees interact with electoral statutes and implementing regulations issued by the election commission (Bhat, 2021; Nabiebu, 2022). When rules restrict who may run, the justification must show more than good intentions or political convenience. It must be anchored in constitutional promises and the logic of rehabilitation after punishment (Dichter, 2021; Simon, 2025). Without that discipline, restrictions drift into permanent stigma that survives long after a sentence ends. Such stigma undermines reintegration and weakens democratic inclusion. A principled approach is therefore essential to ensure limits are lawful, proportionate, and publicly defensible.

The need for clarity intensified with Constitutional Court Decision No. 42/PUU-XIII/2015, which sits at the center of current debates. The Court neither granted unconditional access nor endorsed blanket bans for former prisoners (Haley, 2022). Instead, it redirected the conversation toward conditional eligibility grounded in reasons that can be explained and tested. That redirection moves policy from slogans to standards that withstand scrutiny. It accepts that rights can be limited, but only with evidence and precise tailoring. It also rejects the presumption that all convictions carry identical democratic risks (Roberts, 2021; Stevens et al., 2025). By insisting on publicly reviewable reasoning, the Court reframed exclusion as a last resort rather than a default reaction. The decision, however, requires thoughtful implementation to become more than an inspiring principle.

Urgency also stems from the practical question of which tools burden rights the least while still protecting office integrity (Susser & Cabrera, 2024; Verhoef & Coetser, n.d.). Proportionality supplies the method: legitimacy, suitability, necessity, and overall balance. In the local election context, the goal of safeguarding institutions is plainly legitimate. The challenge lies in selecting measures that fit that goal without overreaching. Conditional eligibility offers a narrower, fairer route than categorical prohibitions. It lets decision-makers assess elapsed time since sentence completion, offense gravity, and credible evidence of rehabilitation (Berryessa, 2022; Murray, 2021). This individualized assessment avoids stereotypes that collapse different cases into one. It turns integrity from a label into a claim that must be demonstrated with facts.

Local elections heighten the stakes because decisions are visible and consequences are immediate. Regional leaders control budgets, services, and appointments that affect daily life in tangible ways (Beazer & Reuter, 2022; Chen et al., 2021; Kruse, 2022). If the gate is too tight, representation shrinks and voters lose meaningful choice. If the gate is too loose, the stature of public office is diluted and cynicism grows. Clear, evidence-based conditions communicate that a second chance is available but must be earned. Earned means verifiable, documented, and open to review rather than ceremonial. When such standards are applied consistently, both winners and losers can understand the reasons behind outcomes. Legitimacy then rests on process quality as much as on electoral arithmetic.

Comparative practice underscores the urgency of getting these details right rather than copying any single model (Ghandour et al., 2024; Jamaluddine et al., 2025). Some jurisdictions impose time-bound exclusions for specified crimes, while others rely on individualized review with rehabilitation thresholds. The better approaches share one feature: they demand reasons that survive public daylight. Proportionality acts as guardrails against moral grandstanding and partisan gatekeeping. It forces regulators to explain why a chosen limit is necessary here and now, and why a

lighter option would not suffice. In the field of political rights, those explanations reach questions of dignity, deterrence, and restored public trust (Mpofu et al., 2024). Indonesia's jurisprudence increasingly speaks this vocabulary, aligning domestic doctrine with intelligible international standards. The moment now calls for translating that vocabulary into workable rules.

Implementation is where urgency becomes operational, because doctrine without procedures can misfire. Administrators need steps they can follow the same way across regions and election cycles (Hall & Yoder, 2022; Kusdarini et al., 2022). That requires mapping offense categories, defining cooling-off periods, and specifying indicators of rehabilitation. It also requires allocating the burden of proof and describing acceptable documentation with clarity (Doerfler, 2023; Stenderup & Pedersen, 2025). Absent such guidance, similar cases may splinter into inconsistent outcomes that invite litigation. Inconsistency breeds suspicion that eligibility screening is political rather than principled. Uniform procedures protect candidates' rights and strengthen administrative decisions when challenged. They convert constitutional aspiration into predictable practice.

Public perception adds a final reason to act now rather than later. High-profile corruption cases shape how communities read a candidate's past and present credibility (Gehrke & Yang, 2025; Jimoh et al., 2024). Calls for permanent bans can surge even when the Constitution would not sustain them. Conversely, excessively permissive rules can look like institutional amnesia about public harm. A measured path channels both impulses into conditional eligibility with verifiable benchmarks. Publishing reasons and decisions helps bridge the gap between legal analysis and civic intuition (Cegarra-Navarro et al., 2023; Hlavacik & Krutka, 2021; Kristjánsson et al., 2021). With steady application, expectations mature about what rehabilitation should mean in public life. These premises motivate the present study to clarify the Court's reasoning and translate it into an operational framework for conditional eligibility in Indonesia's local elections.

Scholars widely treat the right to be elected as a core democratic claim that may be limited only by targeted, evidence-driven rules backed by reasons the public can inspect. In Indonesia, the 1945 Constitution and Constitutional Court jurisprudence—most notably Decision No. 42/PUU-XIII/2015—push policy away from blanket bans toward reasoned conditional eligibility calibrated to risk. A proportionality lens—testing legitimacy, fit, necessity, and overall balance—provides the grammar for reconciling rights with the integrity of public office. Consistency in applying those limits depends on auditable election records and durable archives that make screening and review traceable Agustyati et al. (2025). Integrity technologies (e.g., blockchain-based e-voting) can bolster verifiability without substituting for constitutional judgment Babagbeto & Ezin (2026). Entry pathways influence downstream performance; prior experience often correlates with legislative effectiveness, so eligibility design carries governance consequences Hansen (2022). Candidates' socioeconomic profiles shape representation and perceived legitimacy, underscoring the need for transparent, non-stereotyped vetting Straus (2025). When law enforcement becomes partisan or coercive institutions are politicized, public trust erodes unless decision makers publish clear reasons Rosenzweig (2025). Electoral calendars (including concurrent elections) shift who turns out and how integrity rules are received, which raises the premium on persuasive justification Lucero et al. (2025). Professional re-entry into policy work offers practical templates for documenting rehabilitation in candidacy assessments Shukla et al. (2025). In post-crisis and distributive settings, perceptions of favoritism intensify, making transparent criteria and review non-negotiable Zulhadi et al. (2025). Decentralized systems can water down standards without tight guidance; a uniform

operational test is therefore essential Zhang et al. (2025). Taken together, the international record supports proportionate, criteria-based restrictions, grounded in auditable data and public reasons, to keep Pilkada practice aligned with Indonesia's constitutional commitments.

Commentary on Constitutional Court Decision No. 42/PUU-XIII/2015 often acknowledges proportionality, but rarely distills the Court's reasoning into a practical, stepwise test that can be applied to candidacy disputes involving former prisoners. Much of the discussion stays at the level of principle and stops short of translating doctrine into day-to-day guidance for election administrators. As a result, Indonesia still lacks a consolidated set of conditional-eligibility criteria (covering offense categories, cooling-off periods, indicators of rehabilitation, burdens of proof, and documentation standards) that can be implemented consistently across regions and cycles. This gap invites uneven outcomes and avoidable litigation, weakening both legal certainty and public trust. The debate is also thinly connected to comparative scholarship, so Indonesia's approach is seldom benchmarked against international practices on post-conviction candidacy, limiting opportunities for policy learning.

This study responds by reconstructing the logic of Decision No. 42/PUU-XIII/2015 into a workable proportionality test and converting that test into implementable, reviewable rules for conditional eligibility. The intent is to move from slogans to standards: to provide a clear pathway administrators and courts can follow, with reasons that are transparent enough for the public to understand. By offering criteria that are specific yet adaptable, the study aims to reduce discretion without becoming rigid, to improve legal certainty without sacrificing fairness, and to align Indonesia's practice with international norms on democratic inclusion and electoral integrity. In short, the contribution is both conceptual, clarifying what the Court actually requires and operational, showing how those requirements can function in real cases.

The purpose is to clarify the Court's reasoning in Decision No. 42/PUU-XIII/2015 and to develop an operational, proportionate framework for assessing former prisoners' candidacy in local elections. The study proceeds from the proposition that political participation is a fundamental right that may be limited only by narrowly tailored, evidence-based measures. It further posits that combining offense gravity, completion of sentence, time elapsed, and demonstrable rehabilitation will yield outcomes that better protect both rights and institutional integrity than blanket prohibitions. A final expectation is that a uniform operational test, complete with clear criteria, allocation of evidentiary burdens, documentation protocols, and reason-giving, will curb regional variance and strengthen public confidence while remaining faithful to Indonesia's constitutional commitments.

METHOD

Research Design

This article uses a normative-juridical design that treats doctrine as data. The inquiry moves from constitutional guarantees (1945 Constitution, Arts. 28D(1) and 28I(1)) and Indonesia's electoral framework (statutes and PKPU) to the Constitutional Court's reasoning in Decision No. 42/PUU-XIII/2015. That reasoning is reconstructed as a proportionality sequence—legitimacy, suitability, necessity, and balancing—and then translated into conditional-eligibility criteria that administrators can apply and courts can review. The structure is summarized in Figure 1, which traces the path from first-order norms to operational rules and, finally, to administrative practice and

democratic-integrity outcomes. The figure sits in Methods to signal that it is part of the research architecture, not a decorative schematic.

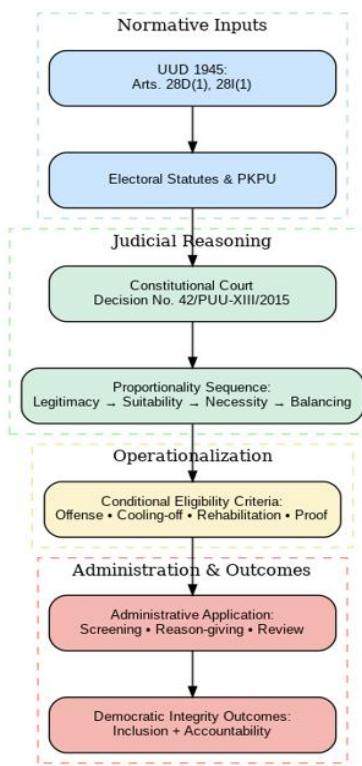


Figure 1. Conceptual Framework of Conditional Eligibility in Pilkada

Layered swimlanes show: (i) Normative Inputs—1945 Constitution (Arts. 28D(1), 28I(1)), electoral statutes, PKPU; (ii) Judicial Reasoning—Decision No. 42/PUU-XIII/2015 and the proportionality sequence; (iii) Operationalization—criteria on offense category, cooling-off, rehabilitation evidence, and burden/standard of proof; (iv) Administration & Outcomes—screening, reason-giving, review → inclusion and accountability.

Participant

No human subjects are involved. The “participants” are authoritative legal texts: the 1945 Constitution, electoral statutes, PKPU regulations, and the official judgment in Decision No. 42/PUU-XIII/2015, complemented by peer-reviewed commentary and comparative jurisprudence. Sources are selected purposively for authority, relevance, and recency to secure doctrinal breadth and interpretive depth.

Instrument

The study employs a doctrinal document-analysis protocol. Textual and systematic interpretation situate constitutional clauses within the broader architecture of the 1945 Constitution; case-law analysis extracts the ratio decidendi and testing logic from Decision No. 42/PUU-XIII/2015; a proportionality matrix (legitimacy → suitability → necessity → balancing) is used to code and evaluate justifications for candidacy limits; and a comparative cross-walk (e.g., readings of ICCPR Article 25 and selected foreign/regional practices) positions Indonesia’s approach

within recognizable international standards. Credibility is reinforced through source triangulation and a maintained audit trail (citation logs, coding notes, and versioned excerpts).

Data Analysis

Analysis is qualitative, descriptive-analytical, and proceeds in linked passes. First, the Court's reasoning is distilled into a usable proportionality sequence tailored to post-conviction candidacy. Next, constitutional guarantees are mapped onto statutory and PKPU provisions to locate gaps, overlaps, and pressure points that shape eligibility decisions. Insights are then synthesized into an operational set of conditional-eligibility criteria—offense typology, time-elapsed (cooling-off), rehabilitation indicators, evidentiary burdens, and documentation protocols—forming a transparent, reviewable decision tool. Finally, the tool is stress-tested against hard cases (e.g., serious corruption, short time since sentence completion, uneven local practice) to check predictability, procedural fairness, and legal certainty, with refinements where the criteria risk over- or under-inclusion.

RESULTS AND DISCUSSION

Result

The analysis of Constitutional Court Decision No. 42/PUU-XIII/2015 reveals that the Court sought a middle course between absolute prohibitions and unrestricted candidacy for former prisoners. Rather than adopting either extreme, the Court emphasized a proportionality framework that connects constitutional rights with regulatory mechanisms under election law and PKPU. This framework requires each restriction to be explained through four evaluative stages—legitimacy, suitability, necessity, and balancing. The result shows that restrictions can remain lawful only when supported by reasoned justification, documented administratively, and open to judicial review. In practice, this framework protects political rights from arbitrary exclusion while also maintaining public confidence in the integrity of elections. Table 1 summarizes the reconstructed proportionality matrix, linking guiding questions with relevant sources and the kind of administrative outputs expected during candidacy screening.

Table 1. Proportionality Matrix (Legitimacy–Suitability–Necessity–Balancing): guiding questions, sources, and administrative outputs.

Proportionality Step	Guiding Question	Source/Evidence	Expected Administrative Output
Legitimacy	Does the restriction pursue a constitutionally valid aim (e.g., electoral integrity, ethical office)?	1945 Constitution Arts. 28D(1), 28I(1); Decision No. 42/2015	State the legitimate aim explicitly in decision documents
Suitability	Does the measure logically advance that aim (e.g., a cooling-off period reduces immediate risk)?	Decision No. 42/2015; PKPU provisions	Show causal link between the measure and its aim
Necessity	Is there a less restrictive but equally effective option available?	Comparative practice; administrative feasibility	Record assessment of alternatives and reasons for rejection
Balancing	Are the benefits to integrity proportionate to the burden on rights?	Synthesized reasoning from case law and statutes	Explain trade-offs and justify the final choice

Discussion

The results suggest that Indonesia's Constitutional Court has redefined candidacy regulation by embedding proportionality into eligibility decisions. This shift demonstrates a recognition that

democracy requires not only protection of rights but also preservation of institutional integrity. As Agustyati et al. (2025) stresses in her analysis of electoral archives, transparency is central to legitimacy, which resonates with the Court's emphasis on reason-giving in eligibility rulings. Conditional eligibility ensures that restrictions are not applied arbitrarily but instead follow structured and reviewable reasoning. In this way, the Indonesian framework strengthens constitutional promises by making them operational in administrative practice. The move away from blanket rules illustrates a doctrinal innovation that promotes both fairness and accountability.

Conditional eligibility also echoes broader changes in governance that emphasize verifiability and public trust. Babagbeto & Ezin (2026) work on blockchain-based e-voting shows how technical mechanisms can secure transparency and accuracy. The proportionality test functions similarly on the legal side: it provides a normative guarantee that eligibility decisions are justified and traceable. Both approaches reinforce the idea that trust is built through systems that can be independently verified. For Indonesia, this convergence suggests that doctrinal clarity and technological reliability should advance together. Electoral processes thus benefit from dual safeguards—digital accuracy in vote counting and legal precision in candidate screening. This alignment reflects a broader democratic trend toward accountability in every stage of elections.

The framework further aligns with research on candidate performance and readiness for office. Hansen (2022) demonstrates that legislative effectiveness is shaped by pathways of political participation and prior experience. Indonesia's conditional-eligibility model acknowledges this by requiring administrators to consider rehabilitation and demonstrated fitness rather than imposing permanent labels. Each step of proportionality—legitimacy, suitability, necessity, balancing—serves as a structured protocol for decision-making. This process prevents reliance on stereotypes and ensures that ex-prisoners are judged on evidence of reform. It also creates a transparent standard that voters and courts can understand. By focusing on demonstrable rehabilitation, the model balances the need for second chances with the protection of democratic institutions.

Comparative lessons reinforce why proportionality is necessary. Piazza & Landy (2025) study of military involvement in Brazilian politics shows how insufficient safeguards destabilized democratic institutions. Rosenzweig (2025) analysis of partisan law enforcement in the United States illustrates the dangers of politically biased gatekeeping. These cases underscore the need for transparent and reviewable standards in candidacy restrictions. Indonesia's framework provides such standards, ensuring that exclusions are not driven by political convenience but by constitutionally defensible reasons. Embedding conditional eligibility reduces risks of manipulation and strengthens judicial oversight. In doing so, the Court's approach brings Indonesia closer to global democratic norms. The balance achieved here illustrates how local jurisprudence can contribute to international debates.

Representation and professional reintegration also play an important role in understanding eligibility. Straus (2025) has shown that socioeconomic background influences political representation, while Shukla et al. (2025) highlights how professional reintegration fosters trust in governance. These perspectives suggest that candidacy is not simply about the right to run but also about societal expectations of competence and responsibility. Conditional eligibility reflects this dual dimension: it opens doors for rehabilitated individuals while requiring tangible proof of accountability. Evidence of restitution, community service, or compliance becomes a basis for rebuilding credibility. This demonstrates to the electorate that rights are exercised responsibly,

protecting both dignity and public confidence. The framework thus transforms candidacy into a question of earned legitimacy. Table 2 below operationalizes conditional eligibility by specifying the criteria, their definitions, application points, and practice notes.

Table 2. Operationalization of conditional-eligibility criteria: definitions, application stages, and practice notes.

Criterion	Operational Definition	Stage of Application	Practical Notes
Offense Category	Classify by severity and relevance to office (e.g., corruption vs. minor offense)	Screening stage	Avoid blanket bans; use individualized review
Time Elapsed (Cooling-off)	Minimum period after sentence completion to reduce risk and stigma	Screening & final decision	Threshold must be reasoned, not arbitrary
Rehabilitation Evidence	Indicators: restitution, community service, compliance, absence of recidivism	Screening; review if contested	Use both qualitative and quantitative proof; provide public summary
Burden/Standard of Proof	Define who must prove what and at what threshold	Entire process & appeals	Ensure due process; prevent shifting standards
Documentation	Acceptable records and verification procedures	Submission, verification, audit trail	Maintain checklists; preserve for judicial review

Electoral design and timing also influence how eligibility rules are perceived. Lucero et al. (2025) work on concurrent elections shows that electoral calendars shape voter demographics and political salience. In Indonesia, uniform standards across electoral cycles are essential to avoid inconsistency. Conditional eligibility ensures that candidacy rules apply predictably regardless of timing or local variation. This consistency is especially important in a decentralized system where fragmentation can erode legitimacy. By grounding eligibility in proportionality, administrators are better equipped to deliver fairness across jurisdictions. This predictability contributes directly to public confidence in electoral governance. Crisis conditions further illustrate the need for clear and transparent rules. Zulhadi et al. (2025) found that post-disaster aid distribution can heighten perceptions of favoritism and political bias. In such situations, eligibility decisions lacking documented reasoning may be seen as partisan tools. Proportionality-based conditional eligibility helps counter such perceptions by requiring decisions to be justified with publicly accessible criteria. This safeguards legitimacy during times when public trust is most vulnerable. It also fosters a culture of explanation that connects legal reasoning with community expectations. By institutionalizing reason-giving, Indonesia strengthens resilience against populist pressures. This quality shows how doctrinal frameworks can function as tools for crisis management as well as routine governance. Decentralization poses its own challenges. Zhang et al. (2025) has argued that vague national standards often dilute into inconsistent local practices. This risk is particularly relevant in Indonesia's multi-level electoral administration. By embedding proportionality-based conditional eligibility directly into PKPU, uniformity across regions can be secured. Courts also gain clearer benchmarks for testing administrative decisions, reducing litigation and strengthening predictability. Codification of these criteria ensures that local administrators apply the same principles nationwide. The result is greater fairness, stronger legal certainty, and enhanced public trust. Ultimately, this confirms that proportionality is not simply an abstract doctrine but a practical governance tool. It situates Indonesia's constitutional innovation within broader debates on democracy and institutional design.

Implications

This study shows that proportionality can do double duty: it is not only a judicial test but also a management tool for electoral administrators. By translating the Court's reasoning into clear steps and criteria, candidacy decisions move from ad-hoc discretion to documented, reviewable practice. Codifying these conditions in statute and PKPU would level out regional variation, reduce avoidable disputes, and signal to the public that second chances are real but earned. The framework also invites better record-keeping (reasoned memos, checklists, and audit trails) so that decisions can withstand public scrutiny and judicial review. Internationally, it positions Indonesia within a rights-respecting, integrity-protecting tradition, making its approach legible in comparative debates. For scholars, it offers a template for turning abstract constitutional promises into operational rules. For practitioners, it provides a shared language (legitimacy, suitability, necessity, balancing) that can anchor training, guidance, and appeals.

Limitations

The argument is doctrinal and comparative; it does not yet observe how the proposed test performs in live eligibility disputes. Public attitudes toward rehabilitation, often decisive for electoral legitimacy are inferred, not measured. Administrative capacity also varies across regions, so the same rule set may yield different outcomes in practice. The comparative references are selective rather than exhaustive, which cautions against sweeping generalizations. Moreover, proportionality relies on reason-giving discipline; if administrators cut corners on documentation, the benefits shrink. Finally, the framework has not been costed: time, staffing, and training needs for consistent application remain to be mapped. These limits mean the contribution is strongest as a normative blueprint awaiting empirical validation.

Suggestions

Next steps should pair law with evidence. Conduct case studies of contested candidacies to see where the test clarifies decisions and where it needs refinement. Survey voters and community leaders to gauge how rehabilitation, cooling-off periods, and offense categories shape perceptions of fairness. Pilot the criteria in PKPU revisions in a subset of regions, coupled with training and standard forms for reason-giving; evaluate effects on dispute rates and processing time. Expand the comparative lens to include jurisdictions with time-bound and review-based models, distilling best-practice thresholds. Finally, build a standing dialogue among constitutional scholars, KPU/Bawaslu officials, and civil society so that rule design, implementation, and oversight evolve together and keep faith with both rights and integrity.

CONCLUSION

This research demonstrates that Constitutional Court Decision No. 42/PUU-XIII/2015 reshaped how Indonesia regulates the candidacy of former prisoners. Instead of endorsing permanent exclusion or unrestricted access, the Court introduced a proportionality-based model that asks every restriction to be justified through legitimacy, suitability, necessity, and balancing. By reframing the issue in this way, the Court anchored electoral integrity in reasoned, reviewable standards rather than categorical rules. The study further shows that proportionality can be translated into operational criteria: assessing the gravity of the offense, applying a cooling-off period, requiring verifiable evidence of rehabilitation, clarifying burdens of proof, and maintaining proper documentation. When consistently applied, these measures transform candidacy decisions into

transparent and predictable processes that can withstand both public scrutiny and judicial oversight. In this sense, conditional eligibility offers Indonesia a principled path that upholds constitutional rights while reinforcing the credibility of democratic institutions.

AUTHOR CONTRIBUTION STATEMENT

Alfian Widyatama: Conceived the research idea; designed the normative-juridical study; conducted doctrinal and comparative analysis of the 1945 Constitution, electoral statutes/PKPU, and Constitutional Court Decision No. 42/PUU-XIII/2015; developed the proportionality framework; prepared figures/tables; drafted and revised the manuscript.

Isharyanto: Provided academic supervision; refined the conceptual framework and proportionality logic; offered critical review of legal reasoning and structure; approved substantive revisions.

Adriana Grahani Firdausy: Provided methodological supervision; ensured coherence between doctrine and operational criteria; reviewed drafts for clarity and rigor; approved the final manuscript.

REFERENCES

Agustyati, K., Pratama, H., Birnir, J. K., Overos, H., Okthariza, N., Kholidin, I., Ramadhanil, F., & Savirani, A. (2025). Indonesia Election Archive: Institutions, candidates and results. *Scientific Data*, 12(1). <https://doi.org/10.1038/s41597-025-05746-7>

Ali, T. O., Hassan, M., & Hossain, N. (2021). The moral and political economy of the pandemic in Bangladesh: Weak states and strong societies during Covid-19. *World Development*, 137, 105216. <https://doi.org/10.1016/j.worlddev.2020.105216>

Babagbeto, G. M., & Ezin, E. C. (2026). Designing an e-Voting System Based on Blockchain and Smart Contracts in Developing Countries. *Lect. Notes Inst. Comput. Sci. Soc. Informatics Telecommun. Eng.*, 618 LNICST, 177–188. https://doi.org/10.1007/978-3-031-93557-2_12

Beazer, Q. H., & Reuter, O. J. (2022). Do Authoritarian Elections Help the Poor? Evidence from Russian Cities. *The Journal of Politics*, 84(1), 437–454. <https://doi.org/10.1086/714775>

Berryessa, C. M. (2022). Modeling “Remorse Bias” in probation narratives: Examining social cognition and judgments of implicit violence during sentencing. *Journal of Social Issues*, 78(2), 452–482. <https://doi.org/10.1111/josi.12508>

Bhat, M. M. A. (2021). Governing Democracy Outside the Law: India’s Election Commission and the Challenge of Accountability. *Asian Journal of Comparative Law*, 16(S1), S85–S104. <https://doi.org/10.1017/asjcl.2021.30>

Bhatt, B. (2022). Ethical complexity of social change: Negotiated actions of a social enterprise. *Journal of Business Ethics*, 177(4), 743–762. <https://doi.org/10.1007/s10551-022-05100-6>

Cegarra-Navarro, J.-G., Bratianu, C., Martínez-Martínez, A., Vătămănescu, E.-M., & Dabija, D.-C. (2023). Creating civic and public engagement by a proper balance between emotional, rational, and spiritual knowledge. *Journal of Knowledge Management*, 27(8), 2113–2135. <https://doi.org/10.1108/JKM-07-2022-0532>

Chen, H., Tang, S., Wu, D., & Yang, D. (2021). The Political Dynamics of Corporate Tax Avoidance: The Chinese Experience. *The Accounting Review*, 96(5), 157–180. <https://doi.org/10.2308/TAR-2017-0601>

Dichter, T. A. (2021). Worst of the Worst: Rehabilitationist Roots of Life without Parole. *Law, Culture and the Humanities*, 17(3), 529–549. <https://doi.org/10.1177/1743872117733190>

Doerfler, R. D. (2023). How Clear Is ?clear?? *Virginia Law Review*, 109(3), 651–710.

Gehrke, M., & Yang, F. (2025). High-Profile Corruption Convictions, Government Reactions, and Public Approval: A Comparative Analysis Across Levels of Democracy. *Governance*, 38(3), e70019. <https://doi.org/10.1111/gove.70019>

Ghandour, A., Woodford, B. J., & Abusaimeh, H. (2024). Ethical Considerations in the Use of ChatGPT: An Exploration Through the Lens of Five Moral Dimensions. *IEEE Access*, 12, 60682–60693. <https://doi.org/10.1109/ACCESS.2024.3394243>

Haley, M. D. (2022). Unequal Treatment: (In)compassionate Release from Federal Prison in the Context of the Covid-19 Pandemic and Vaccine. *Columbia Law Review*, 122(7), 1997–2032.

Hall, A. B., & Yoder, J. (2022). Does Homeownership Influence Political Behavior? Evidence from Administrative Data. *The Journal of Politics*, 84(1), 351–366. <https://doi.org/10.1086/714932>

Hansen, E. K. S. (2022). Students' agency, creative reasoning, and collaboration in mathematical problem solving. *Mathematics Education Research Journal*, 34(4), 813–834. <https://doi.org/10.1007/s13394-021-00365-y>

Hlavacik, M., & Krutka, D. G. (2021). Deliberation can wait: How civic litigation makes inquiry critical. *Theory & Research in Social Education*, 49(3), 418–448. <https://doi.org/10.1080/00933104.2021.1933665>

Jamaluddine, Z., Abukmail, H., Aly, S., Campbell, O. M. R., & Checchi, F. (2025). Traumatic injury mortality in the Gaza Strip from Oct 7, 2023, to June 30, 2024: A capture–recapture analysis. *The Lancet*, 405(10477), 469–477. [https://doi.org/10.1016/S0140-6736\(24\)02678-3](https://doi.org/10.1016/S0140-6736(24)02678-3)

Jimoh, A. L., Abdulrasaq, S., & Olawale, Y.A. (2024). Perceived corruption and political trust: The role of social media use. *Transforming Government: People, Process and Policy*, 19(1), 183–202. <https://doi.org/10.1108/TG-06-2024-0142>

Kerr, N., & Wahman, M. (2021). Electoral Rulings and Public Trust in African Courts and Elections. *Comparative Politics*, 53(2), 257–290. <https://doi.org/10.5129/001041521X15930293747844>

Kristjánsson, K., Fowers, B., Darnell, C., & Pollard, D. (2021). Phronesis (Practical Wisdom) as a Type of Contextual Integrative Thinking. *Review of General Psychology*, 25(3), 239–257. <https://doi.org/10.1177/10892680211023063>

Kruse, S. D. (2022). Department chair leadership: Exploring the role's demands and tensions. *Educational Management Administration & Leadership*, 50(5), 739–757. <https://doi.org/10.1177/1741143220953601>

Kusdarini, E., Priyanto, A., Hartini, S., & Suripno, S. (2022). Roles of justice courts: Settlement of general election administrative disputes in Indonesia. *Helyon*, 8(12). <https://doi.org/10.1016/j.helyon.2022.e11932>

Lucero, E., Robles, R., Trounstine, J., & Collins, J. (2025). What Date Works Best for You? Changes in Electorate Demographics and Policy Priorities in Concurrent Elections. *Urban Affairs Review*, 61(4), 1243–1269. <https://doi.org/10.1177/10780874241297100>

McKay, L., Jennings, W., & Stoker, G. (2021). Political Trust in the "Places That Don't Matter." *Frontiers in Political Science*, 3. <https://doi.org/10.3389/fpos.2021.642236>

Mpofu, Z. F., Mkhize, S. M., & Akpan, J. U. (2024). Empathy, remorse, and restoration of dignity contributing to reduced recidivism: Assessing the role of restorative justice in promoting offender rehabilitation and reintegration in Durban. *Cogent Social Sciences*, 10(1), 2429018. <https://doi.org/10.1080/23311886.2024.2429018>

Murray, B. M. (2021). Retributive Expungement. *University of Pennsylvania Law Review*, 169(3), 665–716.

Nabiebu, M. (2022). Nigeria's Legal Regulatory Framework for Ensuring a Credible 2023 Election. *International Journal of Law and Society (IJLS)*, 1(3), 223–234. <https://doi.org/10.59683/ijls.v1i3.32>

Piazza, K., & Landy, J. (2025). Captain Mayor and Sergeant Councilman? An Assessment of the Reach of Military Politicization in Brazilian Politics. *Armed Forces and Society*, 51(4), 1185–1220. <https://doi.org/10.1177/0095327X241255652>

Roberts, P. (2021). Presumptuous or pluralistic presumptions of innocence? Methodological diagnosis towards conceptual reinvigoration. *Synthese*, 198(9), 8901–8932. <https://doi.org/10.1007/s11229-020-02606-2>

Rosenzweig, S. C. (2025). Partisan Law Enforcement and Extremist Violence: Evidence from U.S. Sheriffs. *Political Research Quarterly*, 78(3), 972–984. <https://doi.org/10.1177/10659129251334100>

Shukla, A., Clithero-Eridon, A., Crandall, C., Chartash, D., Mahan, R., & Albright, D. (2025). A Snapshot of Family Medicine Physician Engagement with State Policy: Findings from the 2023 CERA Survey. *Journal of the American Board of Family Medicine: JABFM*, 38(3), 610–618. <https://doi.org/10.3122/jabfm.2024.240414R1>

Simon, J. (2025). Dignity Defied: Legal-Rational Myths and the Surplus Legitimacy of the Carceral State. *Law & Social Inquiry*, 1–28. <https://doi.org/10.1017/lsi.2024.40>

Stenderup, R., & Pedersen, M. J. (2025). Compliance burden versus program integrity protection: A survey experiment on citizen attitudes toward administrative documentation requirements in public service policy. *Public Administration Review*, 85(5), 1512–1527. <https://doi.org/10.1111/puar.13919>

Stevens, M., Rawat, S., & Satterfield, T. (2025). Care, conflict, and coexistence: Human–wildlife relations in community forests. *People and Nature*, 7(1), 231–246. Scopus. <https://doi.org/10.1002/pan3.10760>

Straus, G. (2025). The Economic Background of City Councilmembers. *Urban Affairs Review*, 61(5), 1551–1568. <https://doi.org/10.1177/10780874251315148>

Susser, D., & Cabrera, L. Y. (2024). Brain Data in Context: Are New Rights the Way to Mental and Brain Privacy? *AJOB Neuroscience*, 15(2), 122–133. <https://doi.org/10.1080/21507740.2023.2188275>

Verhoef, A. H., & Coetser, Y. M. (n.d.). Academic integrity of university students during emergency remote online assessment: An exploration of student voices. *Transformation in Higher Education*, 6(1), 132. <https://doi.org/10.4102/the.v6i0.132>

Zhang, C., Tao, R., & Su, F. (2025). Legislative decentralization and regulatory dilution: Evidence from air pollution control in China. *World Development*, 191. <https://doi.org/10.1016/j.worlddev.2025.107002>

Zulhadi, Al Firdaus, L. K., Fitriyah, & Kushandjani. (2025). Post-Disaster Aid in Electoral Contexts: The Intersection of Insurance Law and Economic Justice. *Jurnal Hukum Bisnis Bonum Commune*, 8(2), 416–449. <https://doi.org/10.30996/jhbhc.v8i2.131865>