

STRENGTHENING ELECTORAL INTEGRITY IN THE CONTEXT OF SPECIAL ECONOMIC ZONES: A LEGAL STUDY ON REGIONAL HEAD ELECTION GOVERNANCE IN BATAM CITY

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Received : 25 November 2025

Published : 31 January 2026

Revised : 01 December 2025

DOI : <https://doi.org/10.59733/jishup.v4i1.179>

Accepted : 30 December 2025

Publish Link : <https://jishup.org/index.php/ojs>

Abstract

This study examines the legal framework governing electoral integrity in regional head elections (Pilkada) in Batam City, a unique administrative region with dual status as both a Free Trade Zone (FTZ) and Special Economic Zone (SEZ). The research addresses the intersection of electoral law, decentralization policies, and special economic governance that creates distinctive challenges for democratic processes. Using normative legal research methodology with statutory, conceptual, and comparative approaches, this study analyzes how the overlapping regulatory frameworks between Law Number 7 of 2017 on General Elections, Law Number 10 of 2016 on Regional Elections, and Government Regulation Number 4 of 2025 on Batam FTZ affect electoral governance and integrity. The findings reveal that Batam faces unique electoral challenges stemming from its heterogeneous population composition, high labor mobility, complex institutional arrangements between Batam Concession Agency (BP Batam) and Batam City Government, and susceptibility to money politics due to economic disparities. This research proposes a legal framework for strengthening electoral integrity through enhanced voter registration mechanisms, improved election supervision coordination, and integrated governance between electoral management bodies and special zone authorities. The study contributes to the scholarly discourse on electoral democracy in special jurisdictions and offers policy recommendations for harmonizing economic zone governance with democratic electoral principles.

Keywords: *Electoral Integrity; Regional Head Election; Free Trade Zone; Special Economic Zone; Batam; Decentralization; Election Supervision; Democratic Governance*

INTRODUCTION

A. Background

Democracy constitutes a fundamental pillar in Indonesia's post-1998 reform constitutional system. Elections with integrity serve as the primary indicator of democratic consolidation and governmental legitimacy. As articulated by Norris (2012), electoral integrity encompasses the entire electoral cycle from the pre-voting stage, the voting process, through to the post-voting phase, all of which must meet international standards and global norms for democratic elections. In the Indonesian context, democratization and decentralization have progressed in tandem since the end of the New Order regime, introducing new dynamics in regional governance. Hidayat et al. (2025) in their systematic review demonstrate that democratization through direct elections has encouraged reform initiatives at the local government level. The changing electoral incentives from the direct local election system have driven politicians to face greater incentives to implement reforms to secure popular votes. However, the processes of democratization and decentralization in Indonesia encounter various moderators that influence outcomes, including clientelistic informal institutions, legal fragmentation, and the influence of predatory elites that can impede the achievement of reform objectives. Batam City presents a unique context for examining electoral integrity within the framework of special economic governance. As a Free Trade Zone and Free Port under Government Regulation Number 46 of 2007 as amended by Government Regulation Number 4 of 2025, and possessing several Special Economic Zones, Batam faces institutional complexities that affect election administration. Aritenang (2017) in his research on Batam as a Special Economic Zone at the Crossroads noted that decentralization has induced new development paths through critical junctures restructuring the institutional settings in Batam governance.

Pramesti et al. (2025) identified several key issues affecting governance in Batam, including overlapping regional development policies, weak leadership competence, governance limitations, insufficient local ownership, and unclear land pricing regulations. This complexity creates distinct challenges for administering elections with integrity in an area characterized by a high migrant worker population and dynamic labor mobility. Money politics in electoral contestation represents one of the critical obstacles impairing electoral integrity. Research on the Indonesian election experience indicates that money politics has been the most prevalent issue in electoral contests, and because the public tolerates this issue, it has become habitual and is applied as customary law in society (Cogent Social Sciences, 2025). In Batam's context, with high economic disparities resulting from its special economic zone status, vulnerability to money politics practices becomes more significant.

Chaisse and Dimitropoulos (2021) in the *Journal of International Economic Law* analyzed that special economic zones embody a new compromise between the state and the market. State-controlled promotion of trade and investment through special economic zones represents a complex compromise between liberalization and protection of economic sovereignty. In the electoral context, this compromise creates its own dynamics between investment interests and the democratic participation of local communities. Based on this background, this research comprehensively examines the legal framework of electoral integrity in regional head elections in Batam City, considering its unique context as a special economic zone. This study contributes to the academic discourse on electoral democracy in special jurisdictions and offers policy recommendations for harmonizing economic zone governance with democratic electoral principles.

B. Problem Formulation

1. What is the legal framework governing regional head election administration in Batam City within the context of its dual status as a Free Trade Zone and Special Economic Zone?
2. What are the legal challenges faced in maintaining electoral integrity in Batam City and what are the implications for local democratic consolidation?
3. What is the ideal legal framework formulation for strengthening electoral integrity in regional head elections in special economic zones such as Batam?

C. Theoretical Framework

1. Electoral Integrity Theory

The concept of electoral integrity has developed into a comprehensive analytical framework for evaluating the quality of electoral democratic processes. Norris (2012) defines electoral integrity as elections conducted in accordance with international standards and global norms for democratic elections, applying universally to all countries throughout the world across the electoral cycle, including the period before voting, during campaigns, on election day, and afterward. Kelley (2012) in her research on democracy monitoring demonstrates that although international election monitoring practices have weaknesses, they remain worth improving as they contribute to democracy promotion. The dimensions of electoral integrity encompass several fundamental aspects. First, the legal aspect requiring a clear and consistent regulatory framework. Second, the administrative aspect demanding professionalism of electoral management bodies. Third, the participation aspect guaranteeing universal and equal suffrage. Fourth, the transparency aspect enabling public oversight and accountability. Hyde (2011) in her research emphasizes that impartial and credible international election observers play a key role in shaping perceptions about the quality and legitimacy of electoral processes.

2. Decentralization and Electoral Accountability Theory

Decentralization theory emphasizes the transfer of power and resources from central government to lower levels of government with the aim of improving efficiency, responsiveness, and accountability. Lewis, Nguyen, and Hendrawan (2020) view democratic accountability through the introduction of direct elections as a key feature of democratization. In this context, accountability is viewed as a democratic norm or ideal, with the establishment of democratic electoral institutions serving as its institutional vehicle. Since direct elections enforce constituency and voting agency, they are supposed to encourage greater accountability and government responsiveness to the interests of the general population. Faguet and Poschl (2015) state that decentralization has the potential to enhance democratic governance through activating citizen participation and democratic elections. However, the effectiveness of decentralization heavily depends on contextual conditions and the quality of local institutions. In the Indonesian context, Shoesmith, Franklin, and Hidayat

(2020) identified that a uniform model of decentralization was applied nationally without considering the different conditions applicable to disadvantaged regions, potentially resulting in suboptimal governance performance.

3. Special Economic Zone Governance Theory

Special Economic Zones (SEZs) are economic policy instruments that create jurisdictions with different laws and administration from other national territories. Moberg (2015) in the *Journal of Institutional Economics* analyzes the political economy of SEZs, demonstrating that in the right institutional context, SEZs tend to promote economic growth, but in the wrong institutional context, they can cause resource misallocation and rent-seeking behavior. Policymakers introducing SEZs must overcome the knowledge problem to avoid misdirected economic planning. Chaisse and Dimitropoulos (2021) developed the concept of special economic zone unilateralism as a new form in the international economic law system. The spatiality of trade and investment promotion through SEZs differs from traditional international economic law, where liberalization does not apply to the entire country but to an isolated jurisdiction within the broader national jurisdiction. The implication for local democracy is the creation of duality between the economic interests of the special zone and the political rights of local residents, requiring harmonization through an appropriate legal framework.

4. Election Supervision Theory

Election supervision constitutes a crucial mechanism for ensuring electoral process integrity. The Venice Commission (2010) emphasizes that almost all legal systems stress the need for election monitoring, which has increasingly become a concern following the implementation of universal suffrage. Schedler (2002) in the *Journal of Democracy* identifies the "menu of manipulation" that can occur in elections without democracy, emphasizing the importance of comprehensive supervision to prevent various forms of fraud. Bjornlund (2004) elaborates on the concept of "beyond free and fair" in election monitoring and democracy building, emphasizing that supervision must encompass the entire electoral cycle, not just election day.

D. Research Methods

This research employs normative legal research methodology (doctrinal legal research) focusing on the analysis of legal norms in legislation related to elections and special economic zones. Normative legal research is conducted by examining library materials or secondary data encompassing primary, secondary, and tertiary legal materials. This approach was chosen for its suitability in analyzing legal frameworks and discovering legal principles governing electoral administration in the context of special economic zones. This research employs several approaches: first, the statutory approach examining regulations related to elections and special economic zones; second, the conceptual approach analyzing concepts of electoral integrity, decentralization, and special economic zone governance; and third, the comparative approach comparing electoral governance experiences in other special economic zones such as Shenzhen to identify best practices that can be adapted. Primary legal materials include: the 1945 Constitution of the Republic of Indonesia; Law Number 7 of 2017 on General Elections; Law Number 10 of 2016 on the Election of Governors, Regents, and Mayors; Law Number 23 of 2014 on Regional Government; Government Regulation Number 4 of 2025 on Batam Free Trade Zone and Free Port; and other related regulations. Secondary legal materials include Scopus-indexed international journals, textbooks, and relevant academic publications. Tertiary legal materials encompass legal dictionaries and encyclopedias for terminology clarification. Legal material collection was conducted through library research by inventorying legislation and academic literature. Legal material analysis employs legal interpretation techniques including grammatical, systematic, teleological, and comparative interpretation. The analysis process follows the steps of: identifying legal facts, collecting legal materials, examining legal issues, legal reasoning, and drawing conclusions.

RESULTS

1. Legal Framework for Electoral Governance in Batam City

Research findings indicate that the legal framework for regional head election governance in Batam City is regulated by a complex and multi-layered regulatory regime. At the national level, Law Number 7 of 2017 on General Elections regulates general principles of election administration, including threshold systems and campaign provisions. This law establishes a 4% parliamentary threshold and a 25%/20% presidential threshold, which influences local political dynamics in Batam.

Law Number 10 of 2016 on the Election of Governors, Regents, and Mayors specifically regulates the mechanisms for regional head elections. Under Article 69(b), this law prohibits identity politics practices in regional head elections. However, implementation remains weak and identity politics practices continue to occur in various regions of Indonesia (Lex Localis, 2025). All candidates are required to have at least senior high school education or equivalent, with a minimum age of 30 years for gubernatorial candidates and 25 years for mayor/regent candidates. At the special zone level, Government Regulation Number 4 of 2025 as the third amendment to Government Regulation Number 46 of 2007 regulates the governance of the Batam Free Trade Zone and Free Port. Research published in the International Journal of Research and Innovation in Social Science (2025) notes that the history of Batam FTZ began when it was initially established in 1970 as a free trade zone and free port in Batam with the aim of accelerating economic growth and attracting foreign investment to Indonesia. This regulation creates a dual institutional structure between the Batam Concession Agency (BP Batam), responsible for economic zone management, and Batam City Government, which has general governmental authority including election administration. Under Government Regulation Number 62 of 2019, the head of BP Batam is the Mayor of Batam City. Regulations Number 41 of 2021 and Numbers 67 and 68 of 2021 aimed to boost trade and investment. However, these arrangements also create complexity regarding land management authority. In practice, BP Batam currently provides recommendations to the National Land Agency (BPN) before land certificates are issued. This practice does not comply with the mandate of Law Number 23 of 2014 on Regional Government and creates legal uncertainty that can affect electoral integrity through the potential use of land issues for practical politics.

2. Legal Challenges to Electoral Integrity in Batam City

The research identifies several specific legal challenges affecting electoral integrity in Batam City. First, challenges related to voter registration due to Batam's unique demographic characteristics. As an industrial zone with significant Singaporean investment (approximately 280 companies with direct investments reaching USD 453 million in 2004), Batam has a high migrant worker population with substantial mobility. This condition complicates accurate and comprehensive voter data collection and potentially creates duplicate voters or unregistered voters. Second, the challenge of money politics exacerbated by economic disparities in the special economic zone. Research shows that vote-buying is common in Indonesia and is known as "politik uang" (money politics). According to a survey by the Institut Riset Indonesia from January to March 2020 in areas holding local elections, 60% of respondents stated they would allow their vote to be bought. Reasons for accepting vote-buying include considering it a gift that cannot be rejected (35-46%), compensation for not working on election day (25-30%), and supporting daily needs (9-16%). In Batam's context, with economic disparities between formal workers in industrial zones and residents outside economic zones, this practice potentially becomes more massive.

Third, the challenge of institutional coordination in election supervision. Indonesia's election supervision system, which places villages at the forefront of the election monitoring system by establishing Village Election Supervisory Committees (Panwaslu Desa), has not fully been able to unravel the complexity of the election monitoring system (Trunojoyo Law Review, 2024). In Batam, with its unique institutional structure between city government and economic zone authority, supervisory coordination becomes more complex. This fragmentation of authority potentially creates gaps in supervision that can be exploited for practices that undermine electoral integrity. Fourth, the challenge of high political costs affecting candidate quality and policy. Research demonstrates a correlation between regional head elections, high political costs, and corruption in Indonesia. High costs for candidacy in regional elections drive elected candidates to seek returns on political capital through potentially corrupt practices, which in turn affects the quality of regional governance, including in special economic zones like Batam.

3. Batam City Election Data in Simultaneous Regional Elections

In the 2024 Simultaneous Regional Elections held on November 27, 2024, Batam City was one of the regions holding elections based on the mandate of the 2016 law requiring all regional head elections from 2024 to be held on the same date. This condition creates significant administrative pressure for electoral management bodies given Batam's demographic and institutional complexity. The General Elections Commission (KPU) noted that legislators newly elected in the 2024 Legislative Election did not need to resign to run for regional head positions, although this policy was later rescinded and elected legislators were also required to resign. Candidates can run either as independents or with party backing. To run with party backing, candidates are required to obtain formal support from a party or coalition of parties collectively holding at least 20% of seats in the relevant Regional House of Representatives (DPRD) or between 6.5-10% of votes in the 2024 legislative election in the area, depending on

population. Independent candidates are required to submit photocopies of identity cards as proof of support, numbering between 6.5-10% of registered voters in the relevant region.

DISCUSSION

1. Harmonization of Electoral and Special Economic Zone Regulations

Analysis of the legal framework reveals significant regulatory fragmentation between election laws and special economic zone regulations. The regulatory fragmentation between the Election Law and Regional Election Law has created overlapping policies, misaligned oversight, and administrative inefficiencies that undermine the legitimacy of democracy in Indonesia (Jambe Law Journal, 2025). A similar condition occurs in Batam, where special economic zone regulations add an additional layer of complexity. The comparative experience from Shenzhen, which transformed from a small fishing village into a global economic hub, provides valuable insights. Shenzhen succeeded through effective governance, strategic policy implementation, and robust infrastructure development. In Batam's context, this research recommends a similar approach by establishing a joint planning committee and implementing a comprehensive infrastructure plan to resolve policy overlaps. Granting greater autonomy to the SEZ, revising leadership policies, and strengthening local ownership through joint ventures and public-private partnerships are essential strategies for accelerating investment and fostering sustainable economic growth in Batam. From an electoral integrity perspective, regulatory harmonization must ensure that special economic zone arrangements do not exclude or limit citizens' political rights. Integration of electoral and regional election systems can reduce operational costs, strengthen oversight mechanisms, and enhance public trust in election outcomes. For Batam, this requires regulatory harmonization encompassing alignment of BP Batam and City Government roles in supporting election administration.

2. Strengthening Voter Registration Mechanisms

Voter registration challenges in special economic zones like Batam require a specific approach integrating population data with industrial zone employment data. This research proposes an integrated voter registration system linking the Population and Civil Registration Service database with the BP Batam database regarding work permits and worker domicile in industrial zones. Transparency through Law Number 14 of 2008 on Public Information Disclosure establishes the importance of government-provided information transparency, including in the electoral context. To further cement public provision of government information, in 2012 the Indonesian government launched the Open Government Indonesia (OGI) initiative to address issues at the intersection of civil society and government, particularly electoral administration and voter information. The OGI secretariat, including KPU, collaborates with civil society organizations to promote transparency, participation, innovation, accountability, and inclusiveness in governance and public services, including election governance.

3. Strengthening Election Supervision

Effective election supervision requires multi-stakeholder coordination involving electoral management bodies, civil society, and economic zone authorities. Village judicial institution-based supervision models can be strengthened for special economic zones by integrating community and worker supervisory mechanisms. Article 448 paragraph (3) of the Election Law authorizes the public to actively monitor, but this has proven not optimal because there is no clear legal protection for the participatory monitoring system. Information and communication technology can enhance electoral integrity in special economic zones. Long et al. (2016) in their research demonstrate that photo quick count systems as low-cost, ICT-capable election technology can provide polling station-level photographic records of tally sheets for auditing alongside certified results. This audit detects procedural failures by election officials and aggregation fraud, and can deter administrative problems and corruption by announcing the audit to polling officials. Implementation of similar systems in Batam could strengthen electoral integrity.

4. Money Politics Mitigation in the Special Economic Zone Context

Money politics mitigation requires a comprehensive approach addressing the root causes of vulnerability. Research identifies three critical problems in mitigating money politics: regulations, electoral management bodies, and shared culture. Regarding regulations, Indonesia has Law Number 7 of 2017 on General Elections. In addressing money politics, the regulation restricts perpetrators only to electoral management bodies, political parties (including candidates), and registered campaign teams. This limitation complicates law enforcement against money politics practices involving parties outside these categories.

In Batam's context as a special economic zone, community empowerment to reject money politics can be achieved through political education programs integrated with corporate social responsibility programs in industrial zones. The establishment of "anti-money politics villages," as piloted in several regions, can be adapted for worker community contexts in Batam's industrial zones.

5. Institutional Design for Electoral Integrity in Special Economic Zones

Appropriate institutional design constitutes a prerequisite for ensuring electoral integrity in the context of special economic zones. An analytical legal framework for SEZs identifies three essential points for successful zone laws: special tax incentives, reduction of national regulatory complexity, and the option of private participation in zone organization and operation. In the electoral context, institutional design must ensure that zone economic incentives do not create political dependencies that undermine electoral accountability. Experience from other special jurisdictions demonstrates the importance of balance between economic autonomy and democratic governance. In Honduras, Zones for Employment and Economic Development (ZEDs) as a new political subdivision of the state with constitutionally granted autonomy to adopt their own governance structures and substantive laws remain bound by international law commitments to democratic governance and respect for human rights. This model can provide insights for developing an electoral legal framework in Batam that balances the economic interests of the special zone with citizens' political rights.

CONCLUSION AND SUGGESTIONS

Based on the research findings and discussion, the following conclusions can be drawn:

First, the legal framework for regional head election governance in Batam City is regulated by a multi-layered regulatory regime encompassing Law Number 7 of 2017 on General Elections, Law Number 10 of 2016 on the Election of Governors, Regents, and Mayors, and Government Regulation Number 4 of 2025 on Batam Free Trade Zone and Free Port. This regulatory fragmentation creates overlapping authorities and institutional complexities affecting the effectiveness of election administration. Second, the primary legal challenges faced in maintaining electoral integrity in Batam City include: voter registration problems due to high migrant worker demographic characteristics; vulnerability to money politics exacerbated by special economic zone economic disparities; institutional coordination complexities in election supervision between electoral management bodies, city government, and economic zone authorities; and high political costs affecting candidate and policy quality.

Third, the ideal legal framework formulation for strengthening electoral integrity in special economic zones like Batam requires: harmonization of electoral and special economic zone regulations through the establishment of joint planning committees; strengthening integrated voter registration mechanisms linking population databases with industrial zone employment data; development of ICT-based election supervision systems; implementation of political education programs for money politics mitigation; and institutional design balancing special zone economic autonomy with democratic governance. This research recommends that policymakers consider the uniqueness of special economic zone contexts in developing electoral regulations and encourage cross-sectoral regulatory harmonization to ensure electoral integrity. Further research is needed to evaluate the effectiveness of electoral integrity policies in other special economic zones and develop electoral governance models that can be adapted to various types of special jurisdictions in Indonesia.

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