

Reinterpreting Presidential Age Requirements: Constitutional Court Reasoning, Legal Certainty, and Democratic Implications after Decision No. 90/PUU- XXI/2023

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Abstract

This article critically examines the Constitutional Court Decision No. 90/PUU-XXI/2023, which reinterprets Article 169(q) of Law Number 7 of 2017 on General Elections by allowing presidential and vice-presidential candidates under forty years of age to run for office provided they currently hold or have previously held an elected public position. The central legal problem addressed in this study concerns the normative tension between judicial discretion and legal certainty in constitutional adjudication, particularly when courts modify the practical meaning of statutory requirements. Employing a normative juridical method, the research analyzes constitutional provisions, electoral legislation, and the Court's legal reasoning to assess whether the decision preserves legal certainty while advancing constitutional principles of equality and democratic participation. The article argues that although the decision represents an assertive exercise of judicial interpretation, it does not undermine legal certainty when viewed through a substantive and proportionality-based understanding of the rule of law. Instead, the Court's reasoning reflects a shift from rigid formalism toward a living constitutional approach that aligns leadership eligibility with democratic legitimacy derived from public mandate rather than age alone. The findings demonstrate that the decision recalibrates the balance between statutory predictability and constitutional justice, reinforcing Indonesia's constitutional democracy while redefining legal certainty as a dynamic and value-oriented concept. This analysis highlights the broader implications of judicial reinterpretation for future electoral law reform and constitutional governance in Indonesia.

1. Introduction

The Constitutional Court of Indonesia plays a decisive role in safeguarding constitutional supremacy and mediating tensions between statutory regulation and constitutional values. Through its authority of judicial review, the Court not only annuls unconstitutional legislation but also shapes the normative direction of Indonesia's democratic governance. One of the most contested areas of this adjudicative function concerns electoral law, particularly Law Number 7 of 2017 on General Elections, which regulates eligibility requirements for presidential and vice-presidential candidates. Among these requirements, the minimum age threshold stipulated in Article 169(q) has become a focal point of constitutional debate.

The provision requiring candidates to be at least forty years old has traditionally been justified as an instrument of legal certainty, offering clear and predictable criteria for eligibility. However, Indonesia's evolving democratic landscape has increasingly challenged the assumption that chronological age reliably reflects leadership competence and political maturity. The growing presence of younger leaders who have obtained democratic mandates through elected office has exposed a tension between rigid statutory thresholds and constitutional guarantees of equality, non-discrimination, and democratic participation (Siregar & Hanum, 2023). This tension raises a fundamental constitutional question: whether age-based restrictions remain proportionate and justifiable within a maturing constitutional democracy.

Legal scholarship has largely examined age requirements as matters of legislative policy or philosophical justification, emphasizing the legislature's discretion under Article 6 paragraph (2) of the 1945 Constitution or engaging in comparative description across jurisdictions. While informative, this body of literature tends to treat age thresholds as static norms and pays limited attention to the constitutional consequences of judicial reinterpretation, particularly its impact on legal certainty and electoral administration (Budiman & Rahman, 2021). As a result, the doctrinal implications of constitutional adjudication in redefining eligibility criteria remain insufficiently explored.

This gap became especially salient following Constitutional Court Decision No. 90/PUU-XXI/2023, in which the Court reinterpreted Article 169(q) to allow individuals under forty years of age to run for president or vice president if they currently hold or have previously held an elected public office. By introducing experience derived from democratic mandate as an alternative qualification, the Court departed from a strictly textual approach and adopted a purposive interpretation grounded in equality and democratic legitimacy. The decision represents a significant shift in Indonesia's constitutional jurisprudence, repositioning legal certainty as a concept that must be balanced with substantive justice rather than rigid formalism (Asshiddiqie, 2020).

At the same time, the ruling has provoked critical debate concerning judicial activism and the boundaries of constitutional interpretation. Critics warn that judicial modification of explicit statutory standards may generate new forms of legal uncertainty and blur the separation of powers, particularly in the sensitive domain of electoral regulation (Firmansyah, 2022). Proponents, however, argue that such intervention is constitutionally justified when statutory norms disproportionately restrict fundamental political rights and democratic participation (Fauzi & Nuraini, 2024). This debate highlights an unresolved normative tension between judicial discretion and legal certainty in constitutional adjudication.

Against this background, this study examines whether Constitutional Court Decision No. 90/PUU-XXI/2023 strengthens or undermines legal certainty within Indonesia's electoral system. It analyzes the compatibility of the Court's reinterpretation with constitutional principles of equality, democracy, and the rule of law, while also assessing its implications for electoral governance and institutional stability. By focusing on legal certainty as a doctrinal outcome of judicial reinterpretation, this article seeks to contribute a more nuanced understanding of how constitutional courts can adapt statutory norms to democratic development without eroding predictability and coherence in electoral law.

This research is guided by the following questions: (1) To what extent does Constitutional Court Decision No. 90/PUU-XXI/2023 preserve or redefine legal certainty in the regulation of presidential and vice-presidential candidacy? (2) How does the Court's reasoning align with constitutional principles of equality, non-discrimination, and the right to participate in governance as articulated in the 1945 Constitution? (3) What are the broader implications of this judicial reinterpretation for Indonesia's constitutional democracy and electoral governance? These questions frame the analytical structure of the article and serve as the basis for evaluating the legitimacy and coherence of the Court's approach.

The objective of this study is to analyze the constitutional and doctrinal implications of the Court's reinterpretation of Article 169(q), with particular emphasis on the concept of legal certainty. By examining the Court's reasoning through a normative juridical approach, the study seeks to assess whether the decision achieves an appropriate balance between formal legality and substantive equality. It further aims to clarify how judicial interpretation can function as a mechanism for adapting statutory norms to democratic transformation without undermining the predictability required in electoral regulation. In doing so, the research aspires to contribute to doctrinal clarity for legislators, election administrators, and constitutional adjudicators.

The novelty of this research lies in its explicit focus on legal certainty as a doctrinal consequence of judicial reinterpretation in electoral law. Unlike existing scholarship that emphasizes political philosophy or institutional authority, this study analyzes how the

Court's interpretive innovation reshapes the normative meaning of legal certainty within Indonesia's constitutional framework. By integrating constitutional theory, jurisprudential analysis, and considerations of electoral administrability, the article offers a distinct contribution to the literature on constitutional adjudication. It advances the argument that legal certainty should be understood not merely as textual rigidity, but as a dynamic concept capable of accommodating justice, proportionality, and democratic legitimacy.

This study demonstrates that constitutional interpretation is an evolving process shaped by democratic development. By critically examining Decision No. 90/PUU-XXI/2023, the research highlights the Constitutional Court's role in harmonizing statutory law with living constitutional values. It contends that legal certainty, when properly understood, can coexist with judicial adaptability and democratic inclusiveness. In this respect, the article contributes to broader scholarly debates on progressive constitutionalism and offers insights into how constitutional law can remain responsive, coherent, and just in an evolving democratic society.

2. Research Method

This study employs a normative-juridical research method, as the object of analysis concerns the interpretation, coherence, and constitutional implications of legal norms rather than empirical behavior. The research is descriptive-analytical in nature, aiming not only to describe the applicable legal framework but also to critically evaluate the reasoning of the Constitutional Court in light of constitutional principles. This approach is appropriate for examining judicial reinterpretation of statutory provisions and its implications for constitutional democracy and electoral governance.

The analysis is conducted through several complementary approaches. First, a statutory approach is used to examine primary legal materials, including the 1945 Constitution, Law Number 7 of 2017 on General Elections, and Constitutional Court Decision No. 90/PUU-XXI/2023. This approach focuses on identifying the normative structure of the minimum age requirement and the formal changes introduced through judicial interpretation. Second, a doctrinal-conceptual approach is applied to clarify and interpret key constitutional principles namely legal certainty, equality before the law, and justice as they function within Indonesian constitutional law. Third, a limited comparative approach is employed to contextualize the Court's reasoning by referring to selected constitutional practices in other jurisdictions concerning age requirements and leadership eligibility.

To enhance analytical clarity, this study operationalizes the core constitutional concepts used in the assessment. Legal certainty is examined through indicators of clarity, predictability, and administrability of legal norms, particularly in their application by electoral authorities. Equality before the law is assessed by analyzing

whether the age requirement, as reinterpreted, avoids arbitrary differentiation and provides equal opportunity for citizens to participate in governance. Justice is evaluated using a proportionality-based approach, focusing on whether the restriction of political rights serves a legitimate objective and employs means that are reasonable and balanced in relation to that objective. These operational criteria guide the interpretation of legal materials and structure the evaluation of the Court's reasoning.

The legal materials analyzed consist of primary and secondary sources. Primary sources include constitutional provisions, electoral statutes, and the full text of Constitutional Court Decision No. 90/PUU-XXI/2023. Secondary sources comprise scholarly books, peer-reviewed journal articles, legal commentaries, and relevant doctrinal writings on constitutional interpretation, judicial review, and electoral law. All materials are collected through systematic document study and organized thematically according to the research questions.

The analytical technique used is qualitative normative analysis grounded in legal hermeneutics. The study examines the Court's reasoning by identifying its interpretive methods textual, systematic, teleological, and proportionality-based and evaluating their consistency with constitutional principles. The analysis also considers the practical implications of the decision for electoral administration to assess whether the reinterpretation produces workable and coherent legal standards. Through this structured method, the study aims to ensure transparency in reasoning and replicability in doctrinal assessment while maintaining focus on the normative validity of constitutional adjudication.

3. Results and Discussion

A. Legal Certainty of the Minimum Age Limit for Presidential and Vice-Presidential Candidates after Constitutional Court Decision No. 90/PUU-XXI/2023

The state, as an organized political institution, is fundamentally oriented toward the protection of public interests and the realization of collective welfare. This objective resonates with the classical notion of *bonum publicum*, which conceives the legitimacy of state authority as dependent on its capacity to enable meaningful civic participation. Within Indonesia's constitutional framework, this idea is concretized through the principle of *kedaulatan rakyat* (popular sovereignty), whereby the people exercise ultimate authority through democratic elections. Article 22E of the 1945 Constitution institutionalizes elections as the primary mechanism for translating popular sovereignty into political legitimacy, requiring that electoral processes be conducted in a direct, public, free, confidential, honest, and fair manner. Consequently, electoral norms must simultaneously guarantee democratic inclusiveness and legal certainty to preserve both legitimacy and stability in governance.

Article 1 paragraph (2) of the 1945 Constitution reinforces that sovereignty is exercised in accordance with constitutional norms, thereby requiring that statutory regulations governing elections adhere to principles of fairness, equality, and predictability. Law Number 7 of 2017 on General Elections constitutes the principal legal framework regulating candidacy requirements for presidential and vice-presidential elections. Within this statute, Article 169(q) establishes a minimum age requirement of forty years, reflecting a legislative judgment that maturity and experience are necessary qualifications for national leadership. From the standpoint of classical legal certainty, such a rule offers clarity and predictability by providing an objective and easily administrable criterion. However, the rigidity of this age threshold has increasingly been questioned in light of democratic developments that have expanded political participation among younger generations.

From a constitutional-philosophical perspective, age-based eligibility requirements are traditionally justified as instruments to ensure competence, stability, and moral responsibility in public office. Nevertheless, Indonesia's evolving democratic context challenges the assumption that chronological age is an adequate proxy for leadership capacity. Younger political actors have demonstrably exercised executive and legislative authority after obtaining direct electoral mandates at regional and national levels. This empirical reality raises normative concerns regarding equality before the law, as protected under Article 28D paragraph (1) of the 1945 Constitution. Contemporary constitutional scholarship increasingly emphasizes that merit, accountability, and democratic legitimacy should prevail over formalistic criteria that may operate in a discriminatory manner (Siregar & Hanum, 2023). In this regard, rigid age limitations risk excluding qualified citizens and constraining democratic choice.

This tension culminated in Constitutional Court Decision No. 90/PUU-XXI/2023, which reinterpreted Article 169(q) by allowing individuals under forty years of age to run for president or vice president provided they currently hold or have previously held an elected public office. Through this interpretation, the Court introduced leadership experience derived from democratic mandate as an alternative qualification to age. The decision reflects a purposive and contextual approach to constitutional interpretation, emphasizing that democratic legitimacy flows from public trust and electoral accountability rather than from age alone. In doctrinal terms, the ruling signifies a shift toward adaptive constitutionalism, aligning statutory norms with evolving democratic realities (Baswedan, 2023).

The Court further articulated that legal certainty should not be equated solely with textual rigidity, but must be understood in conjunction with justice and proportionality. By grounding its reasoning in equality and non-discrimination, the Court invoked Article 28D paragraph (1) of the Constitution as a normative benchmark. This approach resonates with the doctrine of the living constitution, which conceives constitutional

interpretation as responsive to social transformation (Asshiddiqie, 2020). From this perspective, the Court sought to preserve legal certainty not by maintaining a rigid age threshold, but by recalibrating eligibility criteria to ensure substantive fairness. Such reasoning underscores a modern conception of legal certainty that integrates predictability with normative legitimacy.

Nevertheless, the reinterpretation of a clear statutory provision also raises legitimate concerns regarding legal uncertainty and judicial activism. Critics argue that by introducing an exception not expressly предусмотрено by the legislature, the Court risks undermining the predictability of electoral law and blurring the boundary between interpretation and lawmaking. Electoral regulation, by its nature, demands high levels of clarity to ensure uniform application by election management bodies and to prevent strategic manipulation by political actors (Budiman & Rahman, 2021). From this standpoint, judicial modification of explicit legislative standards may generate ambiguity in future cases and complicate administrative implementation.

Concerns have also been raised regarding the precedential implications of Decision No. 90/PUU-XXI/2023. If judicial reinterpretation becomes the primary mechanism for adjusting eligibility requirements, there is a risk that constitutional adjudication may substitute legislative deliberation, thereby weakening democratic accountability. Scholars caution that expansive judicial discretion, when insufficiently constrained, may lead to inconsistent jurisprudence and erode the principle of separation of powers (Firmansyah, 2022). These critiques highlight the importance of maintaining doctrinal discipline in constitutional interpretation, particularly in areas directly affecting political competition.

At the same time, defenders of the decision argue that judicial intervention is constitutionally justified when statutory norms conflict with fundamental rights and constitutional values. In cases involving political rights, courts are often required to act as corrective institutions to prevent disproportionate restrictions imposed by the legislature (Fauzi & Nuraini, 2024). Within this framework, the Court's reinterpretation may be understood not as judicial overreach, but as an exercise of constitutional guardianship aimed at restoring normative balance between legal certainty and equality. The legitimacy of such intervention ultimately depends on the coherence of the Court's reasoning and its consistency with established constitutional principles.

To illustrate the normative evolution of the minimum age requirement, Table 1 summarizes the development of Indonesian electoral law and judicial interpretation.

Table 1. Evolution of Legal Norms on the Minimum Age Requirement for Presidential and Vice-Presidential Candidates

Legal Instrument /	Article / Provision	Minimum Age Requirement	Legal Interpretation	Remarks
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Decision				
1945 Constitution	Article 6 (2)	Not specified	Delegated to statutory law	Leaves room for legislative discretion
Law No. 42 of 2008	Article 5 (o)	40 years	Absolute age threshold	Reflects conservative interpretation
Law No. 7 of 2017	Article 169 (q)	40 years	Maintains rigid standard	Emphasizes maturity and stability
Constitutional Court Decision No. 90/PUU-XXI/2023	—	40 years or previously/currently holding elected office	Flexible interpretation aligned with equality	Expands democratic participation

Source: Author's analysis based on Indonesian constitutional and electoral law (2023).

From a comparative perspective, the Indonesian approach is not unprecedented. Several constitutional democracies have adopted flexible eligibility standards that balance age requirements with experience or democratic mandate. In Austria and Argentina, for example, age thresholds for executive office are lower and complemented by institutional mechanisms that emphasize competence and accountability. Comparative constitutional studies suggest that such flexibility can enhance democratic inclusiveness without necessarily sacrificing legal certainty, provided that eligibility criteria remain clear and consistently applied (Alexy, 2022; Suhartono & Malik, 2024).

Decision No. 90/PUU-XXI/2023 represents a significant but contested development in Indonesia's constitutional jurisprudence. While the ruling advances substantive equality and democratic participation, it simultaneously raises questions about the long-term implications of judicial reinterpretation for legal certainty and institutional balance. The decision illustrates the inherent tension within constitutional democracy between stability and change, predictability and justice. By reframing legal certainty as a responsive rather than rigid concept, the Court has contributed to progressive constitutionalism, yet this evolution also necessitates careful doctrinal restraint to ensure that judicial innovation does not erode the clarity and reliability essential to electoral law.

B. The Compatibility of Constitutional Court Decision No. 90/PUU-XXI/2023 with the Values of the 1945 Constitution

Democracy, as a foundational principle of constitutional governance, rests upon the recognition that sovereignty ultimately resides in the people and that governmental

authority derives its legitimacy from popular will. Within the Indonesian constitutional framework, this principle is explicitly articulated in Article 1 paragraph (2) and Article 27 paragraph (1) of the 1945 Constitution, which affirm popular sovereignty and equality of citizens in governance. These provisions position citizens not merely as subjects of state authority, but as active participants in the democratic process. Consequently, democracy under the 1945 Constitution extends beyond procedural electoral mechanisms and embodies a substantive commitment to equality, inclusiveness, and meaningful participation. Constitutional democracy in Indonesia therefore requires that legal norms governing political rights function to enable, rather than restrict, civic participation (Arifin & Sutanto, 2023).

The 2024 General Election provided a concrete context in which these democratic commitments were tested, particularly through constitutional challenges to electoral eligibility requirements. Among these, Constitutional Court Case No. 90/PUU-XXI/2023 emerged as one of the most significant. The petitioner argued that the minimum age requirement of forty years for presidential and vice-presidential candidates under Article 169(q) of Law No. 7 of 2017 constituted age-based discrimination incompatible with Article 28I paragraph (2) of the Constitution. The argument emphasized that such a rigid threshold undermined equal access to political participation, especially for younger citizens who had already obtained democratic mandates through elected office. This claim reflects a broader constitutional concern that eligibility criteria grounded in arbitrary classifications risk violating the substantive dimension of equality before the law (Bagir & Siregar, 2022).

In its deliberation, the Constitutional Court acknowledged that the challenged provision potentially impaired constitutional rights, not only of prospective candidates but also of voters who were deprived of meaningful electoral choice. The Court established a causal relationship (*causal verband*) between the statutory age requirement and the restriction of political participation, thereby framing the issue as one of constitutional harm. The analysis then turned to whether Article 169(q) was compatible with Articles 27(1), 28D(1), and 28D(3) of the 1945 Constitution, which collectively guarantee equality, legal protection, and equal opportunity in government. The Court concluded that an absolute age requirement failed to reflect Indonesia's democratic development and evolving understanding of equality. Accordingly, the provision was declared conditionally constitutional, valid only when interpreted as permitting candidacy for individuals under forty who currently hold or have previously held elected public office.

From a constitutional perspective, this formulation sought to preserve legislative intent while simultaneously aligning statutory norms with constitutional values. By retaining the forty-year benchmark as a general rule but introducing an experience-based exception, the Court attempted to balance stability with inclusiveness. This

approach reflects a proportionality-based assessment in which restrictions on political rights must pursue legitimate objectives through reasonable and balanced means (Alexy, 2022). The recognition of elected public office as an alternative indicator of maturity and competence illustrates the Court's effort to operationalize equality in a substantive rather than purely formal sense.

The Court further contextualized its reasoning by referring to both historical and comparative constitutional practices. Historically, Indonesia's earlier constitutional frameworks including the 1949 RIS Constitution and the 1950 Provisional Constitution adopted lower age thresholds for executive leadership, reflecting post-independence ideals of youth participation. Over time, statutory law gradually increased the minimum age, culminating in the forty-year requirement under Law No. 7 of 2017. This legislative trajectory reveals a shift toward conservative interpretations of leadership maturity. Comparative analysis demonstrates that Indonesia's former rigidity is not universally shared. Several constitutional democracies maintain lower age thresholds or complement age requirements with experience-based qualifications, thereby promoting broader participation without sacrificing governance stability (Samsudin, 2022).

Table 2. Comparative Analysis of Minimum Age Requirements for Presidential or Executive Candidates

Jurisdiction / Legal Source	Minimum Age Requirement	Legal Basis	Interpretative Rationale	Democratic Implication
Republic of Indonesia (RIS Constitution, 1949)	30 years	Article 69(3)	Promoted youth leadership	Inclusive
Provisional Constitution (UUDS 1950)	30 years	Article 45(5)	Balanced experience and loyalty	Moderately inclusive
Law No. 23/2003	35 years	Article 6(q)	Stability and modernization	Moderately restrictive
Law No. 7/2017	40 years	Article 169(q)	Emphasized maturity	Highly restrictive
Austria	35 years	Article 60(3)	Experience-oriented	Inclusive
Argentina	30 years	Articles 55 & 89	Linked to public trust	Inclusive
MK Decision No. 90/PUU-XXI/2023	40 years or elected office	Judicial interpretation	Equality–competence balance	Substantive democracy

Source: Author's compilation based on Indonesian and comparative constitutional materials (2023).

Doctrinally, the Court's reasoning aligns with contemporary understandings of the *negara hukum*, which require that the rule of law incorporate both formal legality and substantive justice. By employing proportionality analysis, the Court treated equality not as absolute uniformity but as fairness in context. This approach is consistent with progressive constitutionalism, which views the Constitution as a living instrument responsive to social change (Baswedan, 2023). In this sense, the decision demonstrates compatibility with the democratic and egalitarian values of the 1945 Constitution.

Nevertheless, the decision also raises critical questions regarding constitutional boundaries and institutional design. Some scholars caution that judicial reinterpretation of explicit statutory provisions risks diluting the principle of separation of powers and creating uncertainty about legislative authority (Firmansyah, 2022). From this perspective, expanding eligibility criteria through judicial reasoning may set a precedent that encourages future constitutional challenges to policy choices better addressed through democratic legislation. These concerns are particularly salient in electoral law, where predictability and neutrality are essential to maintaining public trust (Budiman & Rahman, 2021).

Conversely, other scholars argue that judicial intervention is not only permissible but necessary when statutory norms disproportionately restrict constitutional rights. In matters involving political participation, courts are often required to act as constitutional correctives to prevent majoritarian bias from undermining minority or generational interests (Fauzi & Nuraini, 2024). Viewed through this lens, Decision No. 90/PUU-XXI/2023 constitutes an act of constitutional restoration rather than judicial excess, reaffirming equality and democratic participation as core constitutional commitments.

The broader implications of the decision extend beyond electoral eligibility to the structure of Indonesian democracy itself. By enabling younger leaders with proven electoral mandates to compete for national office, the ruling promotes generational renewal while preserving democratic legitimacy. It reinforces the principle that political opportunity should be grounded in merit, accountability, and public trust rather than rigid demographic criteria. This interpretation strengthens the participatory character of democracy envisioned by Article 28D paragraph (3) of the Constitution and advances the realization of social justice as a foundational value of Pancasila (Suhartono & Malik, 2024).

Constitutional Court Decision No. 90/PUU-XXI/2023 demonstrates substantial compatibility with the values of the 1945 Constitution, particularly those of democracy, equality, and justice. While the decision raises legitimate concerns regarding judicial activism and precedent, its proportionality-based reasoning situates it within the Court's constitutional mandate to safeguard fundamental rights. By harmonizing legal certainty

with substantive equality, the ruling affirms the Constitution's role as both a normative framework and a living guide for democratic development. As such, the decision reflects the evolving character of Indonesian constitutionalism, where legality and justice are understood as mutually reinforcing rather than competing principles.

4. Conclusion

Constitutional Court Decision No. 90/PUU-XXI/2023 marks an important recalibration of Indonesia's constitutional governance by reframing the relationship between legal certainty and substantive equality in electoral law. Rather than treating the minimum age requirement as an immutable statutory threshold, the Court repositioned it within a constitutional framework that prioritizes democratic legitimacy, proportionality, and equal political opportunity. This approach affirms that legal certainty in a constitutional democracy must remain responsive to evolving social and political realities without losing its normative coherence.

In the long term, the decision has significant implications for electoral stability and constitutional adjudication. While it expands access to political leadership and strengthens democratic inclusiveness, it also underscores the need for clear normative boundaries in judicial interpretation to prevent uncertainty in future elections. If left solely to judicial development, eligibility standards risk becoming fragmented through case-by-case reinterpretation. Consequently, legislative clarification is essential to translate the Court's constitutional reasoning into precise statutory norms that can be consistently applied by electoral authorities and political actors.

This study therefore recommends that the legislature revise Law Number 7 of 2017 to explicitly incorporate experience-based eligibility criteria, accompanied by clear definitions and administrative guidelines. Such legislative action would reinforce electoral predictability, reduce reliance on judicial correction, and preserve the balance between democratic flexibility and legal certainty. At the same time, constitutional courts should continue to exercise interpretive restraint by grounding innovation firmly in proportionality analysis and constitutional text, particularly in politically sensitive domains.

The decision illustrates the evolving character of Indonesia's constitutional democracy, in which judicial interpretation functions not as a substitute for legislation but as a catalyst for normative refinement. By aligning electoral law with constitutional values of equality, participation, and justice, Decision No. 90/PUU-XXI/2023 contributes to a more inclusive democratic order while highlighting the shared responsibility of courts and legislators in safeguarding electoral integrity and constitutional stability.

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